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**BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL
WESTERN BENCH, PUNE**

IN

APPEAL NO. 144 OF 2025

IN THE MATTER OF:

Vijay Kumar Karsanbhai Gadhavi and Ors.Appellant

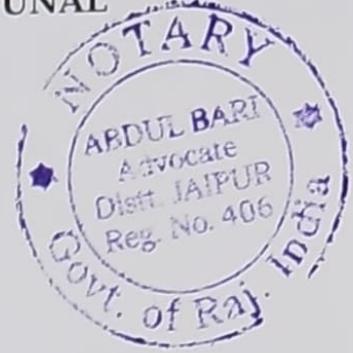
V/S

Union of India and Ors.Respondents

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1.	Counter Affidavit On Behalf Of Respondent No. 1, Ministry Of Environment, Forest And Climate Change	
2.	Copy of the Stage I Approval dated 18.07.2023 is annexed as "Annexure -R1"	
3.	Copy of the Stage II Approval is annexed as "Annexure R2"	
4.	Copy of the CRZ Notification 2011 is annexed as "Annexure R3"	

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN BENCH, PUNE
APPEAL NO. 144 OF 2025



IN THE MATTER OF:

VijayKumar Karsanbhai Gadhavi and Ors.
.....Appellant

V/S

Union of India and Ors.

.....Respondents

COUNTER AFFIDAVIT ON BEHALF OF UNION OF
INDIA

MINISTRY OF ENVIRONMENT, FOREST AND
CLIMATE CHANGE, (RESPONDENT NO. 1)

PRELIMINARY SUBMISSIONS:

I Mahesh Dutt Purohit, son of Hari Dutt Purohit, aged 34 years, working as Scientist 'D' in the Regional Office, Jaipur of the Ministry of Environment, Forest and Climate Change, do hereby solemnly affirm and state as under:

1. That I am duly authorized to swear this affidavit as such conversant with the facts of the present case and competent to swear the present affidavit.

2. That I have read and understood the contents of the

ई महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit
वैज्ञानिक डी / संयुक्त निदेशक/Scientist-D/Joint Director
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change
भारत सरकार
Government of India
क्षेत्रीय कार्यालय गांधी नगर (उप क्षेत्रीय कार्यालय, जयपुर)
RO, Gandhinagar (Sub Regional Office, Jaipur)

Attested

Notary Public, Jaipur

accompanying affidavit and state that the same has been drafted under my instructions based on the records maintained by the Respondent No. 1 in its normal course of business and the same are true and correct.

3. That the contents of the accompanying reply shall be treated as part of this affidavit and the same are not being repeated for the sake of brevity.
4. At the outset, all the allegations made against the Answering Respondent in the instant Appeal are denied except those that are specifically admitted herein. The Appeal is not maintainable against the Answering Respondent either on law or on facts.

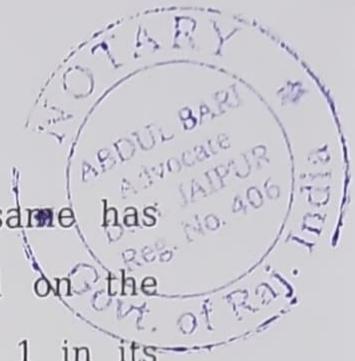
STATEMENT OF FACTS:

5. It is humbly submitted that 'Land' is a subject matter of the State Government. The forest areas and the legal boundaries thereof are determined and maintained by the concerned State Government. That, being the repository of the land records, State Government has the primary responsibility to determine status of any parcel of land, giving due regards to gazette notifications, provisions under State and Central Acts and concerned judgements and directions of the

ई.महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit
 वैज्ञानिक डी/संयुक्त निदेशक/Scientist-D/Joint Director
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest and Climate Change
 भारत सरकार
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 क्षेत्रीय कार्यालय गांधी नगर (उप क्षेत्रीय कार्यालय, जयपुर)
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Hon'ble Supreme Court. The State Government has to determine any violation of the provisions of the Central and State laws.

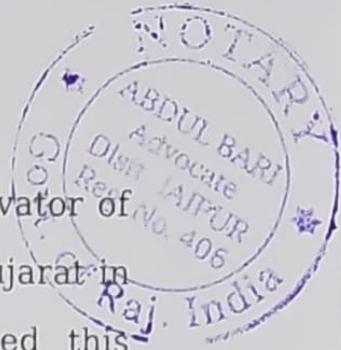
6. It is humbly submitted that prior approval under the Van(Sanrakshan Evam Samvardhan), Adhiniyam, 1980{Formerly known as Forest(Conservation) Act, 1980} is mandatory to carry out any non forestry activity on forest land. That contravention of the above provision would amount to a violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and attract the penal provisions given under Section 3A and 3B of the Van (Sanrakshan Evam Samvardhan), Adhiniyam, 1980.

7. It is humbly submitted that the proposal for diversion of 0.9689 ha. Un-Class forest for laying part of the Seawater intake and effluent disposal pipeline and passage for related construction equipment movement in Kutch District in favour of Chief Operating Officer, GHCL Ltd., Ahmedabad (Proposal Number FP/GJ/Others/147527/2021) was forwarded by the State Government of Gujarat on 16.05.2023 to the Regional Office, Gandhinagar with due recommendation of the state government for forest land diversion.

ई. महेश दत्त पुरोहित/Er. Mahesh Datta Purohit
 वैज्ञानिक डी/संयुक्त निदेशक/Scientist-D/Joint Director
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest and Climate Change
 भारत सरकार
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 RO, Gandhinagar (Sub Regional Office, Jaipur)

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8. It is pertinent to mention that the Chief Conservator of Forest, Kutch Forest Circle, Government of Gujarat in the Part-III of the proposal had recommended this proposal with the condition for "*Preparation and implementation of a Holistic Conservation Plan for mitigation of any negative effects to the Sea Turtle*".

9. The proposal was examined in the Regional Office Gandhinagar and the Regional Office, Gandhinagar, issued Stage-I approval with conditions vide letter No. FC-6/GJB-57/2023-GNR dated 18.07.2023 for diversion of 0.9689 ha. Un-Class forest for laying part of the Seawater intake and effluent disposal pipeline and passage for related construction equipment movement in Kutch District in favour of Chief Operating Officer, GHCL Ltd., Ahmedabad. (True copy of the Stage I Approval dated 18.07.2023 is annexed as "**Annexure R1**").

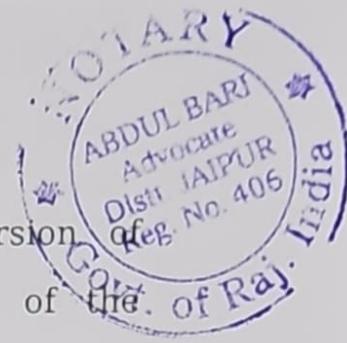
10. The Government of Gujarat, vide letter No. FED/0245/12/2023 dated 28.12.2023, submitted compliance report on the conditions of the Stage I Approval to the Regional Office Gandhinagar.

11. That based on the compliance report submitted by the State Government, the Regional Office, Gandhinagar,

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वैज्ञानिक डी / सयुक्त निदेशक/Scientist-D/Joint Director
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change
भारत सरकार
Government of India
क्षेत्रीय कार्यालय गांधी नगर (उप क्षेत्रीय कार्यालय, जयपुर)
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issued the Stage-II/Final approval for diversion of 0.9689 ha. Un-Class forest for laying part of the Seawater intake and effluent disposal pipeline and passage for related construction equipment movement in Kachchh District in favour of Chief Operating Officer, GHCL Ltd., Ahmedabad. (True copy of the Stage II Approval is annexed as "**Annexure R2**").

12. The Ministry of Environment, Forest and Climate Change (MoEFCC), Government of India is responsible for formulation, coordination, and implementation of national policies and programmes relating to conservation of forests, wildlife, and the environment.
13. The management of forest and wildlife is primarily the responsibility of respective State Government and UT Administration. The Ministry provides financial assistance to the States/UTs for conservation, protection and management of wildlife and its habitats under the Centrally Sponsored Scheme Development of Wildlife Habitats (CSS-DWH), as per the Annual plan of operations received from the States/UTs.
14. It is humbly submitted that the marine turtles are among the 24 species identified as the critically endangered species, for financially assistance to States/

ई.महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit
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 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest and Climate Change
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UTs under species recovery programme component of the Centrally sponsored "Development of wildlife habitats" scheme.

15. The Ministry has released a National Marine Turtle Action Plan (2021-2026) which underscores the need to protect turtle habitats, reduce mortality, and promote research and community involvement. The Ministry supports the State/UTs of the coastal regions for marine turtle and coastal biodiversity conservation for monitoring turtle nesting sites and protection of coastal habitats.

16. That, in project appraisal processes, the primary responsibility for incorporating wildlife-related concerns, conducting ground verification, and ensuring compliance with conservation norms rests with the State Government and its Forest Department. The MoEFCC continues to provide policy direction, scientific guidance, and national-level monitoring of turtle conservation initiatives.

17. It is humbly submitted that in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of

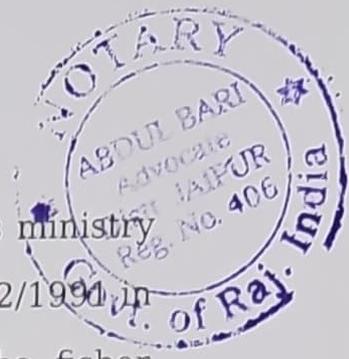
ई. महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit
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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change
भारत सरकार

Government of India

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the Environment (Protection) Rules, 1986, this ministry has issued CRZ Notification since 1991 on 19/02/1991 in order to ensure the livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches. The CRZ Notification 1991 was later superseded by the CRZ Notification of 2011 on 06/01/2011. This was further replaced by the CRZ Notification of 2019 on 18/01/2019.

18. That, according to para 6 (i) the CRZ Notification of 2019, all Coastal States and Union Territories (UTs) are required to update their Coastal Zone Management Plans (CZMP) in accordance with the new provisions & guidelines and submit them for approval. Until the updated CZMP is approved by this Ministry, the provisions of the CRZ Notification of 2011 will continue to apply.

19. That, as on date, CZMP as per CRZ Notification, 2019 have been approved for the States of Odisha, Karnataka, Maharashtra and Kerala. Eight Coastal district of Gujarat i.e. Vadodara, Anand, Ahmedabad, Porbandar, Junagarh, Dev Bhumi Dwarka, Jamnagar and Gir Somnath. In rest of the district of the State of Gujarat,

the CZMP, as per the CRZ Notification, 2011, is

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Ministry of Environment, Forest and Climate Change
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applicable.

That, in the instant matter, the relevant applicable provisions of the CRZ Notification, 2011 are Paragraphs 3(i)(a), 4(ii)(d), and 8 I (i)(b), which permit the laying of pipelines in CRZ areas and require prior clearance as per the procedure stipulated in Paragraph 4.2 of the Notification. (True copy of the CRZ Notification 2011 is annexed as "Annexure R3")

21. That this Ministry reserves its right to file additional affidavit as and when required till *pende-lite*.
22. That in light of the aforementioned facts and circumstances it is respectfully prayed that this Hon'ble Tribunal may pass any order as it deem fit.

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VERIFICATION

I, the above named Deponent do hereby verify that the contents of the above affidavit are true and correct to my knowledge and are based on official records and nothing material is concealed therein.

Verified at Jaipur..... on this 7th Day of November, 2025.

DEPONENT
ई. महेश दत्त पुरोहित/Er. Mahesh Dutt Purohit
वैज्ञानिक डी / संयुक्त निदेशक/Scientist-D/Joint Director
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
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DEPONENT

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change
भारत सरकार

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क्षेत्रीय कार्यालय गांधी नगर (उप क्षेत्रीय कार्यालय, जयपुर)
RO, Gandhinagar (Sub Regional Office, Jaipur)

I/48695/2023



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGE



क्षेत्रीय कार्यालय, गांधीनगर/ Regional Office, Gandhinagar

ए वींग- 407 एवं 409 "अरण्य भवन" सी.एच.-3 सर्किल के समीप, सेक्टर-10ए, गांधीनगर-382010 / A wing-
407 & 409, "ARANYA BHAWAN", Near CH-3 Circle, Sector-10A, Gandhi Nagar-382010
Email: iro.gandhinagr-meifcc@gov.in

दिनांक: 18th जुलाई, 2023

To

अपर मुख्य सचिव (वन)/The Additional Chief Secretary (Forests)

गुजरात सरकार/Govt. of Gujarat

ब्लॉक नं. 14, आठवां तल, न्यू सचिवालय

Block No. 14, 8th Floor, New Sachivalaya

गांधीनगर, गुजरात/Gandhinagar, Gujarat.

(Online Proposal No: FP/GJ/Others/147527/2021)

Sub: Diversion of 0.9689 ha Un-Class forest for laying part of Seawater intake and effluent disposal pipeline and passage for related construction equipment movement in Kachchh District in favour of Chief Operating Officer, GHCL Ltd., Ahmedabad.

Sir,

This refers to letter No. FED/FLP/e-file/6/2022/1377/F dated 16.05.2023 of the State Govt. of Gujarat on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section-2 of Forest (Conservation) Act, 1980.

The proposal was duly considered and approved by the Central Government for issuance of In-Principle approval. Therefore, the undersigned, on the behalf of the Central Government, conveys **In-Principle/Stage-I Approval** for diversion of 0.9689 ha Un-Class forest for laying part of Seawater intake and effluent disposal pipeline and passage for related construction equipment movement in Kachchh District in favour of Chief Operating Officer, GHCL Ltd., Ahmedabad subject to the following general and standard conditions :-

A: Conditions which needs to be complied prior to handing over of forest land by the State Forest Department:

1. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
2. The State Government shall charge the Net Present Value (NPV) for the **0.9689 ha** forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 and **revision of NPV vide Ministry letter No. 5-3/2011-FC(Vol-1) dated 06.01.2022** in this regard.

(Signature)
18/07/2023

I/48695/2023

3. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
4. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
5. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of concerned Divisional Forest Officer.
6. The KML file of the area to be diverted and the CA areas shall be uploaded on the e-Green watch portal with all requisite details, before issuing working permission towards linear projects or submitting compliance report for seeking Final/Stage-II approval, as the case may be.
7. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.

B: Conditions which needs to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Final/Stage-II approval:

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over to the User Agency only after required non-forest land for the project is handed over to the User Agency.
3. Compensatory afforestation shall be taken up by the Forest Department over 2.00 ha degraded forest land, Village- Dhokda, Taluka- Mandvi, District- Kutch of Gujarat at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and mono-culture of any species may be avoided.
4. No tree felling shall be involved in the implementation of this project.
5. User Agency shall obtain CRZ Clearance and Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
6. The Pipeline shall be laid down 1.5 meter below the ground and after lying down of pipeline the ground will be leveled.
7. No damage to the flora and fauna of the adjoining area shall be caused.
8. The layout plan of the proposal shall not be changed without prior approval of Central Government.
9. No labour camp shall be established on the forest land.
10. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
11. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
12. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
13. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.


18/07/2023

I/48695/2023

14. The forest land shall not be used for any purpose other than that specified in the project proposal.
15. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
16. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Gandhinagar by the end of March every year.
17. The User Agency shall comply with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
18. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
19. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
20. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for Final/Stage-II approval under Section-2 of the Forest (Conservation) Act, 1980. The User Agency shall take up the work as per the guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place. Working permission, if any issued, shall be intimated to IRO, Gandhinagar. Transfer of forest land shall not be effected till Final/Stage-II approval is granted by the Central Government in this regard.

Further, it may also be noted that this **In-principle / Stage-I** approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this In-principle approval shall be revoked after five (05) years.


 (अवण कुमार वर्मा/Shrawan Kumar Verma)
 क्षेत्रीय अधिकारी/ Regional Officer
 क्षेत्रीय कार्यालय, गांधीनगर/
 Regional Office, Gandhinagar.

प्रतिलिपि/Copy to:

1. The Inspector General of Forests (Central), ROHQ Division, Ministry of Environment Forest and Climate Change, Indira paryavaran Bhawan, Jor Bagh Road, New Delhi- 110003.
2. The APCCF & Nodal Officer (FCA), Aranya Bhawan, Sector- 10A, Gandhinagar, Gujarat.
3. The Chief Conservator of Forests, Forest Circle Kutch, Bhuj, Gujarat.
4. The Deputy Conservator of Forests, Kutch-West Forest Division, Kutch, Gujarat.
5. The Chief Operating Officer, GHCL Limited, GHCL House, Opposite Punjabi Hall, Navrangpura, Ahmedabad, Gujarat.
6. Guard File.

I/61791/2024



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGE

क्षेत्रीय कार्यालय, गांधीनगर/ Regional Office, Gandhinagar



ए वींग- 407 एवं 409, "अरण्य भवन", सी.एच.-3 सर्किल के समीप, सेक्टर-10ए, गांधीनगर-382010 / A wing-407 & 409, "ARANYA BHAWAN", Near CH-3 Circle, Sector-10A, Gandhi Nagar-382010
Email: iro.gandhingr-mefcc@gov.in

दिनांक: 04th जनवरी, 2024

To

अपर मुख्य सचिव (वन)/The Additional Chief Secretary (Forests)

गुजरात सरकार/Govt. of Gujarat

ब्लॉक नं. 14, आठवां तल, न्यू सचिवालय

Block No. 14, 8th Floor, New Sachivalaya

गांधीनगर, गुजरात/Gandhinagar, Gujarat.

(Online Proposal No: FP/GJ/Others/147527/2021)

Sub: Final (Stage-II) approval of Central Government under Forest (Conservation) Act, 1980 for proposed diversion of 0.9689 ha Un-Class forest for laying part of Seawater intake and effluent disposal pipeline and passage for related construction equipment movement in Kachchh District in favour of Chief Operating Officer, GHCL Ltd., Ahmedabad- reg.

Sir,

This refers to letter No. FED/FLP/e-file/6/2022/1377/F dated 16.05.2023 of the State Govt. of Gujarat on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section-2 of Forest (Conservation) Act, 1980. After due consideration of the proposal of the State Government, the 'In-Principle/Stage-I' approval of the Central Government for the diversion of the said forest land was accorded vide this office letter No. FC-6/GJB-57/2023-GNR dated 18.07.2023 subject to fulfillment of certain conditions. The State Government of Gujarat vide their letter No. FED/FLP/e-file/6/2022/1377/F dated 28.12.2023 have furnished compliance report in respect of the relevant conditions stipulated in the In-principle approval for grant of final approval.

In this connection, on the basis of the compliance report under reference and confirmation of receipt of compensatory levies from National Authority of CAMPA vide online e.portal transaction dated 11.10.2023, the **Final/Stage-II approval** of the Central Government under Section-2 of Forest (Conservation) Act, 1980 is hereby accorded for diversion of 0.9689 ha Un-Class forest for laying part of Seawater intake and effluent disposal pipeline and passage for related construction equipment movement in Kachchh District in favour of Chief Operating Officer, GHCL Ltd., Ahmedabad subject to the following general and standard conditions:

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department over 2.00 ha de-graded forest land at Village- Dhokda, Taluka- Mandvi, District- Kutch of Gujarat at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and mono-culture of any species, especially non-native species should be avoided.

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3. No tree felling shall be involved in the implementation of this project.
4. The State Government should ensure submission of FRA certificate in proper format along with all the enclosures i.e. proceedings of DLC, SDLC & Gram Sabha Resolution by the User Agency before issuing the orders for diversion by the State Government.
5. The KML files of diverted area and CA area are to be uploaded on the e.Green Watch Portal before issuing the orders for diversion by the State Government.
6. The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipeline the ground will be leveled.
7. The layout plan of the proposal shall not be changed without prior approval of Central Government.
8. No labour camp shall be established on the forest land.
9. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
10. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
11. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
12. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
13. The forest land shall not be used for any purpose other than that specified in the project proposal.
14. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
15. The User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Gandhinagar by the end of March every year.
16. The User Agency shall comply with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
17. All the conditions of Stage-I approval shall be strictly complied.
18. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
19. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

As has been mentioned at Para-2 of this final approval, this approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Regional Office of Ministry of Environment, Forest and Climate Change may withdraw the said approval for the


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diversion of the forest land and stop the non-forest activity being carried out in the forest land besides initiating the legal action as per provisions of Forest (Conservation) Act, 1980.

भवदीय
04/11/2024

(श्रवण कुमार वर्मा/Shrawan Kumar Verma)
क्षेत्रीय अधिकारी/ **Regional Officer**
क्षेत्रीय कार्यालय, गांधीनगर/
Regional Office, Gandhinagar.

Copy to:

1. The Inspector General of Forests (Central), ROHQ Division, Ministry of Environment Forest and Climate Change, Indira paryavaran Bhawan, Jor Bagh Road, New Delhi- 110003.
2. The APCCF & Nodal Officer (FCA), Aranya Bhawan, Sector- 10A, Gandhinagar, Gujarat.
3. The Dy. Conservator of Forests, Forest Division Kutch- West, Bhuj, Gujarat.
4. The Chief Operating Officer, GHCL Limited, GHCL House, Opposite Punjabi Hall, Navrangpura, Ahmedabad, Gujarat.
5. Guard File.

MINISTRY OF ENVIRONMENT AND FORESTS
(Department of Environment, Forests and Wildlife)
COASTAL REGULATION ZONE NOTIFICATION

New Delhi, the 6th January, 2011

S.O. 19(E).— WHEREAS a draft notification under sub-section (1) of section and clause (V) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 was issued inviting objections and suggestions for the declaration of coastal stretches as Coastal Regulation Zone and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O.No.2291 (E), dated 15th September, 2010.;

AND WHEREAS, copies of the said Gazette were made available to the public on 15th September, 2010.;

AND WHEREAS, the suggestions and objections received from the public have been considered by the Central Government.;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, with a view to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming, does hereby, declare the coastal stretches of the country and the water area upto its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands upto its territorial limit, as Coastal Regulation Zone (hereinafter referred to as the CRZ) and restricts the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous Substances (Handling, Management and Transboundary Movement) Rules, 2009 in the aforesaid CRZ.; and

In exercise of powers also conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19th February, 1991 except as respects things done or omitted to be done before such supersession, the Central Government hereby declares the following areas as CRZ and imposes with effect from the date of the notification the following restrictions on the setting up and expansion of industries, operations or processes and the like in the CRZ,-

- (i) the land area from High Tide Line (hereinafter referred to as the HTL) to 500mts on the landward side along the sea front.
- (ii) CRZ shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans (hereinafter referred to as the CZMPs).

Explanation.- For the purposes of this sub-paragraph the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds connected to the sea or creeks and the like.

(iii) the land area falling between the hazard line and 500mts from HTL on the landward side, in case of seafront and between the hazard line and 100mts line in case of tidal influenced water body the word 'hazard line' denotes the line demarcated by Ministry of Environment and Forests (hereinafter referred to as the MoEF) through the Survey of India (hereinafter referred to as the SoI) taking into account tides, waves, sea level rise and shoreline changes.

(iv) land area between HTL and Low Tide Line (hereinafter referred to as the LTL) which will be termed as the intertidal zone.

(v) the water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

2. For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority(s) so authorized by the MoEF in accordance with the general guidelines issued at Annexure-I. HTL shall be demarcated within one year from the date of issue of this notification.

3. Prohibited activities within CRZ,- The following are declared as prohibited activities within the CRZ,-

(i) Setting up of new industries and expansion of existing industries except,-

(a) those directly related to waterfront or directly needing foreshore facilities;

Explanation: The expression "foreshore facilities" means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like.;

(b) projects of Department of Atomic Energy;

(c) facilities for generating power by non-conventional energy sources and setting up of desalination plants in the areas not classified as CRZ-I(i) based on an impact assessment study including social impacts.;

(d) development of green field Airport already permitted only at Navi Mumbai;

(e) reconstruction, repair works of dwelling units of local communities including fishers in accordance with local town and country planning regulations.

(ii) manufacture or handling oil storage or disposal of hazardous substance as specified in the notification of Ministry of Environment and Forests, No. S.O.594 (E), dated the 28th July 1989, S.O.No.966(E), dated the 27th November, 1989 and GSR 1037 (E), dated the 5th

December, 1989 except,-

- (a) transfer of hazardous substances from ships to ports, terminals and refineries and vice versa;
- (b) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas (hereinafter referred to as the LNG) in the areas not classified as CRZ- I(i) subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF.

Provided that facilities for receipt and storage of fertilizers and raw materials required for manufacture of fertilizers like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid and the like, shall be permitted within the said zone in the areas not classified as CRZ-I(i).

- (iii) Setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas:

- (iv) Land reclamation, bunding or disturbing the natural course of seawater except those,-

- (a) required for setting up, construction or modernisation or expansion of foreshore facilities like ports, harbours, jetties, wharves, quays, slipways, bridges, sealink, road on stilts, and such as meant for defence and security purpose and for other facilities that are essential for activities permissible under the notification;
- (b) measures for control of erosion, based on scientific including Environmental Impact Assessment (hereinafter referred to as the EIA) studies
- (c) maintenance or clearing of waterways, channels and ports, based on EIA studies;
- (d) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF.

- (v) Setting up and expansion of units or mechanism for disposal of wastes and effluents except facilities required for,-

- (a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (b) storm water drains and ancillary structures for pumping;
- (c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in CRZ areas other than CRZ-I and disposal of treated wastes and effluents;

- (vi) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements. The concerned authorities shall implement schemes for phasing out existing discharge of this nature, if any, within a time period not exceeding two years from the date of issue of this notification.

- (vii) Dumping of city or town wastes including construction debris, industrial solid wastes, fly

ash for the purpose of land filling and the like and the concerned authority shall implement schemes for phasing out any existing practice, if any, shall be phased out within a period of one year from date of commencement of this notification.

Note:-The MoEF will issue a separate instruction to the State Governments and Union territory Administration in respect of preparation of Action Plans and their implementation as also monitoring including the time schedule thereof, in respect of paras (v), (vi) and (vii).

(viii) Port and harbour projects in high eroding stretches of the coast, except those projects classified as strategic and defence related in terms of EIA notification, 2006 identified by MoEF based on scientific studies and in consultation with the State Government or the Union territory Administration.

(ix) Reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities.

(x) Mining of sand, rocks and other sub-strata materials except,-

- (a) those rare minerals not available outside the CRZ area,
- (b) exploration and exploitation of Oil and Natural Gas.

(xi) Drawl of groundwater and construction related thereto, within 200mts of HTL; except the following:-

- (a) in the areas which are inhabited by the local communities and only for their use.
- (b) In the area between 200mts-500mts zone the drawl of groundwater shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries and where no other source of water is available.

Note:-Restrictions for such drawl may be imposed by the Authority designated by the State Government and Union territory Administration in the areas affected by sea water intrusion.

(xi) Construction activities in CRZ-I except those specified in para 8 of this notification.

(xiii) Dressing or altering the sand dunes, hills, natural features including landscape changes for beautification, recreation and other such purpose.

(xiv) Facilities required for patrolling and vigilance activities of marine/coastal police stations.

4. Regulation of permissible activities in CRZ area.- The following activities shall be regulated except those prohibited in para 3 above,-

- (i)(a) clearance shall be given for any activity within the CRZ only if it requires waterfront and foreshore facilities;
- (b) for those projects which are listed under this notification and also attract EIA notification, 2006 (S.O.1533 (E), dated the 14th September, 2006), for such projects clearance under EIA notification only shall be required subject to being recommended by the concerned State or Union territory Coastal Zone Management Authority (hereinafter referred to as the CZMA).
- (c) Housing schemes in CRZ as specified in paragraph 8 of this notification;

- (d) Construction involving more than 20,000sq mts built-up area in CRZ-II shall be considered in accordance with EIA notification, 2006 and in case of projects less than 20,000sq mts built-up area shall be approved by the concerned State or Union territory Planning authorities in accordance with this notification after obtaining recommendations from the concerned CZMA and prior recommendations of the concern CZMA shall be essential for considering the grant of environmental clearance under EIA notification, 2006 or grant of approval by the relevant planning authority.
- (e) MoEF may under a specific or general order specify projects which require prior public hearing of project affected people.
- (f) construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;
- (ii) the following activities shall require clearance from MoEF, namely:-
- (a) those activities not listed in the EIA notification, 2006.
- (b) construction activities relating to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as, slipways, jetties, wharves, quays; except for classified operational component of defence projects. Residential buildings, office buildings, hospital complexes, workshops of strategic and defence projects in terms of EIA notification, 2006.;
- (c) construction, operation of lighthouses;
- (d) laying of pipelines, conveying systems, transmission line;
- (e) exploration and extraction of oil and natural gas and all associated activities and facilities thereto;
- (f) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants. MoEF may specify for category of projects such as at (f), (g) and (h) of para 4;
- (g) Mining of rare minerals as listed by the Department of Atomic Energy;
- (h) Facilities for generating power by non-conventional energy resources, desalination plants and weather radars;
- (i) Demolition and reconstruction of (a) buildings of archaeological and historical importance, (ii) heritage buildings; and buildings under public use which means buildings such as for the purposes of worship, education, medical care and cultural activities;

4.2 Procedure for clearance of permissible activities.- All projects attracting this notification shall be considered for CRZ clearance as per the following procedure, namely:-

- (i) The project proponents shall apply with the following documents seeking prior clearance under CRZ notification to the concerned State or the Union territory Coastal Zone Management Authority,-
- (a) Form-1 (Annexure-IV of the notification);
- (b) Rapid EIA Report including marine and terrestrial component except for construction projects listed under 4(c) and (d)
- (c) Comprehensive EIA with cumulative studies for projects in the stretches classified as low and medium eroding by MoEF based on scientific studies and in consultation with the State Governments and Union territory Administration;
- (d) Disaster Management Report, Risk Assessment Report and Management Plan;
- (e) CRZ map indicating HTL and LTL demarcated by one of the authorized agency (as indicated in para 2) in 1:4000 scale;
- (f) Project layout superimposed on the above map indicated at (e) above;

- (g) The CRZ map normally covering 7km radius around the project site.
 - (h) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas;
 - (i) No Objection Certificate from the concerned State Pollution Control Boards or Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like.;
- (ii) The concerned CZMA shall examine the above documents in accordance with the approved CZMP and in compliance with CRZ notification and make recommendations within a period of sixty days from date of receipt of complete application,-
- (a) MoEF or State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) as the case may be for the project attracting EIA notification, 2006;
 - (b) MoEF for the projects not covered in the EIA notification, 2006 but attracting para 4(ii) of the CRZ notification;
- (iii) MoEF or SEIAA shall consider such projects for clearance based on the recommendations of the concerned CZMA within a period of sixty days.
- (vi) The clearance accorded to the projects under the CRZ notification shall be valid for the period of five years from the date of issue of the clearance for commencement of construction and operation.
- (v) For Post clearance monitoring – (a) it shall be mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on 1st June and 31st December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned CZMA.
- (b) the compliance report shall also be displayed on the website of the concerned regulatory authority.
- (vi) To maintain transparency in the working of the CZMAs it shall be the responsibility of the CZMA to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMPs of the respective State Government or Union territory.

5. Preparation of Coastal Zone Management Plans.

- (i) The MoEF may obtain the CZMPs prepared through the respective State Government or Union territory;
- (ii) The CZMPs may be prepared by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of MoEF and in consultation with the concerned stakeholders;
- (iii) The hazard line shall be mapped by MoEF through Sol all along the coastline of the country and the hazard line shall be demarcated taking into account, tide, waves, sea level

rise and shoreline changes;

- (iv) For the purpose of depicting the flooding due to tides, waves and sea level rise in the next fifty and hundred years, the contour mapping of the coastline shall be carried out at 0.5m interval normally upto 7km from HTL on the landward side, and the shoreline changes shall be demarcated based on historical data by comparing the previous satellite imageries with the recent satellite imageries;
- (v) Mapping of the hazard line shall be carried out in 1:25,000 scale for macro level planning and 1:10,000 scale or cadastral scale for micro level mapping and the hazard line shall be taken into consideration while preparing the land use plan of the coastal areas;
- (vi) The coastal States and Union Territory will prepare within a period of twenty four months from the date of issue this notification, draft CZMPs in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in Annexure-I of the notification, which involve public consultation;
- (vii) The draft CZMPs shall be submitted by the State Government or Union territory to the concerned CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986;
- (viii) The State Government or Union territory CZMA shall submit the draft CZMPs to MoEF alongwith its recommendations on the CZMP within a period of six months after incorporating the suggestions and objections received from the stakeholders;
- (ix) MoEF shall thereafter consider and approve the CZMPs within a period of four months from the date of receipt of the CZMPs complete in all respects;
- (x) All developmental activities listed in this notification shall be regulated by the State Government, Union Territory Administration, the local authority or the concerned CZMA within the framework of such approved CZMPs as the case may be in accordance with provisions of this notification;
- (xi) The CZMPs shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking revision of the maps following the above procedures;
- (xii) The CZMPs already approved under CRZ notification, 1991 shall be valid for a period of twenty four months unless the aforesaid period is extended by MoEF by a specific notification subject to such terms and conditions as may be specified therein.

6. Enforcement of the CRZ, notification, 2011-

- (a) For the purpose of implementation and enforcement of the provisions this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF, State Government or the Union territory Administration NCZMA and SCZMA's;
- (b) The composition, tenure and mandate of NCZMA and State Government or the Union territory CZMA's have already been notified by MoEF in terms of Orders of Hon'ble

Supreme Court in Writ Petition 664 of 1993;

- (c) the State Government or the Union territory CZMAs shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned containing atleast three representatives of local traditional coastal communities including from fisherfolk;
- (d) The dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely-
 - (i) these are not used for any commercial activity
 - (ii) these are not sold or transferred to non-traditional coastal community.

7. Classification of the CRZ – For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely:-

(i) CRZ-I,-

- A. The areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast,-
 - (a) Mangroves, in case mangrove area is more than 1000 sq mts, a buffer of 50meters along the mangroves shall be provided;
 - (b) Corals and coral reefs and associated biodiversity;
 - (c) Sand Dunes;
 - (d) Mudflats which are biologically active;
 - (e) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986); including Biosphere Reserves;
 - (f) Salt Marshes;
 - (g) Turtle nesting grounds;
 - (h) Horse shoe crabs habitats;
 - (i) Sea grass beds;
 - (j) Nesting grounds of birds;
 - (k) Areas or structures of archaeological importance and heritage sites.
- B. The area between Low Tide Line and High Tide Line;

(ii) CRZ-II,-

The areas that have been developed upto or close to the shoreline.

Explanation.- For the purposes of the expression “developed area” is referred to as that area within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains;

(iii) CRZ-III,-

Areas that are relatively undisturbed and those do not belong to either CRZ-I or II which include coastal zone in the rural areas (developed and undeveloped) and also areas within municipal limits or in other legally designated urban areas, which are not substantially built up.

(iv.) CRZ-IV,-

- A. the water area from the Low Tide Line to twelve nautical miles on the seaward side;
- B. shall include the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

(v) Areas requiring special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities,-

- A. (i) CRZ area falling within municipal limits of Greater Mumbai;
(ii) the CRZ areas of Kerala including the backwaters and backwater islands;
(iii) CRZ areas of Goa.
- B. Critically Vulnerable Coastal Areas (CVCA) such as Sunderbans region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 and managed with the involvement of coastal communities including fisherfolk.

8 Norms for regulation of activities permissible under this notification,-

- (i) The development or construction activities in different categories of CRZ shall be regulated by the concerned CZMA in accordance with the following norms, namely:-

Note:- The word existing use hereinafter in relation to existence of various features or existence of regularisation or norms shall mean existence of these features or regularisation or norms as on 19.2.1991 wherein CRZ notification, was notified.

I. CRZ-I,-

- (i) no new construction shall be permitted in CRZ-I except,-

- (a) projects relating to Department of Atomic Energy;
- (b) pipelines, conveying systems including transmission lines;
- (c) facilities that are essential for activities permissible under CRZ-I;
- (d) installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department;
- (e) construction of trans harbour sea link and without affecting the tidal flow of water, between LTL and HTL.
- (f) development of green field airport already approved at only Navi Mumbai;

- (ii) Areas between LTL and HTL which are not ecologically sensitive, necessary safety measures will be incorporated while permitting the following, namely:-

- (a) exploration and extraction of natural gas;
- (b) construction of dispensaries, schools, public rainshelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA.
- (c) necessary safety measure shall be incorporated while permitting such developmental activities in the area falling in the hazard zone;
- (d) salt harvesting by solar evaporation of seawater;
- (e) desalination plants;
- (f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;
- (g) construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water.

II. CRZ-II,-

- (i) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures;
- (ii) buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio:
Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road;
- (iii) reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use;
- (iv) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas subject to the conditions as mentioned in sub-paragraph (ii) of paragraph 3;
- (v) desalination plants and associated facilities;
- (vi) storage of non-hazardous cargo, such as edible oil, fertilizers and food grain in notified ports;
- (vii) facilities for generating power by non-conventional power sources and associated facilities;

III. CRZ-III,-

A. Area upto 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as "No Development Zone (NDZ)",-

- (i) the NDZ shall not be applicable in such area falling within any notified port limits;
- (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management

provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF;

(iii) however, the following activities may be permitted in NDZ –

- (a) agriculture, horticulture, gardens, pasture, parks, play field, and forestry;
- (b) projects relating to Department of Atomic Energy;
- (c) mining of rare minerals;
- (d) salt manufacture from seawater;
- (e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (f) facilities for regasification of liquefied natural gas subject to conditions as mentioned in subparagraph (ii) of paragraph 3;
- (g) facilities for generating power by non conventional energy sources;
- (h) Foreshore facilities for desalination plants and associated facilities;
- (i) weather radars;
- (j) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA;
- (k) construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee;
- (l) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;
- (m) development of green field airport already permitted only at Navi Mumbai.

B. Area between 200mts to 500mts,-

The following activities shall be permissible in the above areas;

- (i) development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors subject to the conditions as specified in the guidelines at Annexure-III ;
- (ii) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (iii) facilities for regasification of liquefied natural gas subject to conditions as mentioned in sub-paragraph (ii) of paragraph 3;
- (iv) storage of non-hazardous cargo such as, edible oil, fertilizers, food grain in notified ports;
- (v) foreshore facilities for desalination plants and associated facilities;
- (vi) facilities for generating power by non-conventional energy sources;
- (vii) construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);
- (viii) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads and bridges by CZMA who may also permit construction of schools and dispensaries for local inhabitants of the area for those panchayats, the major

part of which falls within CRZ if no other area is available for construction of such facilities;

- (ix) reconstruction or alteration of existing authorised building subject to sub-paragraph (vii), (viii);
- (x) development of green field airport already permitted only at Navi Mumbai.

(IV) In CRZ-IV areas,-

The activities impugning on the sea and tidal influenced water bodies will be regulated except for traditional fishing and related activities undertaken by local communities as follows:-

- (a) No untreated sewage, effluents, ballast water, ship washes, fly ash or solid waste from all activities including from aquaculture operations shall be let off or dumped. A comprehensive plan for treatment of sewage generating from the coastal towns and cities shall be formulated within a period of one year in consultation with stakeholders including traditional coastal communities, traditional fisherfolk and implemented;
- (b) Pollution from oil and gas exploration and drilling, mining, boat house and shipping;
- (c) There shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

V. Areas requiring special consideration,-

1. CRZ areas falling within municipal limits of the Greater Mumbai.

- (i) Developmental activities in the CRZ area of the Greater Mumbai because of the environmental issues, relating to degradation of mangroves, pollution of creeks and coastal waters, due to discharge of untreated effluents and disposal of solid waste, the need to provide decent housing to the poor section of society and lack of suitable alternatives in the inter connected islands of Greater Mumbai shall be regulated as follows, namely:-

- A. Construction of roads - In CRZ-I areas indicated at sub-paragraph (i) of paragraph 7 of the notification the following activities only can be taken up:-
 - (a) Construction of roads, approach roads and missing link roads approved in the Developmental Plan of Greater Mumbai on stilts ensuring that the free flow of tidal water is not affected, without any benefit of CRZ-II accruing on the landward side of such constructed roads or approach roads subject to the following conditions:-
 - (i) All mangrove areas shall be mapped and notified as protected forest and necessary protection and conservation measures for the identified mangrove areas shall be initiated.
 - (ii) Five times the number of mangroves destroyed/cut during the construction process shall be replanted.
- B. Solid waste disposal sites shall be identified outside the CRZ area and thereafter within two years the existing conventional solid waste sites shall be relocated outside the CRZ area.

(iii) In CRZ-II areas-

- (a) The development or redevelopment shall continue to be undertaken in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the notification dated the 19th February, 1991, unless specified otherwise in this notification.

(b) SLUM REHABILITATION SCHEMES,-

1. In the Greater Mumbai area there are large slum clusters with lakhs of families residing therein and the living conditions in these slums are deplorable and the civic agencies are not able to provide basic infrastructure such as drinking water, electricity, roads, drainage and the like because the slums come up in an unplanned and congested manner and the slums in the coastal area are at great risk in the event of cyclones, storm surges or tsunamis, in view of the difficulties in providing rescue, relief and evacuation.
2. To provide a safe and decent dwelling to the slum dwellers, the State Government may implement slum redevelopment schemes as identified as on the date of issue of this notification directly or through its parastatal agencies like Maharashtra Housing and Area Development Authority (MHADA), Shivshahi Punarvasan Prakalp Limited (SPPL), Mumbai Metropolitan Region Development Authority (MMRDA) and the like.:

Provided that,-

- (i) such redevelopment schemes shall be undertaken directly or through joint ventures or through public private partnerships or other similar models ensuring that the stake of the State Government or its parastatal entities shall be not less than 51%;
- (ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority;
- (iii) it shall be the duty of the project proponent undertaking the redevelopment through conditions (i)(2) above along with the State Government to ensure that all legally regularized tenants are provided houses in situ or as per norms laid down by the State Government in this regard.

(c) REDEVELOPMENT OF DILAPIDATED, CESSSED AND UNSAFE BUILDINGS:

1. In the Greater Mumbai, there are, also a large number of old and dilapidated, cessed and unsafe buildings in the CRZ areas and due to their age these structures are extremely vulnerable and disaster prone and therefore there is an urgent need for the redevelopment or reconstruction of these identified buildings.
2. These projects shall be taken up subject to the following conditions and safeguards:
 - (i) such redevelopment or reconstruction projects as identified on the date of issue of this notification shall be allowed to be taken up involving the owners of these buildings either above or with private developers in accordance with the prevailing Regulation, directly or through joint ventures or through other similar models.
 - (ii) the Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority
 - (iii) suitable accommodation to the original tenants of the specified buildings shall be

ensured during the course of redevelopment or reconstruction of the buildings by the project proponents, undertaking the redevelopment through condition 2(i) above.

- (d) Notwithstanding anything contained in this notification, the developmental activities for slums and for dilapidated, cessed and unsafe buildings as specified at paras (b) and (c) above shall be carried out in an accountable and transparent manner by the project proponents mentioned therein which shall include the following pre-condition measures, wherever applicable;-
1. (i) applicability of the Right to Information Act, 2005 to all redevelopment or reconstruction projects granted clearance by the Competent Authorities;
(ii) MoEF shall issue an order constituting the CPIO and the first Appellate Authority of appropriate ranks in consultation with Government of Maharashtra;
(iii) details of the Slum Rehabilitation Scheme, including the complete proposal and the names of the eligible slum dwellers will be declared suo-moto as a requirement of Section 4 of compliance of the Right to Information Act, 2005 by the appropriate authority in the Government of Maharashtra in one month before approving it;
(iv) the implementing or executing agency at the State Government with regard to projects indicated at sub-item (b) and (c) of item (iii) of sub-paragraph V shall display on a large notice boards at the site and at the office of the implementing or executing agency the names of the eligible builders, total number of tenements being made, names of eligible slum dwellers who are to be provided the dwelling units and the extra area available for free sale.
(v) Projects being developed under sub-items (b) and (c) of item (iii) of sub-paragraph V shall be given permission only if the project proponent agree to be covered under the Right to Information Act, 2005.
 2. MoEF may appoint statutory auditors, who are empanelled by the Comptroller and auditor General (hereinafter referred to as the C&AG) to undertake performance and fiscal audit in respect of the projects relating to redevelopment of dilapidated, cessed and unsafe buildings and the projects relating to Slum Rehabilitation Scheme shall be audited by C&AG.
 3. A High Level Oversight Committee may be set up by the Government of Maharashtra for periodic review of implementation of V(iii)(b) and (c) which shall include eminent representatives of various Stakeholders, like Architects, Urban Planner, Engineers, and Civil Society, besides the local urban bodies, the State Government and the Central Government.
 4. The individual projects under V(iii)(b) and (c) shall be undertaken only after public consultation in which views of only the legally entitled slum dweller or the legally entitled tenent of the dilapidated or cessed buildings shall be obtained in accordance with the procedures laid down in EIA notification, 2006.
- (e) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorized as CRZ-III, that is, 'no development zone'.
- (f) the Floor Space Index upto 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.
- (g) Koliwada namely, fishing settlement areas as identified in the Development Plan of 1981

or relevant records of the Government of Maharashtra, shall be mapped and declared as CRZ-III so that any development, including construction and reconstruction of dwelling units within these settlements shall be undertaken in accordance with applicable as per local Town and Country Planning Regulations.

- (h) Reconstruction and repair works of the dwelling units, belonging to fisher communities and other local communities identified by the State Government, shall be considered and granted permission by the Competent Authorities on a priority basis, in accordance with the applicable Town and Country Planning Regulations.

2. CRZ for Kerala

In view of the unique coastal systems of backwater and backwater islands alongwith space limitation present in the coastal stretches of the State of Kerala, the following activities in CRZ shall be regulated as follows, namely:-

- (i) all the islands in the backwaters of Kerala shall be covered under the CRZ notification;
- (ii) the islands within the backwaters shall have 50mts width from the High Tide Line on the landward side as the CRZ area;
- (iii) within 50mts from the HTL of these backwater islands existing dwelling units of local communities may be repaired or reconstructed however no new construction shall be permitted;
- (iv) beyond 50mts from the HTL on the landward side of backwater islands, dwelling units of local communities may be constructed with the prior permission of the Gram panchayat;
- (v) foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up within 50mts width from HTL of these backwater islands.

3. CRZ of Goa.-

In view of the peculiar circumstances of the State Goa including past history and other developments, the specific activities shall be regulated and various measures shall be undertaken as follows:-

- (i) the Government of Goa shall notify the fishing villages wherein all foreshore facilities required for fishing and fishery allied activities such as traditional fish processing yards, boat building or repair yards, net mending yards, ice plants, ice storage, auction hall, jetties may be permitted by Grama Panchayat in the CRZ area;
- (ii) reconstruction, repair works of the structures of local communities including fishermen community shall be permissible in CRZ;
- (iii) purely temporary and seasonal structures customarily put up between the months of September to May;
- (iv) the eco sensitive low lying areas which are influenced by tidal action known as khazan lands shall be mapped;
- (v) the mangroves along such as khazan land shall be protected and a management plan for the khazan land prepared and no developmental activities shall be permitted in the khazan land;
- (vi) sand dunes, beach stretches along the bays and creeks shall be surveyed and mapped. No activity shall be permitted on such sand dune areas;
- (vii) the beaches such as Mandrem, Morjim, Galgiba and Agonda has been designated as turtle nesting sites and protected under the Wildlife Protection Act, 1972 and these areas shall be surveyed and management plan prepared for protection of these turtle nesting

- sites;
- (viii) no developmental activities shall be permitted in the turtle breeding areas referred to in sub-paragraph (vii).
4. (a) Critical Vulnerable Coastal Areas (CVCA) which includes Sunderbans and other identified ecological sensitive areas which shall be managed with the involvement of the local coastal communities including the fisher folk;-
- (b) the entire Sunderbans mangrove area and other identified ecologically important areas such as Gulf of Khambat and Gulf of Kutchchh in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhaitarkanika in Orissa, Coringa, East Godavari and Krishna in Andhra Pradesh shall be declared as Critical Vulnerable Coastal Areas (CVCA) through a process of consultation with local fisher and other communities inhabiting the area and depend on its resources for their livelihood with the objective of promoting conservation and sustainable use of coastal resources and habitats;
- (c) the process of identifying planning, notifying and implementing CVCA shall be detailed in the guideline which will be developed and notified by MoEF in consultations with the stakeholders like the State Government, local coastal communities and fisherfolk and the like inhabiting the area;
- (d) the Integrated Management Plans (IMPs) prepared for such CVCA shall interalia keep in view the conservation and management of mangroves, needs of local communities such as, dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the IMPs will be prepared in line with the para 5 above for preparation of Coastal Zone Management Plans;
- (e) till such time the IMPs are approved and notified, construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by the CZMA with due regards to the views of coastal communities including fisherfolk.

[F.No. 11-83/2005-IA-III]

J. M. MAUSKAR, Addl. Secy.

ANNEXURE I**GUIDELINES FOR PREPARATION OF COASTAL ZONE MANAGEMENT PLANS****I. A. Demarcation of High Tide Line**

1. Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) shall be carried out by one of the agencies authorised by MoEF based on the recommendations of the National Centre for Sustainable Coastal Management (NCSCM).
2. Demarcation of the High Tide Line or LTL shall be made on the Coastal Zone Management (CZM) Maps of scale 1:25,000 prepared by the agencies identified by the MoEF.
3. Local level CZM Maps shall be prepared for use of officials of local bodies for determination of the CRZ.
4. The local level CZM Maps shall be prepared on a Cadastral scale in accordance with the CZM Maps approved by the Central Government.

B. Preparation of CZM Maps

5. Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SOI) and wherever 1:25,000 maps are not available, 1:50,000 maps shall be enlarged to 1:25,000 for the purpose of base map preparation and these maps will be of the standard specification given below:

Unit	:	7.5 minutes X 7.5minutes
Numbering	:	Survey of India Sheet Numbering System
Horizontal Datum	:	Everest or WGS 84
Vertical Datum	:	Mean Sea Level (MSL)
Topography	:	Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs
6. The High Water Level (HWL) and Low Water Level (LWL) marked on the Base maps will be transferred to the CZM maps.
7. Coastal geomorphological signatures in the field or satellite imageries or aerial photographs will be used for appropriate adjustment, in the HWL or LWL for demarcating HTL or LTL in accordance with the CRZ notification.
8. The following geomorphological features shall be considered while demarcating in HTL or LTL:
 - Landward (monsoonal) berm crest in the case of sandy beaches
 - Rocks, Headlands, Cliffs
 - Seawalls or revetments or embankments
9. 500 meter and 200 metre lines will be demarcated with respect of HTL.
10. HTL (as defined in the CRZ notification) and LTL shall also be demarcated in the CZM maps along the banks of tidal influenced inland water bodies with the help of the geomorphological signatures or features.
11. Classification of different coastal zones shall be done as per the CRZ notification
12. Standard national or international colour codes shall be used to highlight sub-classification of data.

C. Local level CZM Maps

Local level CZM Maps are for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans

13. Cadastral (village) maps in 1:3960 or the nearest scale, shall be used as the base maps.
14. These maps are available with revenue Authorities and are prepared as per standard norms.

15. HTL (as defined in the CRZ notification) and LTL will be demarcated in the cadastral map based on detailed physical verification using coastal geomorphological signatures or features in accordance with the CZM Maps approved by the Central Government.
16. 500metre and 200metre lines shall be demarcated with respect to the HTL thus marked.
17. HTL (as defined in the CRZ notification, 1991) and LTL will also be demarcated along the banks of tidal influenced inland water bodies with the help of geomorphological signatures or features.
18. Classifications shall be transferred into local level CZM maps from the CZM Plans.
19. Symbols will be adopted from CZM Maps.
20. Colour codes as given in CZM Maps shall be used.
21. Demarcation of cadastral maps will be done by local agencies approved by the Central Government. The local agencies shall work under the guidance of the concerned State Government or Union Territory Coastal Zone Management Authorities.

D. Hazard mapping:-

II. Classification of CRZ areas

1. The CZM Maps shall be prepared in accordance with para 5 of the CRZ notification demarcating CRZ I, II, III, IV and V.
2. The CZM Maps shall clearly demarcate the land use plan of the area and lists out the CRZ-I areas. All the CRZ-I areas listed under para 7(I)A and B shall be clearly demarcated and colour codes given so that each of the CRZ-I areas can be clearly identified.
3. Buffer zone along mangrove areas of more than 1000sq mts shall be stipulated with a different colour distinguishing from the mangrove area.
4. The buffer zone shall also be classified as CRZ-I area.
5. The hazard line to be drawn up by MoEF shall be superimposed on the CZM maps in 1:25,000 scale and also on the cadastral scale maps.
6. The CRZ-II areas shall be those areas which have been substantially built-up with a ratio of built-up plots to that of total plots is more than 50%.
7. In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.
8. No developmental activities other than those listed above shall be permitted in the areas between the hazard line and 500mts or 100mts or width of the creek on the landward side. The dwelling unit of the local communities including that of the fishers will not be relocated if the dwelling units are located on the seaward side of the hazard line. The State Government will provide necessary safeguards from natural disaster to such dwelling units of local communities.
9. The water areas of CRZ IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.
10. The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.
11. The water area shall be demarcated indicating the pollution levels as per Central Pollution Control Board standards on water quality.
12. In the CRZ V areas the land use maps shall be superimposed on the Coastal Zone Management Plan and clearly demarcating the CRZ I, II, III, IV.
13. The existing authorized developments on the sea ward side shall be clearly demarcated.

14. The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.

III. CZMPs approved by MoEF in accordance with CRZ notification, 1991

1. While preparing the CZMPs under CRZ notification, 2011, the CZMPs that have been approved under the CRZ Notification, 1991 shall be compared. A justification shall be provided by the concerned CZMA in case the CZMPs prepared under CRZ notification, 2011 varies with respect to the approved CZMP prepared under CRZ notification, 1991.

IV. Public Views on the CZMP.

- a) The draft CZMPs prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMPs shall be held at district level by the concerned CZMAs.
- b) Based on the suggestions and objections received the CZMPs shall be revised and approval of MoEF shall be obtained.
- c) The approved CZMP shall be put up on the website of MoEF, concerned website of the State, Union Territory CZMA and hard copy made available in the panchayat office, District collector office and the like.

V. Revision of Coastal Zone Management Plans

1. Whenever there is a doubt the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.
2. The rectified map would be submitted to MoEF for its record.

Annexure-II

List of petroleum and chemical products permitted for storage in [CRZ except CRZ-I(A)]

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor spirit;
- (iv) Kerosene;
- (v) Aviation fuel;
- (vi) High speed diesel;
- (vii) Lubricating oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;

- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers.

Annexure-III

Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests

- I. Construction of beach resorts or hotels with prior approval of MoEF in designated areas of CRZ-II and III for occupation of tourist or visitors shall be subject to the following conditions, namely:-
- (a) The project proponent shall not undertake any construction within 200 metres in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;
 - (b) The proposed constructions shall be beyond the hazard line or 200mts from the High Tide Line whichever is more;
 - (c) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
 - (d) no flattening of sand dunes shall be carried out;
 - (e) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
 - (f) Construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area;
 - (g) the State Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate;
 - (h) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;

- (i) the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
- (j) the construction shall be consistent with the surrounding landscape and local architectural style;
- (k) the overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
- (l) groundwater shall not be tapped within 200metre of the High Tide Line; within the 200metre 500metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;
- (m) extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;
- (n) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986;
- (o) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (p) to allow public access to the beach, atleast a gap of 20metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500metres apart; and
- (q) if the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and
- (r) approval of the State or Union territory Tourism Department shall be obtained.
- II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or State Government Union territories) construction of beach resorts or hotels shall not be permitted

Annexure-IV**Form-I for seeking clearance for project attracting CRZ notification**

Basic information:

Name of the Project:-

Location or site alternatives under consideration:-

Size of the project (in terms of total area) :-

CRZ classification of the area :-

Expected cost of the project:-

Contact Information:-

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, and the like)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Details of CRZ classification as per the approved Coastal Zone Management Plan?		
1.3	Whether located in CRZ-I area?		
1.4	The distance from the CRZ-I areas.		
1.5	Whether located within the hazard zone as mapped by Ministry of Environment and Forests/National Disaster Management Authority?		
1.6	Whether the area is prone to cyclone, tsunami, tidal surge, subduction, earthquake etc.?		
1.7	Whether the area is prone for saltwater ingress?		
1.8	Clearance of existing land, vegetation and buildings?		
1.9	Creation of new land uses?		
1.10	Pre-construction investigations e.g. bore hole, soil testing?		
1.11	Construction works?		

1.12	Demolition works?		
1.13	Temporary sites used for construction works or housing of construction workers?		
1.14	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.15	Underground works including mining or tunneling?		
1.16	Reclamation works?		
1.17	Dredging/reclamation/land filling/disposal of dredged material etc.?		
1.18	Offshore structures?		
1.19	Production and manufacturing processes?		
1.20	Facilities for storage of goods or materials?		
1.21	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.22	Facilities for long term housing of operational workers?		
1.23	New road, rail or sea traffic during construction or operation?		
1.24	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.25	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.26	New or diverted transmission lines or pipelines?		
1.27	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.28	Stream and river crossings?		
1.29	Abstraction or transfers of water form ground or surface waters?		
1.30	Changes in water bodies or the land surface affecting drainage or run-off?		
1.31	Transport of personnel or materials for construction, operation or decommissioning?		
1.32	Long-term dismantling or decommissioning or restoration works?		
1.33	Ongoing activity during decommissioning which could have an impact on the environment?		
1.34	Influx of people to an area in either temporarily or permanently?		
1.35	Introduction of alien species?		
1.36	Loss of native species or genetic diversity?		
1.37	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S. No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, sand/soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes, that would affect local communities, fisherfolk, their livelihood, dwelling units of traditional local communities etc		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data

4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		
5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		

6.7	From any other sources		
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7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g., floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting activities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.)		

	housing development extractive industries supply industries other		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

III. Environmental Sensitivity

S. No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)		

अधिसूचना

नई दिल्ली, 6 जनवरी, 2011

का.आ. 20(अ).— केन्द्रीय सरकार ने, अपनी अधिसूचना संख्यांक का.आ. 114(अ), तारीख 19 फरवरी, 1991 द्वारा (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) तटीय विनियमन जोन घोषित किया था और उक्त जोनों में उनके संरक्षण के लिए, उद्योगों की स्थापना और विस्तार, संचालनों और प्रक्रियाओं का कतिपय निर्बंधन अधिरोपित किए थे;

और केन्द्रीय सरकार पर्यावरण (संरक्षण नियम, 1986 के नियम 5 के उपनियम (3) के साथ पठित पर्यावरण संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा 2) के खंड (V) के अधीन भारत सरकार के पर्यावरण और वन मंत्रालय (जिसे इसमें इसके पश्चात् पर्यावरण एवं वन मंत्रालय कहा गया है) की अधिसूचना संख्यांक का.आ. 114 (अ), तारीख 19 फरवरी, 1991 को जहां तक उनका संबंध अंडमान और निकोबार द्वीप तथा लक्षद्वीप से है और इस प्रयोजन के लिए अंडमान और निकोबार द्वीप (जिसे इसमें इसके पश्चात् अंडमान और निकोबार कहा गया है) के पर्यावरणीय प्रबंधन के लिए जारीख 15 सितम्बर, 2010 की संख्या 2291 (अ) द्वारा एक अलग अधिसूचना जारी करती है;

और जबकि उक्त राजपत्र की प्रतियां जनता के 25 फरवरी, 2010 को उपलब्ध करा दी गई थी ;

और जबकि जनता से प्राप्त सुझाव और आपत्तियों पर केन्द्रीय सरकार द्वारा विचार किया गया है ।

अतः अब, केन्द्रीय सरकार, (पर्यावरण संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा 2 की उपधारा (1) के खंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए प्राकृतिक परिसंकेतों के प्रति तट की संवेदनशील को ध्यान में रखते हुए वैज्ञानिक सिद्धांतों पर आधारित अविस्तीय एकीकृत प्रबंध योजना के माध्यम से स्थानीय समुदायों को जीविका सुरक्षा प्रदान करने, द्वीप समूह अद्वितीय पर्यावरण और इसके मेरीन क्षेत्र के संरक्षा और सुरक्षा के संवर्धन और विकास के संवर्धन को दृष्टिगत रखते हुए मध्य अंडमान, उत्तरी अंडमान, दक्षिणी अंडमान और वृहत्तर निकोबार और अन्य अंडमान निकोबार द्वीपसमूह के क्षेत्र और लक्षद्वीप द्वीप समूह क्षेत्रों और राज्य क्षेत्रीय समुद्र सीमा तक उनके जल क्षेत्र को द्वीपसमूह संरक्षण जोन के रूप में घोषित करती है और इन क्षेत्रों को द्वीप तटीय विनियम जोन (जिसे इसके बाद आईसीआरजेड कहा गया है) तथा एकीकृत द्वीपसमूह प्रबंध योजना (जिसे इसके बाद आई आई पी एम कहा गया है) के उपबंधित रीति के सिवाय, किसी उद्योग की स्थापना और विस्तार, संचालनों या प्रक्रियाओं और

विनिर्माण या परिसंकटमय पदार्थ (उठाई- धराई, प्रबंध और पार सीमा संचलन) नियम, 2009 के यथाविनिर्दिष्ट परिसंकटमय पदार्थों की उठाई-धराई या भंडारण या व्ययन के लिए निर्बंधित करती है।

पर्यावरण (संरक्षण) अधिनियम, 1986 के खंड (घ) तथा नियम 5 के उपनियम (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और पर्यावरण एवं वन मंत्रालय, भारत सरकार की तारीख 19 फरवरी, 1991 की अधिसूचना सं. का.आ. 114 (अ) के अधिक्रमण में सिवाय ऐसे अतिक्रमण से पूर्व किए गए कार्य अथवा छोड़े गए कार्यों के संबंध में केन्द्र सरकार एतद्वारा निम्नलिखित क्षेत्रों को द्वीप सुरक्षा जोन के रूप में घोषित करती है और उद्योगों, प्रचालनों, संचालनों की स्थापना तथा विस्तार संबंधी निम्नलिखित प्रतिबंधों को अधिसूचना के लागू होने की तारीख से प्रतिबंधों को लगाती है,-

I. अंडमान और निकोबार द्वीपसमूह (जिसे इसके पश्चात् अंडमान और निकोबार कहा गया है) तथा लक्षद्वीप के लिए पर्यावरणीय प्रबंधन निम्न प्रकार से प्रबंधित किया जाएगा :-

क. नीचे उप पैरा ख में उल्लिखित 4 द्वीप समूहों के सिवाय अंडमान और निकोबार का समूचे द्वीप का प्रबंधन आई आई एम पी के अनुसार किया जाएगा;

ख. मध्य अंडमान, उत्तरी अंडमान, दक्षिणी अंडमान और वृहत्तर निकोबार द्वीपसमूह के बड़े भौगोलिक क्षेत्र को ध्यान में रखते इन द्वीप समूह का प्रबंधन द्वीप तटीय विनियमन जोन (जिसे इसके पश्चात् आई सी आर जेड कहा गया है) के अनुसार प्रबंधित किया जाएगा।

अंडमान और निकोबार द्वीप समूहों, पैरा (ख) में उल्लिखित 4 को छोड़कर तथा लक्षद्वीप आई आई एम पी पर आधारित प्रबंधित किया जाएगा, जिसे निम्नलिखित दिशानिर्देशों के आधार पर तैयार किया जाएगा अर्थात्:-

(क) एकीकृत द्वीपसमूह प्रबंधन योजना तैयार करना

1. अंडमान और निकोबार द्वीपसमूह संरक्षण जोन के एकीकृत अविस्तीय विकास के प्रयोजन के लिए, इस अधिसूचना की तारीख से एक वर्ष की भीतर अंडमान और निकोबार द्वीपसमूह प्रशासन एकीकृत द्वीपसमूह प्रबंधन योजना तैयार करेगा, जिसमें, अन्य बातों के साथ-साथ सभी विद्यमान और प्रस्तावित विकास, संरक्षण और परिरक्षण स्कीमों, अवसंरचना परियोजनाओं, विद्यालयों, बाजारों, अस्पतालों, सार्वजनिक सुविधाओं आदि सहित आवासीय एककों को उपदर्शित करने वाले क्षेत्र विनिर्दिष्ट होंगे।
2. लक्षद्वीप द्वीपसमूह संरक्षण जोन के एकीकृत अविस्तीय विकास के प्रयोजन के लिए, इस अधिसूचना की तारीख से एक वर्ष की अवधि के भीतर लक्षद्वीप प्रशासन एकीकृत द्वीपसमूह प्रबंधन योजना तैयार करेगा, जिसमें, अन्य बातों के साथ-साथ, सभी विद्यालयों और प्रस्तावित विकास, संरक्षण और परिरक्षण स्कीमों, अवसंरचना परियोजनाओं, विद्यालयों, बाजारों, अस्पतालों, सार्वजनिक सुविधाओं और सहित आवासीय एककों को उपदर्शित करने वाले क्षेत्र विनिर्दिष्ट होंगे।

3. द्वीपसमूह प्रशासन, यदि यह आवश्यक समझे इस अधिसूचना की अनुसूची 1 में विनिर्दिष्ट मार्गदर्शक सिद्धांतों को ध्यान में रखते हुए, एकीकृत द्वीपसमूह प्रबंध योजना तैयार करने में तटीय संसाधन प्रबंध में अनुभव और विशेषज्ञता रखने वाली अनुसंधान संस्थाओं की सहायता ले सकेगा।
4. द्वीपसमूह और जलीय क्षेत्रों में सभी क्रियाकलाप, एकीकृत द्वीपसमूह प्रबंध योजनाओं के आधार पर यथास्थिति, अंडमान और निकोबार द्वीपसमूह प्रशासन या लक्षद्वीप द्वीपसमूह प्रशासन द्वारा विनियमित होंगे।
5. द्वीपसमूह के विकास क्रियाकलापों को, इस समय द्वीपसमूह के प्रवृत्त स्थानीय नगर और ग्राम योजना के नियमों, विनियमों और निर्माण उपविधियों के अनुसार एकीकृत द्वीपसमूह प्रबंध योजना में सम्मिलित किया जाएगा।
6. रक्षा मंत्रालय की अपेक्षाओं को, यदि कोई हो, एकीकृत द्वीपसमूह प्रबंधन योजना में सम्मिलित किया जाएगा और रक्षा संबंधी सभी परियोजनाओं का निर्धारण सचिव, पर्यावरण और वन मंत्रालय, रक्षा मंत्रालय और यथास्थिति अंडमान और निकोबार द्वीपसमूह प्रशासन या लक्षद्वीप द्वीपसमूह प्रशासन के मुख्य सचिव से मिलकर बनी एक समिति द्वारा किया जाएगा।
7. एकीकृत द्वीपसमूह प्रबंधन योजना, प्रत्येक द्वीप के लिए और जैसा कि समय-समय पर अपेक्षित हो, अलग-अलग बनाई जाएंगी।
8. एकीकृत द्वीपसमूह प्रबंधन योजना बनाते समय इस अधिसूचना की अनुसूची-2 में यथाविनिर्दिष्ट पारिस्थितिकीय संवेदनशील क्षेत्रों पर विचार में लिया जाएगा :

परंतु यदि वे क्षेत्र वन्य जीव (संरक्षण) अधिनियम, 1972 (1972 का 53) के उपबंधों के अधीन अधिसूचित राष्ट्रीय उद्यानों या अभयारण्यों में सम्मिलित हैं तो उन्हें योजना में पृथक रूप से उल्लिखित किया जाएगा और उनका विनियमन उस अधिनियम के उपबंधों के अनुसार होगा।

9. एकीकृत द्वीपसमूह प्रबंधन योजना में स्वीकृत क्रियाकलाप वन (संरक्षण), अधिनियम, 1980 (1980 का 69), वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 53), पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) और उनके अंतर्गत बनाए गए नियमों तथा जारी अधिसूचनाओं के अनुसरण और 14 सितम्बर, 2006 को भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533 (अ) के अधीन किए गए पर्यावरण प्रभाव निर्धारण को ध्यान में रखते हुए किए जाएंगे।
10. (क) एकीकृत द्वीपसमूह प्रबंधन योजना तैयार करने के पश्चात, द्वीपसमूह योजना का व्यापक रूप से प्रचार करेंगे और योजनाओं के प्रकाशन की तारीख से तीस दिनों के भीतर जनता और अन्य पण्यधारियों से सुझाव आमंत्रित करेंगे ;

(ख) योजनाओं का प्रचार कम से कम दो समाचारपत्रों में प्रकाशन और प्रशासन की वेबसाइट में माध्यम से किया जाएगा ;

(ग) योजना की हार्ड प्रति तटीय जोन प्रबंध प्रधिकरणों के अध्यक्ष और सदस्य सचिव के कार्यालय, जिला कलक्टर कार्यालय और प्रदूषण नियंत्रण सचिव के कार्यालय में जनता के लिए उपलब्ध कराई जाएगी ;

(घ) टिप्पणियां प्राप्त होने पर द्वीपसमूह प्रशासन योजनाओं में आवश्यक परिवर्तन करेगा और इस पर विचार किए जाने और अनुमोदन के लिए इसे केन्द्रीय सरकार में पर्यावरण और वन मंत्रालय को प्रस्तुत करेगा ;

(ड.) योजना को तैयारी में उत्पन्न किसी शिकायत के समाधान और निपटारे के लिए संघ राज्य क्षेत्र सी जेड एम ए द्वीपसमूह तटीय प्रबंधन प्राधिकरण और राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण जिम्मेदार होंगे ।

11. केन्द्रीय सरकार में पर्यावरण और वन मंत्रालय, एकीकृत द्वीपसमूह प्रबंधन योजना की प्राप्ति के पश्चात् योजना की समीक्षा करने पर यदि वह संतुष्ट है इसकी प्राप्ति के साठ दिनों के भीतर इसका अनुमोदन करेगा ।
12. एकीकृत द्वीपसमूह प्रबंधन योजना के अधीन सभी क्रियाकलापों को द्वीपसमूह में संबंधित प्राधिकारियों द्वारा ऐसी योजना के अनुसरण में विनियमित किया जाएगा ।

III मध्य अंदमान, उत्तरी अंदमान, दक्षिणी अंदमान और वृहत्तर निकोबार का प्रबंधन आई सी आर जेड प्रबंधन आधार पर किया जाएगा, जिसके निम्नलिखित क्षेत्राधिकार होंगे, अर्थात् :-

क (i) उच्च ज्वार रेखा (जिसे इसके पश्चात् एच.टी.एल. कहा गया है) से लेकर समुद्र की ओर अभिमुख 500 मीटर के भू-क्षेत्र को शामिल किया गया है ।

(ii) आई.सी.आर.जेड. उन क्षेत्रों पर भी लागू होता है जो एच.टी.एल. से लेकर ज्वार से प्रभावित जलाशयों, जोकि समुद्र से जुड़ी हुई हैं, की ओर अभिमुख 100 मीटर के भू-क्षेत्र के मध्य स्थित हैं । वह दूरी जहां तक ज्वार से प्रभावित जलाशयों के आसपास विकासात्मक गतिविधियों को विनियमित किया जाना है और इस दूरी का निर्धारण वर्ष के शुष्क काल में लवणीयता की मात्रा को 5 पार्ट्स प्रति हजार (पी.पी.टी.) को आधार मानकर किया जाएगा तथा ज्वार से प्रभावित होने वाली दूरी को आर सी जेड प्लान के अनुसार स्पष्ट रूप से पहचान कर उसका निर्धारण किया जाएगा ।

स्पष्टीकरण :- इस मद के प्रयोजनार्थ ज्वार से प्रभावित जलाशयों का अर्थ है समुद्र, खाड़ी, एश्च्यूरी, झील, बैकवाटर, लघु समुद्र या क्रीक से जुड़े जलाशय इत्यादि ।

- (iii) एच.टी.एल. एवं निम्न ज्वारीय रेखा (एल.टी.एल.) के मध्य स्थित भू-क्षेत्र को शामिल किया गया है, जिसे इण्टरटाइड जोन कहा जाएगा ।
- (iv) सामान्य समुद्र के लिए एल.टी.एल. एवं क्षेत्रीय जल सीमा (12 नॉटिकल मील) के मध्य स्थित भू-क्षेत्र व ज्वार से प्रभावित जलाशयों के लिए किनारे पर एल.टी.एल. से एल.टी.एल. के बीच के क्षेत्र हैं ।

ख. चार द्वीप समूहों के तटीय क्षेत्र निम्नलिखित रूप से वर्गीकृत किए जाएंगे, अर्थात् :-

1. (क) आई सी आर जेड-1, - पारिस्थितिकीय रूप से संवेदी क्षेत्र और भू आकृति विज्ञान विशेषताएं तट की अखंडता को बनाए रखने में भूमिका निभाता है,-
 - (i) मैनग्रोव ।

- (ii) मूंगा चट्टानें ।
- (iii) रेतीले किनारे और रेत के टीले ।
- (iv) पंकभूमि ।
- (v) वन्य जीव (संरक्षण) अधिनियम, 1972 (1972 का 53) वन (संरक्षण) अधिनियम, 1980 (1980 का 69) या पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) के अधीन संरक्षित क्षेत्र ।
- (vi) लवणीय दलदल ।
- (vii) कछुओं द्वारा अण्डा देने वाली भूमि ।
- (viii) नाल केकड़ा आवास ।
- (ix) समुद्री घास क्यारियां ।
- (x) समुद्री खरपतवार क्यारियां ।
- (xi) चिड़ियों द्वारा घोंसला बनाने वाली भूमि ।
- (xii) मत्स्य आखेट ग्राम और परंपरागत अधिकारों वाले क्षेत्र ।

- (ख) निम्न ज्वार रेखा और उच्च ज्वार रेखा के बीच का भू-क्षेत्र ; तथा
2. आई सी आर जेड-11, - ऐसे क्षेत्र, जो तटीय रेखा के एकदम निकट विकसित या स्थित हो ।

स्पष्टीकरण.- अभिव्यक्ति के प्रयोजनार्थ क्षेत्रों को " विकसित क्षेत्र" कहते हैं जो यह क्षेत्र नगरपालिका के अधिकार क्षेत्र में आता है या यह क्षेत्र कानूनन शहरी क्षेत्र के अंतर्गत आता है जोकि पहले से निर्मित हो चुका है तथा जहां उचित जलनिकास प्रणाली एवं सड़कें एवं अन्य आधारभूत ढांचे जैसे जलापूर्ति एवं वाहितमल निकास प्रणाली मौजूद है ।

- (3) आई.सी.आर.जेड-111, -

ऐसे क्षेत्र जोकि अभी तक अव्यवस्थित नहीं हैं तथा जिन्हें श्रेणी ख (i) (क) तथा (ख) में शामिल नहीं किया गया है । इसके अंतर्गत वह तटीय क्षेत्र आता है जो ग्रामीण इलाकों (विकसित एवं अविकसित) में स्थित है और ऐसे क्षेत्र जो नगरपालिका के अधिकार क्षेत्र में आता है या यह क्षेत्र कानूनन शहरी क्षेत्र के अंतर्गत आता है जोकि पहले से निर्मित न हुआ हो ।

- (4) आई.सी.आर.जेड-iv -

i. समुद्र की ओर उच्च ज्वार रेखा से 12 नॉटिकल मील दूरी का जलीय क्षेत्र;

ii. ज्वार से प्रभावित जलाशयों के आसपास का जलीय क्षेत्र जोकि समुद्र की ओर स्थित जलाशय के मुख से ज्वार से प्रभावित क्षेत्र में आता है । इस दूरी का निर्धारण वर्ष के शुष्क काल में लवणीयता की मात्रा को 5 पार्ट्स पर थाउसेण्ड (पी.पी.टी.) को आधारमानकर किया जाना चाहिए ।

- ग. आई सी आर जेड योजनाएं तैयार करना, -

i. पर्यावरण एवं वन मंत्रालय चार द्वीपों के लिए अंदमान एवं निकोबार प्रशासन के माध्यम से आई सी आर जेड योजना तैयार कराएगा । पर्यावरण एवं वन मंत्रालय का नेशनल सेंटर फॉर सस्टेनेबल कोस्टल

मैनेजमेंट (एन सी एस सी एम) सहित तथा संबंधित हितधारकों के परामर्श से ख्याति प्राप्त और अनुभवी वैज्ञानिक संस्थानों को लगाकर आई सी आर जेड तैयार की जाएगी ।

ii. देश के तटीय विस्तार के लिए जोखिम रेखा का मापन पर्यावरण एवं वन मंत्रालय द्वारा भारतीय सर्वेक्षण के माध्यम से किया जाना चाहिए । जोखिम रेखा के निर्धारण के दौरान ज्वारीय घटनाओं, लहरों व समुद्री जल स्तर में वृद्धि एवं तटीय रेखा के परिवर्तन संबंधी घटनाओं को शामिल किया जाना चाहिए ।

iii. ज्वारीय घटनाओं, लहरों व समुद्री जल स्तर में वृद्धि के कारण अगले पचास और सौ सालों में बाढ़ की घटनाओं का पूर्वानुमान लगाने के उद्देश्य से तटीय विस्तार की कंटूर मैपिंग की जाएगी, जो कि एच टी एल से 0.5 मीटर से लेकर 7 कि.मी. के मध्य होगी । तटीय रेखाओं के परिवर्तन संबंधी घटनाओं से संबंधित रेखा का निर्धारण पुराने आंकड़ों को आधार मानकर, पूर्व के सेटेलाइट चित्रों की तुलना वर्तमान के सेटेलाइट के चित्रों से करके किया जाएगा ।

iv. वृहद स्तरीय भू-उपयोग नियोजन हेतु जोखिम रेखा निर्धारण से संबंधित मैपिंग के लिए 1:25,000 स्केल तथा स्थानीय स्तर की मैपिंग के लिए 1:10,000 स्केल का प्रयोग किया जाएगा ।

v. अंदमान और निकोबार प्रशासन इस अधिसूचना के जारी होने की तारीख से चौबीस माह की अवधि के अंदर जनता के परामर्श से आई सी आर जेड- I, II, III, IV की पहचान कर और उसका वर्गीकरण करके 1:25,000 मैप स्केल पर आई सी आर जेड योजनाओं का प्रारूप तैयार करेगा ।

vi. संघ शासित क्षेत्र प्रशासन द्वारा प्रारूप आई सी आर जेड योजनाएं मूल्यांकन हेतु अंदमान एवं निकोबार सी जेड एम ए को प्रस्तुत की जाएंगी, जिसमें ई आई ए अधिसूचना, 2006 में निर्धारित प्रक्रिया (ओं) के अनुसार उपयुक्त परामर्श से सिफारिशें शामिल हैं ।

vii. अंदमान एवं निकोबार सी जेड एम ए प्रारूप आई सी आर जेड को स्टोक होल्डरों से प्राप्त सुझाव और आपत्तियों को शामिल करने के बार छह माह की अवधि के अंदर आई सी आर जेड योजनाओं से संबंधित सिफारिशों सहित पर्यावरण एवं वन मंत्रालय को प्रस्तुत करेगा ।

viii. तत्पश्चात् पर्यावरण एवं वन मंत्रालय हर दृष्टि से पूर्ण आई सी आर जेड योजनाओं की प्राप्ति की तारीख से चार माह की अवधि के अंदर आई सी आर जेड योजनाओं पर विचार और अनुमोदित करेगा ।

ix. इस अधिसूचना में सूचीबद्ध सभी विकासात्मक क्रियाकलापों को संघ राज्य क्षेत्र प्रशासन, स्थानीय प्राधिकरण अथवा संबंधित अंदमान और निकोबार सी जेड एम ए द्वारा ऐसी अनुमोदित आई सी आर जेड योजनाओं के ढांचे के अंतर्गत इस अधिसूचना के उपबंधों के अनुसार, जैसा भी मामला हो, नियंत्रित किया जाएगा ।

x. आई सी आर जेड योजनाओं को सामान्यता पांच वर्षों की अवधि से पहले संशोधित नहीं किया जाएगा, इसके पश्चात संबंधित संघ राज्य क्षेत्र प्रशासन उपर्युक्त प्रक्रियाएं अपनाकर मानचित्रों के संशोधन पर विचार करेगा ।

घ. चार द्वीपों में इस अधिसूचना के अंतर्गत अनुज्ञेय गतिविधियों के नियमन के लिए मानदंड,-

1. (i) आई सी आर जेड-I,-

- क. निम्नलिखित के अलावा आई सी आर जेड-1 में किसी नए निर्माण की अनुमति नहीं होगी,-
- (i) परमाणु ऊर्जा विभाग से संबंधित परियोजनाएं;
 - (ii) ट्रांसमिशन लाइनों सहित पाइप लाइनें, कन्वेइंग प्रणालियां;
 - (iii) आई सी आर जेड-1 के अंतर्गत अनुज्ञेय गतिविधियों के लिए अनिवार्य सुविधाएं;
 - (iv) भारतीय मौसम विभाग द्वारा चक्रवातों और तूफानों की गति तथा पूर्वानुमान लगाने के लिए मौसमी रडार स्थापित करना ;
 - (v) एल टी एल एवं एच टी एम के मध्य ज्वारीय प्रवाह को नुकसान पहुंचाए बिना द्वीप समूह के पार समुद्री मार्ग का निर्माण;

(ख). एल टी एल एवं एच टी एल के मध्य का ऐसा क्षेत्र जो पारिस्थितिकीय रूप से संवेदनशील तथा महत्वपूर्ण न हो, में निम्नलिखित गतिविधियों को करने की अनुमति देते समय आवश्यक सुरक्षा उपाय किए जाएंगे, अर्थात् :-

- (i) प्राकृतिक गैस का उत्खनन एवं निष्कर्षण;
- (ii) संबंधित सी जेड एम ए से अनुमति प्राप्त करने के पश्चात् जैव मंडल रिजर्वों में निवास करने वाले पारंपरिक समुदाय की आवश्यकता हेतु चिकित्सालय, विद्यालय, सार्वजनिक आवासीय भवन, सामुदायिक शौचालय, पुल, सड़क, जेट्टी, जलापूर्ति व्यवस्था, जल निकास प्रणाली, सीवरेज के निकास की व्यवस्था इत्यादि का निर्माण ;
- (iii) यदि ऐसे क्षेत्र खतरनाक क्षेत्र के अंतर्गत आते हैं तो ऐसे विकासात्मक कार्यकलापों की अनुमति देने से पहले आवश्यक सुरक्षा की व्यवस्था करनी चाहिए;
- (iv) डिसेलिनेशन संयंत्र;
- (v) पूर्व निर्धारित बंदरगाहों पर खाद्य तेल, उर्वरकों और खाद्य सामग्री जैसे जोखिम रहित पदार्थों का भंडारण ;

2. आई सी आर जेड-1।

- (i) केवल पहले से निर्मित सड़कों की भूमि की ओर या किसी प्राधिकरण से संबंधित भवनों की भूमि की ओर ही भवनों के निर्माण की अनुमति प्रदान की जाएगी ;
- (ii) वे भवन जिन्हें पहले से निर्मित या प्रस्तावित सड़कों से पहले से निर्मित किसी प्राधिकरण से संबंधित भवनों की ओर बनाए जाने की अनुमति प्राप्त है, फ्लोर स्पेस इंडेक्स (जिसे इसके पश्चात् एफ एस आई कहा गया है) या फ्लोर एरिया रेशियो (जिसे इसके पश्चात् एफ ए आर कहा गया है) के 'मौजूदा' मानकों सहित स्थानीय नगर आयोजना विनियमों के अधीन होगी ;

बशर्ते कि समुद्र की ओर पहले से निर्मित सड़क पर बने नए सड़कों की ओर की भूमि पर किसी भी प्रकार के भवनों के निर्माण की प्रक्रिया को अनुमति नहीं दी जाएगी ।

- (iii) प्राधिकृत भवन के पुनः निर्माण की अनुमति मौजूदा उपयोग में परिवर्तन किए बिना मौजूदा एफ एस आई या एफ ए आर के अधीन दी जाएगी ।

3. आई सी आर जेड-III।

(क) समुद्र की ओर और ज्वारीय लहरों से प्रभावित जलाशयों या खाड़ी की चौड़ाई, जो भी कम हो, के किनारे सौ मीटर तक एच टी एल से 200 मीटर तक भूमि की ओर के क्षेत्र को "नो डेवलपमेंट जोन (जिस इसके पश्चात् एन डी जेड कहा गया है) के रूप में चिन्हित किया जाएगा, " -

- (i) किसी पूर्व निर्धारित बंदरगाह की सीमाओं में आने वाले ऐसे क्षेत्रों में एन डी जेड लागू नहीं होगा।
- (ii) मौजूदा एफ एस आई मौजूदा प्लिंथ क्षेत्र और मौजूदा सघनता से अधिक न होने वाले मौजूदा प्राधिकृत भवन की मरम्मत या पुनःनिर्माण और कार्यकलापों के लिए आवश्यक सुविधाओं सहित अधिसूचना के अंतर्गत स्वीकार्य कार्यों के सिवाय एन डी जेड में किसी निर्माण कार्य की अनुमति नहीं दी जाएगी। समुद्र के किनारे के साथ-साथ एच टी एल से 100 और 200 मीटर के बीच मछुआरा समुदायों सहित परंपरागत तटीय समुदायों की आवासीय इकाइयों के निर्माण/पुनःनिर्माण की अनुमति होगी, जिसे मछुआरा समुदाय सहित परंपरागत तटीय समुदायों के साथ-साथ परामर्श कर संघ-राज्य क्षेत्र द्वारा आवश्यक आपदा प्रबंधन प्रावधान, स्वच्छता तथा पर्यावरण एवं वन मंत्रालय द्वारा अनुमोदन के लिए संबंधित राज्य या संघ-राज्य क्षेत्र सी जेड एम ए से एन सी जेड एम ए की सिफारिश पर शुरू किया जाएगा;
- (iii) तथापि, एन डी जेड में निम्न गतिविधियों को संचालित करने की अनुमति दी जा सकती है, -

- (क) कृषि, शाक-भाजी उत्पादन, बागवानी, चरागाह, पार्क, खेल का मैदान और वानिकी;
- (ख) परमाणु ऊर्जा विभाग की परियोजनाएं ;
- (ग) दुर्लभ खनिजों का खनन;
- (घ) अधिसूचना के संलग्नक-2 में वर्णित नियमों के अनुसार ही पेट्रोलियम उत्पादों तथा तरल प्राकृतिक गैस का परिवहन एवं भंडारण ;
- (ङ) तरल प्राकृतिक गैस के पुनः गैसीकरण की सुविधाएं ;
- (च) अपारंपरिक ऊर्जा स्रोतों द्वारा विद्युत उत्पादन की सुविधाएं;
- (छ) डिसेलिनेशन संयंत्र एवं इससे जुड़ी सुविधाएं ;
- (ज) मौसमी रडार ;
- (झ) संबंधित सी जेड एम ए से अनुमति प्राप्त स्थानीय समुदाय की आवश्यकता हेतु चिकित्सालय, विद्यालय, सार्वजनिक आवासीय भवन, सामुदायिक शौचालय, वर्षा से बचाव के लिए सार्वजनिक आश्रय स्थल, पुल, सड़क, जेट्टी, जलापूर्ति व्यवस्था, जल निकास प्रणाली, सीवरेज के निकास की व्यवस्था, शवदाहगृह, सीमेटरीज और विद्युत उप संस्थान की व्यवस्था अंदमान और निकोबार सी जेड एम ए द्वारा मामला दर मामला आधार पर दी जाएंगी;
- (ञ) संबंधित प्रदूषण नियंत्रण समिति के पूर्व अनुमोदन से घरेलू सीवेज उपचार एवं निस्तारण के लिए बनाए जाने वाली निकायों या संबंधित निकायों का निर्माण ;
- (ट) स्थानीय मछुआरा समुदाय के लिए आवश्यक सुविधाएं जैसे- मछलियों को सुखाने के लिए प्रांगण, नीलामी के लिए एक हॉल, जाल की मरम्मत के लिए प्रांगण, पारंपरिक नौका निर्माण संबंधी प्रांगण, बर्फ संयंत्र, बर्फ तोड़ने की इकाई, मछलियों के उपचार से संबंधित सुविधाएं आदि;
- (ठ) हवाई पट्टियां और उनसे संबंधित सुविधाएं।

(ख). 200 मीटर से 500 मीटर तक का क्षेत्र, -

उपर्युक्त क्षेत्रों में निम्नलिखित कार्यकलाप स्वीकार्य होंगे;

- (i) अधिसूचना के अनुबंध-III में विशेष रूप से दिए गए नियमों के अनुसार पेट्रोलियम उत्पादों तथा तरल प्राकृतिक गैस का परिवहन एवं भंडारण;
- (ii) अधिसूचना के अनुबंध-IV में दिए गए विशेष दिशानिर्देशों के अनुसार शर्तों के अधीन पर्यटकों अथवा आगंतुकों के लिए होटलों या समुद्र तटीय रिसॉर्टों के निर्माण के लिए अभिनिर्धारित क्षेत्रों में खाली भू-खंड विकसित करना;
- (iii) तरल प्राकृतिक गैस के रीगैसीफिकेशन के लिए सुविधाएं ;

4. आईसीआरजेड-IV क्षेत्रों में,-

स्थानीय समुदायों द्वारा शुरू की गई परंपरागत फिशिंग और संगत गतिविधियों को छोड़कर समुद्र और ज्वार प्रभावित जल निकायों पर प्रतिबंधित गतिविधियों का विनियमन जिनमें पत्तनों, बंदरगाहों तथा अग्रतट की विकासात्मक गतिविधियां भी शामिल हैं; का विनियमन निम्नानुसार किया जाएगा:-

- (क) जल जीव जंतु पालन आपरेशनों सहित सभी प्रकार की गतिविधियों के परिणामस्वरूप उत्पन्न होने वाले किसी तरह के अशोधित सीवेज, बहिस्रावों, ब्लास्ट वाटर, शिपवाशेज, उड़नराख अथवा ठोस अपशिष्ट को डम्प नहीं किया जाएगा और तटीय नगरों और शहरों से उत्पन्न होने वाले सीवेज के शोधन के लिए एक योजना परंपरागत तटीय समुदायों, परंपरागत मछुआरों सहित स्टेकहोल्डरों के साथ परामर्श करके एक वर्ष के भीतर तैयार करके कार्यान्वित की जाएगी;
- (ख) तेल और गैस अन्वेषण और ड्रिलिंग, खनन, बोट हाउस तथा शिपिंग से उत्पन्न प्रदूषण;
- (ग) स्थानीय समुदायों द्वारा शुरू की गई परंपरागत फिशिंग और संगत गतिविधियों पर कोई पाबंदी नहीं होगी ।

5. अवधि, जब तक के लिए आईसीआरजेड और आईआईएमपी वैध होगी-

- (i) आईसीआरजेड और आईआईएमपी पांच वर्षों के लिए वैध होगी और अगली आईआईएमपी योजना के समाप्त होने की तारीख से पूर्व छह माह की अवधि के भीतर तैयार कर ली जाएगी:
परन्तुक कि अंडमान और निकोबार द्वीप समूह का प्रशासन अथवा जैसा भी मामला हो, लक्षद्वीप प्रशासन आवश्यकता पड़ने पर किसी भी समय योजना की समीक्षा कर सकता है ।
- (ii) सीआरजेड अधिसूचना, 1991 के अंतर्गत पहले से अनुमोदित तटीय जोन प्रबंधन योजनाएं सामान्यतः चौबीस महीनों के लिए वैध होंगी, बशर्ते कि उपर्युक्त अवधि को पर्यावरण एवं वन मंत्रालय द्वारा उन निबंधनों और शर्तों के अधीन, जिनको इस संबंध में विनिर्दिष्ट किया गया हो, एक विशिष्ट अधिसूचना जारी करके बढ़ाया न गया हो ।

6. इस अधिसूचना का प्रवर्तन और मॉनीटरिंग,-

- (क) इस अधिसूचना के प्रावधानों के कार्यान्वयन और प्रवर्तन तथा इसके अंतर्गत विनिर्धारित शर्तों के अनुपालन के प्रयोजनार्थ मूल अथवा प्रत्यायोजित शक्तियां पर्यावरण (सुरक्षा) अधिनियम, 1986 के अंतर्गत पर्यावरण एवं वन मंत्रालय, केन्द्र शासित प्रदेश के प्रशासन, एनसीजेडएमए तथा केन्द्र शासित प्रदेश के सीजेडएमए के पास उपलब्ध हैं ।

- (ख) एनसीजेडएमए और केन्द्र शासित प्रदेश के सीजेडएमए की संरचना, कार्यकाल और अधिदेश को पर्यावरण एवं वन मंत्रालय द्वारा माननीय उच्चतम न्यायालय द्वारा 1993 की रिट याचिका 664 के संबंध में दिए गए आदेशों के अनुसार पहले ही अधिसूचित किया जा चुका है।
- (ग) राज्य सरकार अथवा केन्द्र शासित प्रदेश की सीजेडएमए इस अधिसूचना के प्रवर्तन और मॉनीटरिंग हेतु तथा इस कार्य में सहायता करने हेतु मुख्य रूप से उत्तरदायी होगी, राज्य सरकार और केन्द्र शासित प्रदेश की सरकार संबंधित जिला मजिस्ट्रेट की अध्यक्षता में जिला स्तरीय समितियों का गठन करेगी जिसमें मछुआरों सहित स्थानीय परंपरागत समुदायों के कम से कम तीन प्रतिनिधि शामिल होंगे।
- (घ) मछुआरा समुदायों, जनजातियों सहित परंपरागत तटीय समुदायों की आवास इकाइयों जिनके संबंध में सीआरजेड अधिसूचना 1991 के प्रावधानों के अंतर्गत अनुमति थी, लेकिन उनके संबंध में उपर्युक्त अधिसूचना के अंतर्गत संबंधित प्राधिकारियों से औपचारिक अनुमोदन प्राप्त नहीं किया गया है, पर विचार संबंधित केन्द्र शासित प्रदेश के सीजेडएमए द्वारा किया जाएगा और आवास इकाइयों को निम्नलिखित शर्त के अधीन विनियमित किया जाएगा, नामशः-
- (i) उनका उपयोग किसी तरह की वाणिज्यिक गतिविधि के लिए नहीं किया जाएगा;
- (ii) उन्हें किसी गैर-परंपरागत तटीय समुदाय को बेचा अथवा अंतरित नहीं किया जाएगा;

7. अंडमान और निकोबार लक्षद्वीप में निम्नलिखित गतिविधियां प्रतिबंधित होंगी:-

- (i) प्रवाल भित्तियों को नष्ट करना,
- (ii) प्रवाल भित्ति क्षेत्रों में और उनके आस-पास के क्षेत्रों तथा देशज और संकटापन्न प्रजातियों के आश्रय और प्रजनन स्थलों पर बालू का खनन;
- (iii) प्रवाल भित्तियों, कच्छ वनस्पतियों के समुद्री क्षेत्र पर तटीय सुरक्षा निर्माण कार्य (ठोस निर्माण);
- (iv) अशोधित सीवेज अथवा बहिस्रावों का निपटान;
- (v) उड़नराख, औद्योगिक अपशिष्ट, चिकित्सीय अपशिष्ट, जैविक रूप से नष्ट न होने वाला अपशिष्ट तथा इसी तरह के अपशिष्टों का निपटान;
- (vi) पारिस्थितिकीय दृष्टि से संवेदनशील क्षेत्रों से दस किलोमीटर तक के क्षेत्र में रेड श्रेणी के उद्योग पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) अथवा वायु (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1981 अथवा जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 के अंतर्गत यथा प्रतिबंधित)।
- (vii) निम्नलिखित को छोड़कर नए उद्योगों की स्थापना करना और मौजूदा उद्योगों का विस्तार करना:-
- (क) जो प्रत्यक्ष रूप से वाटरफ्रंट से संबंधित हैं अथवा जिनके संबंध में अग्रतटीय सुविधाओं की आवश्यकता हेतु स्पष्टीकरण:- इस मद के प्रयोजनार्थ अग्रतटीय सुविधाओं का आशय उन गतिविधियों से है जो इस अधिसूचना के अंतर्गत अनुज्ञेय हैं और जिनके प्रचालन के लिए वाटरफ्रंट पत्तनों और बंदरगाहों, जेट्टीज, व्हारव्ज, अपरदन नियंत्रण उपायों, ब्रेकवाटर, पाइप लाइनों, लाइट हाउसों, नेवीगेशनल सुरक्षा सुविधाओं, तटीय पुलिस स्टेशनों और इसी तरह की सुविधाओं की आवश्यकता होती है;
- (ख) एटमी ऊर्जा विभाग की परियोजनाएं;

- (ग) गैर परंपरागत ऊर्जा स्रोतों द्वारा विद्युत उत्पादन की सुविधाएं और सामाजिक प्रभावों सहित प्रभाव मूल्यांकन अध्ययन के आधार पर इस अधिसूचना के अंतर्गत पारिस्थितिकीय रूप से संवेदनशील क्षेत्र के रूप में अवर्गीकृत क्षेत्रों में लवणता दूर करने संबंधी संयंत्र लगाने की सुविधाएं;
- (घ) स्थानीय नगर आयोजना विनियमों के अनुसार मछुआरों सहित स्थानीय समुदायों की आवासीय इकाइयों का निर्माण और उनकी मरम्मत;
- (viii) निम्नलिखित को छोड़कर पर्यावरण एवं वन मंत्रालय की दिनांक 28 जुलाई, 1989 की अधिसूचना संख्या एसओ. 594 (ई), दिनांक 27 नवम्बर, 1989 की एमओ सं. 966 (ई) और दिनांक 5 दिसम्बर, 1989 की जीएसआर 1037 (ई) में यथा विनिर्दिष्ट तेल भंडारण का विनिर्माण अथवा हथालन अथवा परिसंकटमय पदार्थों का निपटान:-
- (क) समुद्री जहाज से पत्तनों, टर्मिनलों और शोधन कारखानों तक परिसंकटमय पदार्थों का स्थानांतरण;
- (ख) इस अधिसूचना के साथ संलग्न अनुलग्नक-1। में यथा विनिर्दिष्ट अनुसार पेट्रोलियम उत्पादों और तरल प्राकृतिक गैस की प्राप्ति और भंडारण की सुविधाएं तथा आईसीआरजेड-1(ए) के रूप में वर्गीकृत न किए गए क्षेत्रों तथा पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों के रूप में अभिनिर्धारित अन्य क्षेत्रों में तरल प्राकृतिक गैस (जिसे इसके बाद एलएनजी कहा जाएगा) के पुनः गैसीकरण के लिए सुविधाएं, बशर्ते कि इससे पेट्रोलियम और प्राकृतिक गैस मंत्रालय में तेल उद्योग सुरक्षा निदेशालय द्वारा जारी दिशानिर्देशों सहित सुरक्षा विनियमों का कार्यान्वयन हो तथा पर्यावरण एवं वन मंत्रालय द्वारा जारी दिशानिर्देशों का अनुपालन हो। इसके अलावा, ये सुविधाएं पर्यावरण एवं वन मंत्रालय द्वारा पर्यावरण के संबंध में यथा विनिर्धारित सुधारात्मक उपायों के कार्यान्वयन संबंधी निबंधनों और शर्तों के अधीन भी होंगी।
- परंतु कि उर्वरकों जैसे कि अमोनियां, फास्कोरिक एसिड, सल्फर, सल्फयूरिक, नाइट्रिक एसिड तथा इसी तरह के उर्वरकों के निर्माण के लिए आवश्यक कच्ची सामग्री और उर्वरकों की अभिप्राप्ति और भंडारण संबंधी सुविधाओं की अनुमति वन्य जीव (संरक्षण) अधिनियम, 1972 और वन (संरक्षण) अधिनियम, 1980 तथा पर्यावरण (सुरक्षा) अधिनियम, 1986 के अंतर्गत आईसीआरजेड-1 के रूप में अवर्गीकृत क्षेत्रों तथा पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों के रूप में अभिनिर्धारित किए गए क्षेत्रों के उपर्युक्त जोन के भीतर ही होगी;
- (ix) अनुज्ञेय क्षेत्रों में हैचरी और कम हो रही प्राकृतिक रूप से उत्पन्न मछलियों को छोड़कर फिश प्रोसेसिंग इकाइयों तथा बेयर हाउसिंग की स्थापना और उनका विस्तार;
- (x) निम्नलिखित को छोड़कर भूमि सुधार, बंडिंग अथवा समुद्रीजल के प्राकृतिक बहाव का अवरोधन;
- (क) जो पत्तनों, बन्दरगाहों, जेट्टीज, व्हावर्ज, स्वेज, स्लिपवेज, पुलों, समुद्री संपर्क मार्गों, स्टिल्ट्स पर सड़क निर्माण तथा रक्षा और सुरक्षा के उद्देश्यों के लिए सुविधाओं की स्थापना, विनियोग अथवा आधुनिकीकरण अथवा अग्रतटीय सुविधाओं के विस्तार संबंधी सुविधाओं और अन्य सुविधाओं, जोकि अधिसूचना के अंतर्गत अनुज्ञेय गतिविधियों के लिए आवश्यक हैं;

- (ख) पर्यावरणीय प्रभाव मूल्यांकन (जिसे इसके बाद ई आई ए कहा जाएगा) अध्ययनों सहित वैज्ञानिक अध्ययनों के आधार पर अपरदन का नियंत्रण करने के उपाय;
- (ग) ई आई ए अध्ययनों के आधार पर जलमार्गों, चैनलों और पतनों का रख-रखाव अथवा क्लीयरिंग
- (घ) बालू के बार रोकने के उपाय, ज्वारीय नियंत्रकों की स्थापना, तूफानी जल ड्रेन बिछाना अथवा पर्यावरण एवं वन मंत्रालय द्वारा विनिर्दिष्ट की जाने वाली किसी एजेंसी द्वारा किए गए अध्ययन के आधार पर लवणीयता के प्रवेश को रोकने और शुद्ध जल के रीचार्ज के लिए संरचनाओं हेतु ;
- (xi) निम्नलिखित के लिए आवश्यक सुविधाओं को छोड़कर अपशिष्टों और बहिस्स्रावों के लिए इकाइयों अथवा इकाइयों अथवा कार्यतंत्र की स्थापना और विस्तार ;
- (क) जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 (1974 का 6) के अंतर्गत दिए गए अनुमोदन से शोधित बहिस्स्रावों को जलबहाव के डिस्चार्ज करना ;
- (ख) स्टोर्म वाटर ड्रेन्स और पम्पिंग के लिए एनसिलियरी स्ट्रक्चर्स ;
- (ग) आई सी आर जेड-1 के अलावा आई सी आर जेड क्षेत्रों में स्थित बीच रिसोर्ट्स तथा मानव बस्तियों के कारण उत्पन्न अपशिष्ट और बहिस्स्रावों का शोधन तथा शोधित अपशिष्टों और बहिस्स्रावों का निपटान;
- (xii) उद्योगों, शहरों अथवा कस्बों व अन्य मानव बस्तियों से उत्पन्न अशोधित अपशिष्टों और बहिस्स्रावों को डिस्चार्ज करना और संबंधित प्राधिकारी इस प्रकार के मौजूदा डिस्चार्ज, यदि कोई हो, को दूर करने के लिए इस अधिसूचना के जारी होने की तारीख से दो वर्षों से अनधिक समय अवधि के भीतर स्कीमों का कार्यान्वयन करेंगे;
- (xiii) भूमि चराई और इसी तरह के कार्यों के प्रयोजनार्थ निर्माण संबंधी डेब्रिस, औद्योगिक ठोस अपशिष्टों, फ्लाई एश सहित शहरों अथवा कस्बों से उत्पन्न अपशिष्टों को डम्प करना और संबंधित प्राधिकरण किसी भी मौजूदा प्रथा, यदि कोई हो, को दूर करने के लिए स्कीमों का कार्यान्वयन करेगा। यह प्रथा इस अधिसूचना के प्रारंभ होने की तारीख से एक वर्ष की अवधि के भीतर दूर किया जाएगा।
- टिप्पणी : पर्यावरण एवं वन मंत्रालय 34 पैराओं (v),(vi) और (vii) के संबंध में निर्धारित समय सीमा सहित कार्य योजनाएं तैयार करने, उनका कार्यान्वयन करने और मानीटरिंग करने के संबंध में राज्य सरकारों और केंद्र शासित प्रदेश के प्रशासन को अलग से अनुरोध जारी करेगा।
- (xiv) वैज्ञानिक अध्ययनों के आधार पर तथा राज्य सरकार अथवा केंद्र शासित प्रदेश के प्रशासन के साथ परामर्श करके पर्यावरण एवं वन मंत्रालय द्वारा अभिनिर्धारित ई आई ए अधिसूचना, 2006 के अनुसार रणनीतिक और रक्षा विषयों के रूप में वर्गीकृत परियोजनाओं को छोड़कर तटीय क्षेत्र में हाई इरोडिंग क्षेत्रों में पत्तन और बन्दरगाह परियोजनाएं;
- (xv) वाणिज्यिक प्रयोजनों जैसे कि शॉपिंग और आवास परिसरों, होटलों तथा मनोरंजन संबंधी गतिविधियों के लिए पुनरुद्धार;
- (xvi) (क) आई सी आर जेड क्षेत्र में अनुपलब्ध दुर्लभ खनिजों को छोड़कर बालू, चट्टानों और अन्य सबस्ट्रेटा सामग्रियों का खनन;

(ख) तेल और प्राकृतिक गैस का अन्वेषण और उपयोग;

(xvii) निम्नलिखित को छोड़कर; एच टी एल के 200 मी. के भीतर भूमिजल का झाल और उससे संबंधित निर्माण कार्य; नामशः-

(क) ऐसे क्षेत्रों में जहां स्थानीय समुदाय रहते हैं और केवल उनके उपयोग के लिए ;

(ख) 200 मी. से 500 मी. वाले जोन के मध्य पड़ने वाले क्षेत्र में भूमि जल में झाल की अनुमति तभी दी जाएगी जब ऐसा कार्य पीने के लिए, बागवानी, कृषि और मत्स्य पालन के लिए सामान्य नलकुपों के जरिए मानवों द्वारा स्वयं किया गया हो और जहां जल का कोई दूसरा स्रोत उपलब्ध न हो ।

टिप्पणी :समुद्री जल के प्रवेश कर जाने से प्रभावित क्षेत्रों में राज्य सरकार और केंद्र शासित प्रदेश के प्रशासन द्वारा नामोद्दिष्ट प्राधिकारी द्वारा ऐसे झाल पर प्रतिबंध लगाया जा सकता है ।

(xviii) इस अधिसूचना में विनिर्दिष्ट क्षेत्रों को छोड़कर पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों में निर्माण गतिविधियाँ;

(xix) सुन्दरता, मनोरंजन और अन्य दूसरे आयोजनों के लिए लैंडस्केप परिवर्तन सहित बालू के टीलों; पहाड़ियों, प्राकृतिक स्थलों की ट्रेसिंग अथवा रूपांतरण ;

(xx) समुद्री /तटीय पुलिस स्टेशनों की पैट्रोलिंग और सर्तकता गतिविधियों के लिए अपेक्षित सुविधाएं ;

8. परियोजनाओं के लिए इस अधिसूचना के अंतर्गत स्वीकृतियों की वैधता - इस अधिसूचना के अंतर्गत जिन परियोजनाओं को स्वीकृति दी गई, वे निर्माण और प्रचालन की शुरुआत के लिए दी गई स्वीकृति जारी होने की तारीख से पांच वर्षों की अवधि के लिए वैध होंगी ।

9. ई आई ए अधिसूचना, 2006 अथवा अन्य अधिसूचना की अनुप्रयोज्यता - पर्यावरण प्रभाव मूल्यांकन अथवा वन (संरक्षण) अधिनियम, 1980(1980 का 69), वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 52)को आकर्षित करने वाली विकास परियोजनाओं पर विचार उसके अंतर्गत किए गए प्रावधानों के अनुसार किया जाएगा और कोई भी सिफारिश करने से पहले सक्षम प्राधिकारी की पूर्वानुमति प्राप्त की जाएगी ।

10. जिन गतिविधियों को उपर्युक्त आई आई एम पी में सूचीबद्ध नहीं किया गया है, उनसे संबंधित निर्णय हेतु संबंधित केंद्रशासित प्रदेश के प्रशासन के माध्यम से पर्यावरण एवं वन मंत्रालय के पास भेजा जाएगा ।

[फा. सं. 12 3/2008 आईएन III]

ज. मो. माऊसकर, अपर सचिव

अनुबंध -I**एकीकृत द्वीप समूह प्रबंध योजना और द्वीप समूह तटीय विनियमन जोन की तैयारी के लिए दिशा निर्देश**

1. एकीकृत द्वीप समूह प्रबंधन योजना हेतु समूचे द्वीप समूह पर जलीय क्षेत्र सहित विचार किया जाएगा जबकि आईसीआरजेड के लिए पैरा -III (क) में दिए अनुसार क्षेत्राधिकार होगा ।
2. एकीकृत द्वीप समूह प्रबंध योजना तैयार की जाएगी जिसमें यह उल्लेख करना होगा कि सभी वर्तमान और भावी विकास, संरक्षण और परिरक्षण स्कीमें 10 वर्ष की समयावधि के साथ होंगी ।
3. एकीकृत द्वीप समूह प्रबंधन योजना और आईसीआरजेड मानव जीवन की व्यवहार्यता और एलिवेशन पर आधारित सम्पदा, जियोमार्फालाजी, समुद्र स्तरीय रूख और हारिजेन्टल लाईन विखंडन का निवारण करेगी और उन उपयुक्त क्षेत्रों को इंगित करेगी जो आवासीय इकाइयों, अवसंरचना आदि के लिए सुरक्षित होंगे और स्थानीय समुदायों के जीवन और सम्पदा के लिए उपयुक्त बचावकारी उपाय, प्राकृतिक संकटों से अवसंरचना को एकीकृत द्वीप समूह प्रबंधन योजना में इंगित करेंगे ।
4. संकट रेखा और भूमि की ओर उच्च ज्वार भाटा लाईन से 500 मीटर के बीच पड़ने वाले भू-क्षेत्र, समुद्रफ्रंट के मामले में और संकट रेखा और ज्वारभाटा प्रभावित जल पिण्ड के मामलों में शब्द 'संकट रेखा' पर्यावरण और वन मंत्रालय (इसके बाद एमओईएफ कहा जाएगा) द्वारा चिन्हित रेखा भारतीय सर्वेक्षण के माध्यम से (इसके बाद इसे एसओआई कहा जाएगा) ज्वारभाटों, हवाओं, समुद्र स्तर उत्थान और समुद्र रेखा परिवर्तनों को ध्यान में रखते हुए अभिप्रेरित है ।
5. इस अधिसूचना में सूचीबद्ध के अलावा कोई विकासात्मक कार्यकलाप ऐसे क्षेत्रों में अनुचित नहीं होगा जो संकट रेखा और भूमि की ओर कृषि की चौड़ाई अथवा 500 मीटर अथवा 100 मीटर के बीच हो । स्थानीय समुदायों, आदिवासियों की आवासीय यूनिटों जिनमें मछुआरों के आवास भी शामिल हैं, को पुनः स्थापित नहीं किया जाएगा यदि आवासीय इकाइयां संकट रेखा से समुद्र की ओर स्थित हों । केन्द्रशासित प्रशासन स्थानीय समुदायों की ऐसी इकाइयों को आवश्यक सुरक्षोपाय प्रदान करेगा ।
6. सभी मौजूदा सड़कें जिनमें आन्तरिक सड़कें भी शामिल हैं, को मजबूत बनाया जाएगा, क्योंकि ये सड़कें प्राकृतिक विपदा में आजीविका, संचार, बचाव, राहत, खाली करने के उपायों के लिए काम आएंगी ।
7. पर्याप्त चक्रवात शैल्टरों को चिन्हित किया जाएगा और उनका निर्माण ऊंचे क्षेत्रों अथवा स्टिल्टों पर किया जाएगा जो आबादी वाले क्षेत्रों के साथ हों ।
8. मौजूदा और नए स्कूल, मार्किट क्षेत्र और अन्य सार्वजनिक सुविधाएं (जल शौचालयों को छोड़कर) जहां अधिक संख्या में जनता इकट्ठी हो, उन्हें सामान्य तौर पर सुरक्षित क्षेत्र में स्थापित किया जाएगा विशेषकर ऊंचे क्षेत्रों में अथवा सुरक्षित क्षेत्रों में ।

9. समुद्रों की तरफ की ओर पर्याप्त जैव-शील्ड स्थानीय वनस्पति, वृक्षों, मेंग्रोव सहित रोपित किए जाएंगे और अन्य संवेदनशील सुरक्षा उपाय किए जाएंगे ।
10. एकीकृत द्वीप समूह प्रबंध योजना और आईसीआरजेड वैज्ञानिक विधि पर आधारित होगी जो संचालित प्राधिकरण के अनुमोदन से होगी, जिनमें उपयुक्त तटीय सुरक्षा ढांचों का निर्माण ऐसी योजना के अनुरूप होगा ।
11. समुद्रतटों (बीचों) की सुरक्षा की जाएगी और उनमें कोई विकासीय कार्यकलाप अनुचित नहीं होगा ।
12. रेत के टीले, जो बाढ़ की अवस्था में प्रकृतिक अवरोधक हैं, उन्हें संरक्षित किया जाएगा और उनका रखरखाव किया जाएगा अथवा उनका पुनरुद्भव किया जाएगा, जो झाड़ियां लगाकर होगा अथवा उपयुक्त उपायों के जरीए होगा ।
13. द्वीप समूह प्रशासन द्वारा सिफारिश किए अनुसार मत्स्यन यंत्रों की स्थापना सहित स्थानीय समुदायों द्वारा परम्परागत मत्स्यन के संबंध में कोई प्रतिबंध नहीं होगा ।
14. (क) योजना में उपयुक्त वैज्ञानिक अध्ययन करके निर्माण सामग्री का खनन, विशेषकर गहरे समुद्र तल से बालू निकालना (15 मीटर गहराई से आगे) अनुमित होगा ।
 - i. वैकल्पिक निर्माण सामग्री, जैसे बांस, स्थानीय वन उत्पाद को अभिज्ञात किया जाए और उपयोग किया जाए ।
 - ii. अन्य सामग्री जैसे धातु, होलो ब्रिक ब्लॉक्स और इसी तरह की सामग्री मुख्य भूमि से लाई जाएगी ।
15. गैर-परम्परागत ऊर्जा स्रोत को बल दिया जाएगा विशेषकर वायु, सौर और ज्वारभाटा ऊर्जा, गैर-क्षारीकरण, जल पुनः चक्रण और स्थानीय उत्पादों को इस्तेमाल करने पर बल दिया जाएगा ।
16. चक्रवात, सुनामी और ऐसी घटनाओं के लिए पूर्व चेतावनी सिस्टम प्रदान किया जाएगा और खाली करने और आपदा में राहत उपाय योजना एकीकृत द्वीप समूह प्रबंध योजना में निर्मित की जाएगी ।
17. उन लोगों के लिए जो प्राकृतिक आपदा के कारण विस्थापित हो गए हैं, उनकी पुनः स्थापना और विस्थापन के लिए एकीकृत द्वीप समूह प्रबंध योजना में आवश्यक प्रावधान किए जाएंगे ।
18. एकीकृत द्वीप समूह प्रबंध योजना और आईसीआरजेड में आबादी के अंतर्गत क्षेत्रों को शामिल किया जाएगा और भावी विकास के लिए योजना तैयार की जाएगी ।
19. आरक्षित वनों, संरक्षित वनों, राष्ट्रीय उद्यानों और अभ्यारण्यों के तहत क्षेत्रों को जो वन (संरक्षण) अधिनियम, 1980 (1980 का 69) के अंतर्गत अथवा वन्य जीव (संरक्षण) अधिनियम, 1972 (1972 का 53)

और पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) के तहत अधिसूचित सुरक्षित क्षेत्रों के अंतर्गत कोई विकासात्मक कार्यकलाप अनुमित नहीं किए जाएंगे ।

20. स्थानीय समुदायों के आवासीय यूनिटों अथवा अवसंरचना, जो योजना की तैयारी के समय मौजूद हो, को विस्थापित नहीं किया जाएगा ।
21. मौजूदा भवनों अथवा बुनियादी ढांचों की मरम्मत, जिनमें पुनः निर्माण भी शामिल है, के संबंध में किए जाने वाले कार्य अनुमित होंगे ।
22. आईआईएमपी और आईसीआरजेड 1:25,000 के मानचित्र व्यापक स्तरीय नियोजन के लिए और 1:10,000 अथवा केडस्ट्रल स्केल सूक्ष्म स्तरीय प्लानिंग के लिए तैयार किए जाएंगे ।
23. उच्च ज्वारभाटा लाईन पर्यावरण और वन मंत्रालय द्वारा प्राधिकृत अभिकरण द्वारा चिन्हित कराई जाएगी।

अनुबंध-II

पेट्रोलियम व रसायन उत्पादों की सूची जिनका भण्डारण (आई सी आर जेड(क) और अन्य अभिज्ञात पारिस्थितिकीय संवेदनशील क्षेत्रों को छोड़कर अनुमित है

- (i) कच्चा तेल ;
- (ii) लिक्विफाइड पेट्रोलियम गैस;
- (iii) मोटर स्पिट;
- (iv) कैरोसिन;
- (v) विमान ईंधन;
- (vi) हाई स्पीड डीजल;
- (vii) लुब्रीकेटिंग ऑयल;
- (viii) ब्यूटेन;
- (ix) प्रोपेन;
- (x) कम्प्रेस्ड नेचुरल गैस;
- (xi) नेफथा;
- (xii) फर्नेस ऑयल;
- (xiii) लो सल्फर हैवी स्टॉक;
- (xiv) लिक्विफाइड नेचुरल गैस;
- (xv) उर्वरक व उर्वरकों के उत्पादन हेतु कच्चा माल ।

अनुबंध III

आईसीआरजेड-III और आईसीआरजेड II/ आईआईएमपी के निर्धारित क्षेत्रों में तट रिसोर्ट / होटलों के विकास में पर्यावरण एवं वन मंत्रालय की पूर्वानुमति के बाद सैलानियों अथवा यात्रियों के ठहरने संबंधी दिशानिर्देश ।

I. सैलानियों / यात्रियों के अस्थाई निवास हेतु एसपीसीजेड-II और III के निर्धारित क्षेत्रों में पर्यावरण एवं वन मंत्रालय की पूर्वानुमति के पश्चात् तट रिसोर्ट / होटलों के निर्माण निम्नांकित परिस्थितियों से संदर्भित होंगे :

- (क) परियोजना प्रस्तावक उच्च ज्वारभाटा रेखा की भूमि की ओर 200 मीटर के भीतर रेखा के भीतर क्षेत्र में किसी भी प्रकार का निर्माण कार्य नहीं करेगा ।
- (ख) प्रस्तावित निर्माण संकट रेखा अथवा उच्च ज्वार रेखा से 200 मीटर जो भी अधिक हो, से परे किया जाएगा ।
- (ग) निजी संपत्तियों के चारों ओर पौधों और कांटेदार तारों द्वारा चाहरदीवारी के निर्माण की अनुमति इस शर्त पर दी जा सकती है कि इनके कारण लोगों की समुद्री किनारे तक पहुँच में कोई व्यवधान न हो ।
- (घ) रेत के टीलों को समतल नहीं किया जायेगा ;
- (ङ) खेल सुविधाओं के लिए, गोल पोस्ट, नेट पोस्ट और लम्प पोस्ट के अतिरिक्त किसी भी प्रकार के स्थाई निर्माण की अनुमति नहीं होगी ।
- (च) तहखाने के निर्माण की अनुमति इस आधार पर दी जा सकती है कि राज्य भूगर्भ जल प्राधिकरण से इस बात का अनापत्ति प्रमाण पत्र प्राप्त करनी होगी कि निर्माण उस क्षेत्र में भू-गर्भीय जल के मुक्त प्रवाह को प्रभावित नहीं करेगा ।
- (छ) राज्य भूगर्भ जल प्राधिकरण इस प्रकार के अनापत्ति प्रमाण-पत्र जारी करने से पहले केंद्र सरकार द्वारा जारी किये गये दिशा-निर्देशों का संदर्भ लेगा ।
- (ज) यद्यपि विकास रहित क्षेत्र में फ्लोर स्पेस इण्डेक्स की गणना के लिए किसी भी प्रकार के निर्माण की अनुमति नहीं है, संपूर्ण भू-खण्ड का क्षेत्रफल जिसमें वह भाग भी शामिल होगा जो विकास रहित क्षेत्र के अंतर्गत आता है, को भी ध्यान में रखा जायेगा ।
- (झ) भू-खण्ड का कुल क्षेत्रफल 0.4 हेक्टेयर से कम नहीं होना चाहिए तथा सभी मालों (फ्लोर) का कुल ढका हुआ क्षेत्र भू-खण्ड के कुल आकार के 33 प्रतिशत से अधिक नहीं होना चाहिए अर्थात्

- फ्लोर स्पेश इण्डेक्स 0.33 से अधिक नहीं होना चाहिए । खुला क्षेत्र समतल होगा और उचित वनस्पतियों से आच्छादित होगा ;
- (ट) निर्माण कार्य आस-पास की स्थलाकृति एवं स्थानीय वास्तुकला शैली के अनुरूप होगा ;
- (ठ) निर्माण कार्य में छत की कुल ऊँचाई 9 मीटर से ज्यादा नहीं होगी व दो तल से ज्यादा (नीचे का तल व उसके ऊपर का तल) का निर्माण नहीं होगा ;
- (ड.) भूगर्भ जल को उच्च ज्वार रेखा में 200 मी. के नीचे से नहीं लिया जायेगा ; 200-500 मी.के जोन में केंद्रीय/राज्य भू-जल बोर्ड की सहमति से लिया जा सकता है ;
- (ढ़) उच्च ज्वार रेखा के 500 मी. की दूरी में बालू का खनन, समतल करना या बालू को खोदना केवल बिल्डिंग की बुनियाद, स्वीमिंग पुल को छोड़कर अनुमत नहीं होगा;
- (त) परियोजना क्षेत्र में उपचारित उत्प्रवाह, ठोस कचरे, धुँआ तथा ध्वनि के स्तर आदि की गुणवत्ता को सक्षम प्राधिकरण द्वारा पर्यावरण (सुरक्षा) अधिनियम, 1986 के तहत तथा केंद्रीय/राज्य प्रदूषण नियंत्रण बोर्ड द्वारा बनाये गये मानकों के अनुसार होगा;
- (थ) उत्प्रवाहों तथा ठोस कचरे के उपचार हेतु आवश्यक व्यवस्थाएं अवश्य की जानी चाहिए; अनुपचारित उत्प्रवाह तथा ठोस कचरे को पानी में या तट पर फेंका या छोड़ा न जाए; तथा इस बात को सुनिश्चित करना होगा कोई भी उत्प्रवाह/ठोस कचरा समुद्र तट पर छोड़ा नहीं जायेगा ।
- (द) समुद्र तट पर लोगों की पहुंच को अनुमति देने हेतु किन्हीं दो होटलों/बीच रिसोर्टों के मध्य कम से कम 20 मी. की चौड़ाई का अंतराल होना चाहिए । किसी भी स्थिति में कुल अंतराल 500 मी. से कम नहीं होगा; तथा
- (घ) यदि परियोजना में वन भूमि को अवनीय उद्देश्यों के लिए शामिल किया जाना है तो वन (संरक्षण) अधिनियम, 1980 के तहत, सहमति प्राप्त करना आवश्यक होगा । इसके अलावा केंद्र व राज्य कानूनों के लागू होने वाली सभी आवश्यकताओं को परियोजना द्वारा पूर्ण किया जायेगा;
- (न) राज्य/केंद्रशासित प्रदेश के पर्यटन विभाग से अनुमति प्राप्त करनी होगी ।
- II पारिस्थितिकीय संवेदनशील क्षेत्रों (जैसे कि समुद्री पार्क, मैंग्रूव, मूंगा भित्ती, मछलियों का जनन व पालने का क्षेत्र, वन्यजीव पर्यावास तथा ऐसे अन्य क्षेत्र जिन्हें केंद्र/राज्य सरकार/केंद्रशासित प्रदेश द्वारा अधिसूचित किया गया हो) समुद्रतटीय रिसोर्ट /होटलों के निर्माण की अनुमति नहीं होगी ।

NOTIFICATION

New Delhi, the 6th January, 2011

S.O.20(E).— WHEREAS the Central Government vide its notification number S.O.114(E), dated the 19th February, 1991, (hereinafter referred to as the said notification), declared Coastal Regulation Zone and imposed certain restrictions on the setting up and expansion of industries, operations and processes in the said Zones for its protection.;

AND WHEREAS, the Central Government, issues a separate notification for the environmental management of Andaman and Nicobar (hereinafter referred to as the AandN) and Lakshadweep and for this purpose a preliminary Notification was published vide number 2291(E), dated the 15th September, 2010 under sub-section (1) and clause (v) of sub section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests (hereinafter referred to as the MoEF), number S.O.114(E), dated the 19th February, 1991, in so far as it relate to the AandN and the Lakshadweep Islands.;

AND WHEREAS, copies of the said Gazette were made available to the public on 25th February, 2010.;

AND WHEREAS, the suggestions and objections received from the public have been considered by the Central Government.;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, with a view of providing livelihood security to the local communities including the fisherfolk and tribals, promote conservation and protection of Islands unique environment and its marine area and to promote development through sustainable integrated management plan based on scientific principles taking into account the vulnerability of the coast to natural hazards, hereby declare the coastal stretches of Middle Andaman, North Andaman, South Andaman and Greater Nicobar and entire area of the other islands of Andaman and Nicobar and the Lakshadweep and their water area upto territorial water limit as the Islands Protection Zone (hereinafter referred to as the IPZ) and restricts the areas from the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous Substances (Handling, Management and Transboundary Movement) Rules, 2009, except in the manner provided in the Island Coastal Regulation Zone (hereinafter referred to as the ICRZ) and Integrated Islands Management Plans (hereinafter referred to as the IIMPs).;

In exercise of powers also conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19th February, 1991 except as respects things done or omitted to be done before such supercession, the Central Government hereby declares the following areas as Island Protection Zone and imposes with effect from the date of the notification the following restrictions on the setting up and expansion of industries,

operations or processes,-

I. Environmental management for the Islands of Andaman and Nicobar (hereinafter referred to as the AandN) and Lakshadweep shall be managed as follows:-

- A. the entire island of AandN other than the four islands mentioned in sub-para B below shall be managed as per IIMPs;
- B. In view of the large geographical area of the islands of Middle Andaman, North Andaman, South Andaman and Greater Nicobar, these islands shall be managed as per the Island Coastal Regulation Zone (hereinafter referred to as the ICRZ).

II. The Islands of AandN and Lakshadweep other than the four mentioned in sub-para B and Lakshadweep shall be managed based on the IIMPs which will be prepared as per the following guidelines, namely:-

(a) Preparation of Integrated Islands Management Plan,-

- (1) the AandN Administration shall, within a period of one year from the date of this notification, for the purpose of integrated sustainable development of the AandN Islands Protection Zone, prepare the IIMPs, *interalia*, specifying therein the areas indicating all the existing and the proposed developments, conservation and preservation schemes, dwelling units including infrastructure projects such as, schools, markets, hospitals, public facilities, and the like;
- (2) the Lakshadweep Islands Administration shall, within a period of one year from the date of this notification, for the purpose of integrated sustainable development of the Lakshadweep Islands Protection Zone, prepare the IIMPs, *interalia*, specifying therein the areas indicating all the existing and the proposed developments, conservation and preservation schemes, dwelling units including infrastructure projects such as, schools, markets, hospitals, public facilities, and the like;
- (3) the Islands Administration may, if it consider necessary, take the help of research institutions having experience and specialisation in coastal resource management in the preparation of IIMPs taking into account the guidelines specified in Annexure-I to this notification.
- (4) all activities in the Islands and the aquatic areas shall be regulated by the AandN Administration or the Lakshadweep Islands Administration, as the case may be, on the basis of IIMPs;
- (5) the developmental activities in the Islands shall be included in the IIMPs in accordance with rules, regulations and building bye-laws of local town and country planning for the time being in force in the Islands;
- (6) the requirements of the Ministry of Defence, if any, shall be incorporated in the IIMPs and all defence related projects shall be assessed by a Committee consisting of the Secretary in the MoEF, Secretary in the Ministry of Defence and the Chief Secretaries of the AandN Islands Administration, or as the case may be, the Lakshadweep Islands Administration;
- (7) the IIMPs shall be prepared separately for each island, and, as may be required from time to time;
- (8) ecologically sensitive areas as specified in item (a) of sub-paragraph (B) of paragraph III to this notification shall be taken into consideration while preparing the IIMP:
Provided that if those areas are included in the National Parks or Sanctuaries notified under the provisions of the Wildlife (Protection) Act, 1972 (53 of 1972) shall separately mentioned in the plan and be regulated in accordance with the provisions of that Act.
- (9) the activities permitted in the IIMP shall also be undertaken in accordance with the Forest (Conservation) Act, 1980 (69 of 1980), the Wild Life (Protection) Act, 1972 (53 of 1972), the Environment (Protection) Act, 1986 (29 of 1986) and the rules or notifications made or issued thereunder and after taking into consideration the Environment Impact Assessment.

done under the provisions of the notification of the Government of India in the MoEF number S.O.1533(E), dated the 14th September, 2006;

- (10) (a) the Island Administrations, after preparing the IIMPs shall widely publicise the plan and invite suggestions from the public and other stakeholders within a period of thirty days from the date of publication of the plans;
- (b) the plans shall be published by publishing it in atleast two newspapers and website of the Administration;
- (c) the hard copy of the plan shall be made available to the public at the office of the Chairman and Member Secretary of the Union territory Coastal Zone Management Authorities (hereinafter referred to as the CZMAs), District Collector's Office and Office of the Pollution Control Committee;
- (d) on receipt of the comments, the Island Administration shall make necessary changes in the plans and submit to Central Government in the MoEF for its consideration and approval;
- (e) the Union territory CZMA and the National Coastal Zone Management Authority shall be responsible to address and dispose off any grievance arising out of preparation of the plan.
- (11) the Central Government in the MoEF, after receipt of the IIMPs, shall, after examining the plan if it is satisfied, approve within a period of sixty days from the date of its receipt;
- (12) all the activities under the IIMP shall be regulated in accordance with such Plan by the concerned authorities in the Islands.

III. The islands of Middle Andaman, North Andaman, South Andaman and Greater Nicobar shall be managed based on ICRZ have the following jurisdiction, namely:-

- A. (i) the land area from High Tide Line (hereinafter referred to as the HTL) to 500mts on the landward side along the sea front;
- (ii) ICRZ shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the ICRZ Plan.

Explanation.- For the purposes of this item the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters and lagoons.

- (iii) land area between HTL and Low Tide Line (hereinafter referred to as the LTL) which will be termed as the intertidal zone;
- (iv) the water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

B. The coastal areas of the four islands shall be classified as follows, namely:-

1. (a) ICRZ-I,- The areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast,-

- (i) mangroves;
 - (ii) coral reefs;
 - (iii) sand Beaches and Sand Dunes;
 - (iv) mudflats;
 - (v) protected areas under the Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986);
 - (vi) salt Marshes;
 - (vii) turtle nesting grounds;
 - (viii) horse shoe crabs habitats;
 - (ix) sea grass beds;
 - (x) sea weed beds;
 - (xi) nesting grounds of birds;
 - (xii) fishing villages and areas of traditional rights.
- (b) The area between Low Tide Line and High Tide Line; and

2. ICRZ-II,- The areas that have been developed upto or close to the shoreline.

Explanation.- The expression “developed area” is referred to as that area within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains;

3. ICRZ-III,-

Areas that are relatively undisturbed and those do not belong to either Category- B(i)(a) and (b) above which include coastal zone in the rural areas (developed and undeveloped) and also areas within municipal limits or in other legally designated urban areas, which are not substantially built up.

4. ICRZ-IV,-

- (i) the water area from the Low Tide Line to twelve nautical miles on the seaward side;
- (ii) shall include the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

C. Preparation of ICRZ Plans,-

- (i) the MoEF will get the ICRZ plans prepared through the AandN Administration for the four islands. The ICRZ will be prepared by engaging reputed and experienced scientific institution(s) or agencies including the National Centre for Sustainable Coastal Management (NCSCM) of MoEF and in consultation with the concerned stakeholders;
- (ii) the hazard line shall be mapped by MoEF through Sol all along the coastline of the country and the hazard line shall be demarcated taking into account, tide, waves, sea level rise and shoreline changes;
- (iii) for the purpose of depicting the flooding due to tides, waves and sea level rise in the next fifty and hundred years, the contour mapping of the coastline shall be carried out at 0.5m interval normally upto 7km from HTL on the landward side, and the shoreline changes shall be demarcated based on historical data by comparing the previous satellite imageries with the recent satellite imageries;
- (iv) mapping of the hazard line shall be carried out in 1:25,000 scale for macro level planning and 1:10,000 scale or cadastral scale for micro level mapping. The hazard line shall be taken

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- into consideration while preparing the land use plan of the coastal areas;
- (v) the AandN Administration will prepare within a period of twenty four months from the date of issue this notification, draft ICRZ Plans in 1:25,000 scale map identifying and classifying the ICRZ-I, II, III and IV involving public consultation;
 - (vii) the draft ICRZ Plans shall be submitted by the Union territory Administration to the AandN CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the EIA notification, 2006;
 - (viii) the AandN CZMA shall submit the draft ICRZ Plans to MoEF alongwith its recommendations on ICRZ Plans within a period of six months after incorporating the suggestions and objections received from the stakeholders;
 - (ix) MoEF shall thereafter consider and approve the ICRZ Plans within a period of four months from the date of receipt of the ICRZ Plans complete in all respects;
 - (x) all developmental activities listed in this notification shall be regulated by the Union territory Administration, the local authority or the concerned AandN CZMA within the framework of such approved ICRZ Plans as the case may be in accordance with provisions of this notification;
 - (xi) the ICRZ Plans shall not normally be revised before a period of five years after which, the concerned Union territory Administration may consider undertaking revision of the maps following the above procedures.

D. Norms for regulation of activities permissible under this notification in the four islands,-

1. (i) ICRZ-I,-

(a) no new construction shall be permitted in ICRZ-I except,-

- (i) projects relating to Department of Atomic Energy;
- (ii) pipelines, conveying systems including transmission lines;
- (iii) facilities that are essential for activities permissible under ICRZ-I;
- (iv) installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department;
- (v) construction of trans island sea link and without affecting the tidal flow of water, between LTL and HTL.

(b) Areas between LTL and HTL which are not ecologically sensitive and important necessary safety measures will be incorporated while permitting the following, namely:-

- (i) exploration and extraction of natural gas;
- (ii) construction of dwelling unit of fisherfolk dispensaries, schools, public rainshelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves and fishing villages and areas of traditional rights after obtaining approval from AandN CZMA;
- (iii) necessary safety measure shall be incorporated while permitting such developmental activities in the area falling in the hazard zone;
- (iv) desalination plants;
- (v) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;

2. ICRZ-II,-

- (i) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures;
- (ii) buildings permitted on the landward side of the existing and proposed roads or

existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index (hereinafter referred to as the FSI) or Floor Area Ratio (hereinafter referred to as the FAR):

Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road:

- (ii) reconstruction of authorized building to be permitted subject with the existing FSI or FAR Norms and without change in present use.

3. ICRZ-III,-

- (a) area upto 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as "No Development Zone (hereinafter referred to as the NDZ)",-

- (i) the NDZ shall not be applicable in such area falling within any notified port limits;
 (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing FSI, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; construction or reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the Union territory Administration in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned Union territory CZMA to NCZMA for approval by MoEF;.

- (iii) however, the following activities may be permitted in NDZ,-

- (a) agriculture, horticulture, gardens, pasture, parks, play field, and forestry.
 (b) projects relating to Department of Atomic Energy;
 (c) mining of rare minerals;
 (d) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
 (e) facilities for regasification of liquefied natural gas;
 (f) facilities for generating power by non conventional energy sources;
 (g) facilities for desalination plants and associated facilities;
 (h) weather radars;
 (i) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by A and N CZMA;
 (j) construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Committee;
 (k) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;
 (l) airstrips and associated facilities.

- (b) Area between 200mts to 500mts,-

The following activities may be permissible in the above areas;

- (i) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (ii) development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors subject to the conditions as specified in the guidelines at Annexure-III;
- (iii) facilities for regasification of liquefied natural gas;
- (iv) storage of non-hazardous cargo such as, edible oil, fertilizers, food grain in notified ports;
- (v) facilities for desalination plants and associated facilities;
- (vi) facilities for generating power by non-conventional energy sources;
- (vii) construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages, building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);
- (viii) airstrips and associated facilities.

4. In ICRZ-IV areas,-

The activities impugning on the sea and tidal influenced water bodies shall be regulated including ports and harbours and foreshore developmental activities except for traditional fishing and related activities undertaken by local communities as follows, namely:-

- (a) no untreated sewage, effluents, ballast water, ship washes, fly ash or solid waste from all activities including from aquaculture operations shall be let off or dumped and a comprehensive plan for treatment of sewage generating from the coastal towns and cities shall be formulated within a period of one year in consultation with stakeholders including traditional coastal communities, traditional fisherfolk and implemented;
- (b) pollution from oil and gas exploration and drilling, mining, boat house and shipping;
- (c) there shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

5. Period for which ICRZ and IIMPs shall be valid,-

- (i) the ICRZ and IIMPs shall be valid for a period of five years and the next IIMP shall be prepared within a period of six months before the date of expiry of the Plan:
Provided that the Andaman and Nicobar Islands Administration or, as the case may be, the Lakshadweep Islands Administration, may review the plan at anytime as may be required.
- (ii) the Coastal Zone Management Plans already approved under CRZ notification, 1991 shall be valid for a period of twenty four months unless the aforesaid period is extended by MoEF by a specific notification subject to such terms and conditions as may be specified therein.

6. Enforcement and monitoring of this notification,-

- (a) for the purpose of implementation and enforcement of the provisions this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF, Union territory Administration, NCZMA and Union territory CZMAs;
- (b) The composition, tenure and mandate of NCZMA and UT CZMAs have already been notified by MoEF in terms of Orders of Hon'ble Supreme Court in Writ Petition 664 of

- (c) the Union territory CZMAs shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned containing atleast three representatives of local traditional coastal communities including from fisherfolk.
- (d) the dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely-
- (i) these are not used for any commercial activity
- (ii) these are not sold or transferred to non-traditional coastal community.

7. The following activities shall be prohibited in the islands of AandN and Lakshadweep:-

- (i) destruction of corals;
- (ii) mining of sand from in and around coral areas, nesting and breeding grounds of endemic and endangered species;
- (iii) construction of shore protection works (hard constructions) on the seaward side of the corals, mangroves;
- (iv) disposal of untreated sewage or effluents;
- (v) disposal of solid wastes including fly ash, industrial waste, medical waste, non-biodegradable waste, and the like;
- (vi) red category of industries (as prohibited under the Environment (Protection) Act, 1986 (29 of 1986) or the Air (Prevention and Control of Pollution) Act, 1981 or the Water (Prevention and Control of Pollution) Act, 1974, as the case may be) within ten kilometres from ecologically sensitive areas;
- (vii) setting up of new industries and expansion of existing industries except,-
- (a) those directly related to waterfront or directly needing foreshore facilities;

Explanation: For the purposes of this item the expression "foreshore facilities" means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like.;

- (b) projects of Department of Atomic Energy;
- (c) facilities for generating power by non-conventional energy sources and setting up of desalination plants in the areas not classified as ecologically sensitive area under this notification based on an impact assessment study including social impacts.;
- (d) reconstruction, repair works of dwelling units of local communities including fishers in accordance with local town and country planning regulations.
- (viii) manufacture or handling oil storage or disposal of hazardous substance as specified in the notification of Ministry of Environment and Forests, No. S.O.594 (E), dated the 28th July 1989, S.O.No.966(E), dated the 27th November, 1989 and GSR 1037 (E), dated the 5th December, 1989 except,-
- (a) transfer of hazardous substances from ships to ports, terminals and refineries and vice versa;

- (b) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas (hereinafter referred to as the LNG) in the areas not classified as ICRZ-I(a) and other identified ecologically sensitive areas subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF:

Provided that facilities for receipt and storage of fertilizers and raw materials required for manufacture of fertilizers like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid and the like, shall be permitted within the said zone in the areas not classified as ICRZ-I and identified ecologically sensitive areas under the Wildlife (Protection) Act, 1972 and Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986 .

- (ix) setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas;
- (x) land reclamation, bunding or disturbing the natural course of seawater except those,-
- (a) required for setting up, construction or modernisation or expansion of foreshore facilities like ports, harbours, jetties, wharves, quays, slipways, bridges, sealink, road on stilts, and such as meant for defence and security purpose and for other facilities that are essential for activities permissible under the notification;
- (b) measures for control of erosion, based on scientific including Environmental Impact Assessment (hereinafter referred to as the EIA) studies;
- (c) maintenance or clearing of waterways, channels and ports, based on EIA studies;
- (d) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF;
- (xi) setting up and expansion of units or mechanism for disposal of wastes and effluents except facilities required for,-
- (a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (b) storm water drains and ancillary structures for pumping;
- (c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in ICRZ areas other than ICRZ-I and disposal of treated wastes and effluents;
- (xii) discharge of untreated waste and effluents from industries, cities or towns and other human settlements and the concerned authorities shall implement schemes for phasing out existing discharge of this nature, if any, within a time period not exceeding two years from the date of issue of this notification;
- (xiii) dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling and the like and the concerned authority shall implement schemes for phasing out any existing practice, if any, shall be phased out within a period of one year from date of commencement of this notification.
- Note:-The MoEF will issue a separate instruction to the Union territory Administration in

respect of preparation of Action Plans and their implementation as also monitoring including the time schedule thereof, in respect of sub-paras (iv) and (v).

- (xiv) port and harbour projects in high eroding stretches of the coast, except those projects classified as strategic and defence related in terms of EIA notification, 2006 identified by MoEF based on scientific studies and in consultation with the Union territory Administration;
- (xv) reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities;
- (xvi) mining of sand, rocks and other sub-strata materials except,- (a) those rare minerals not available outside the ICRZ area,
 - (b) exploration and exploitation of Oil and Natural Gas;
- (xvii) drawl of groundwater and construction related thereto, within 200mts of HTL; except the following, namely:-
 - (a) in the areas which are inhabited by the local communities and only for their use.
 - (b) in the area between 200mts-500mts zone the drawal of groundwater shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries and where no other source of water is available.

Note:-Restrictions for such drawl may be imposed by the Authority designated by the Union territory Administration in the areas affected by sea water intrusion.

- (xviii) construction activities in ecologically sensitive areas except those specified in this notification;
 - (xix) dressing or altering the sand dunes, hills, natural features including landscape changes for beautification, recreation and other such purpose;
 - (xx) facilities required for patrolling and vigilance activities of marine/coastal police stations.
8. Validity of the clearances issued under this notification for projects - The clearance accorded to the projects under this notification shall be valid for the period of five years from the date of issue of the clearance for commencement of construction and operation.
9. Applicability EIA notification, 2006 or any other notification – The developmental projects attracting Environmental Impact Assessment or the Forest (Conservation) Act, 1980 (69 of 1980), the Wildlife (Protection) Act, 1972 (52 of 1972) shall be considered in accordance with the provisions made thereunder and prior approval obtained from the competent Authority before making any recommendations.
10. The activities which are not listed in the IIMPs above shall be referred to the MoEF, through the concerned Union territory Administration for decision.

[U No. 12-3 2008-IA-III]

J. M. MAUSKAR, Addl. Secy.

Annexure-I**GUIDELINES FOR PREPARATION OF INTEGRATED ISLANDS MANAGEMENT PLAN AND ISLAND COASTAL REGULATION ZONE**

1. The entire island including the aquatic area shall be considered for the Integrated Island Management Plan, while for ICRZ the jurisdiction shall be as indicated at para III(A).
2. Integrated Island Management Plans shall be prepared indicating therein all present and future developments, conservation and preservation schemes with a time frame of ten years.
3. The Integrated Island Management Plan and ICRZ shall address vulnerability to human life and property based on elevation, geomorphology, sea level trends and horizontal line displacement and indicate suitable areas that are safe for locating dwelling units, infrastructure, and the like, and appropriate safeguards measures to protect the life and property of the local communities, infrastructure from natural hazards shall be indicated in the Integrated Islands Management Plan.
4. The land area falling between the hazard line and 500mts from HTL on the landward side, in case of seafront and between the hazard line and 100mts line in case of tidal influenced water body the word 'hazard line' denotes the line demarcated by Ministry of Environment and Forests (hereinafter referred to as the MoEF) through the Survey of India (hereinafter referred to as the SoI) taking into account tides, waves, sea level rise and shoreline changes.
5. No developmental activities other than those listed in this Notification shall be permitted in the areas between the hazard line and 500mts or 100mts or width of the creek on the landward side. The dwelling unit of the local communities, tribals including that of the fishers will not be relocated if the dwelling units are located on the seaward side of the hazard line. The Union territory Administration will provide necessary safeguards from natural disaster to such dwelling units of local communities.
6. All the existing roads including the internal roads shall be strengthened, as these roads shall serve for the purpose of livelihood, communication, rescue, relief and evacuation measures during natural hazards.
7. Adequate cyclone shelters shall be earmarked and constructed on elevated areas or on stilts adjacent to populated areas.
8. The existing and as well new schools, market areas and other public facilities (excluding public toilets) where large number of public congregate, shall normally be located on safe areas preferably in elevated areas or protected areas.
9. Along the seaward side sufficient bio-shield with local vegetation, trees including mangroves shall be planted and other soft protection measures.
10. The Integrated Islands Management Plan and ICRZ shall be based on scientific methodology and with the approval of the concerned authorities, including the appropriate coastal protection structures be constructed in accordance with such Plan.
11. The beaches shall be protected and no developmental activities shall be permitted therein.
12. Sand dunes, being natural barrier in the event of flooding, shall be conserved and maintained or regenerated by planting shrubs or through appropriate measures.
13. There shall be no restriction with regard to traditional fishing by local communities including installation of fish aggregating devices as recommended by the Islands Administrations.
14. (a) The mining of construction material, especially sand from deep sea bed (beyond fifteen meters depth), after undertaking proper scientific studies may be permitted in the Plan;
 - i. the alternative construction material, such as, bamboo, local forest products may be identified and used;
 - ii. the other materials, like, metal, hollow brick blocks, and the like, shall be imported from the mainland.
15. Emphasis shall be given to use of non-conventional energy resources especially, wind, solar and tidal energy, desalination, water recycling, and use of local products.
16. Early warning system shall be provided for cyclone, tsunami, and the like, and a evacuation and relief measure plan in case of disasters shall be built into the Integrated Islands Management Plan.

17. Necessary provision shall be made in the Integrated Islands Management Plan for relocation and rehabilitation of people displaced due to natural disasters.
18. Integrated Islands Management Plan and ICRZ shall also include the areas under habitation and make plan for future development.
19. No developmental activities shall be permitted in the area under reserve forests, protected forests, national parks and sanctuaries notified under the Forests (Conservation) Act, 1980 (69 of 1980) or the Wild Life Protection Act, 1972 (53 of 1972) and the areas protected under the Environment (Protection) Act, 1986 (29 of 1986).
20. The dwelling units or infrastructure of local communities as are existing at the time of preparation of Plan shall not be displaced.
21. Repair of existing buildings or infrastructure including reconstruction activities shall be allowed.
22. IIMP and ICRZ shall be prepared in 1:25,000 scale map for macro level planning and 1:10,000 or cadastral scale for micro level planning.
23. The High Tide Line will be got demarcated by one of the agencies authorized by Ministry of Environment and Forests.

Annexure-II**List of petroleum and chemical products permitted for storage except in ICRZ-I(a) and other identified ecologically sensitive areas**

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor spirit;
- (iv) Kerosene;
- (v) Aviation fuel;
- (vi) High speed diesel;
- (vii) Lubricating oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;
- (xii) Furnace oil;
- (xiii) Low Sulphur Heavy Stock;
- (xiv) Liquefied Natural Gas;
- (xv) Fertilizers and raw materials for manufacture of fertilizers.

Annexure-III**Guidelines for development of beach resorts or hotels in the designated areas of ICRZ-III and ICRZ-II/IIMPs for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests**

- I. Construction of beach resorts or hotels with prior approval of MoEF in designated areas of ICRZ-II and III for occupation of tourist or visitors shall be subject to the following conditions, namely:-
- (a). The project proponent shall not undertake any construction within 200 metres in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;
 - (b). The proposed constructions shall be beyond the hazard line or 200mts from the High Tide Line whichever is more;
 - (c). live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
 - (d). no flattening of sand dunes shall be carried out;
 - (e). no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
 - (f). Construction of basement may be allowed subject to the condition that no objection certificate is obtained from the Union territory Ground Water Authority to the effect that such construction will not adversely affect free flow of groundwater in that area;
 - (g). the Union territory Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate;
 - (h). though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;
 - (i). the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
 - (j). the construction shall be consistent with the surrounding landscape and local architectural style;
 - (k). the overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
 - (l). groundwater shall not be tapped within 200metre of the High Tide Line; within the 200metre 500metre zone it can be tapped only with the concurrence of the Central or Union territory Ground Water Board;
 - (m). extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;
 - (n). the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central Pollution Control Board or Union territory Pollution Control Committee and under the Environment (Protection) Act, 1986;

- (o). necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
- (p). to allow public access to the beach, atleast a gap of 20metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500metres apart; and
- (q). if the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and Union territory laws as applicable to the project shall be met with; and
- (r). approval of the Union territory Tourism Department shall be obtained.
- II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or Union territories) construction of beach resorts or hotels shall not be permitted
