

15.01.2022

BEFORE THE NATIONAL GREEN TRIBUNAL**(EASTERN ZONE BENCH, KOLKATA)**

ORIGINAL APPLICATION No 74 of 2021/EZ

IN THE MATTER OF:-

Puri Bar Association, Puri

.....

Applicant

- Versus -

Union of India & Others

.....

Respondents

REJOINDER SUBMITTED AGAINST THE COUNTER AFFIDAVIT FILED BY THE**RESPONDENT Nos.5,6,7,8,9 & 11 AND AFFIDAVIT FILED BY THE****RESPONDENT NO.10**Savada Prasad Samal
Secretary
Puri Bar Association, Puri

Prasanta Kumar Mishra,

Advocate, **O-273 of 1978**

Puri Bar Association, Kacheri Road,

Puri, Odisha, Pin-752001

Mob:-9937159369, 7978208954

advpkmishrapuri@gmail.com

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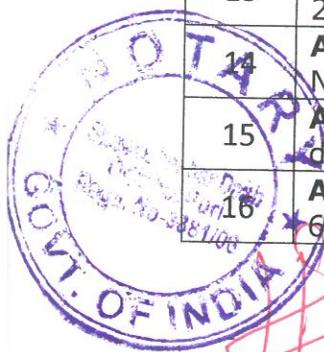
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Savada Prasad Saman
Secretary
Puri Bar Association, Puri

Place: - Puri
Date:-15.01.2022

15.01.2022
BY THE APPLICANT
THROUGH ITS ADVOCATE





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BEFORE THE NATIONAL GREEN TRIBUNAL

(EASTERN ZONE BENCH, KOLKATA)

ORIGINAL APPLICATION No 74 of 2021/EZ

Puri Bar Association, Puri Applicant

- Versus -

Union of India & Others Respondents

Sarada Prasad Samal
Secretary
Puri Bar Association, Puri

REJOINDER SUBMITTED AGAINST THE COUNTER

AFFIDAVIT FILED BY THE RESPONDENT NOS.5,6,7,8,9

& 11 AND AFFIDAVIT FILED BY THE RESPONDENT

Shashishekhhar Dash
Notary Govt. of India

NOS.10

It is submitted on behalf of the Applicant Association as follows:-

- 1) That, I am the Secretary of Puri Bar Association of Puri having its office at Kacheri Road, Puri.
- 2) That, I have been duly authorized by the Applicant-Association to swear this affidavit.
- 3) That, the facts stated hereinafter in this rejoinder are true to the best of my knowledge, based on the records of the case and information gathered/collected and the facts which are not specifically admitted herein may be deemed to have been denied.

4) That, I have gone through the Counter Affidavit and Affidavit filed by the Respondents and understood the contents thereof.



- 5) That, after having gone through the averments made in the Counter Affidavit & Affidavit, the Applicant-Association begs to traverse the said averments made in the Counter Affidavit & Affidavit as follows:

REJOINDER SUBMITTED AGAINST THE COUNTER AFFIDAVIT FILED

BY THE RESPONDENT NOS.5,6,7,8,9 & 11

- 6) That, in respect of Paragraph 1, no document has been filed on record to support the assertion of the Deponent that the aforesaid respondents namely 5,6,7,9 and 11 have authorized respondent No.8 (eight) to file the said Counter Affidavit being not supported by any letter of authority cannot be accepted to have been filed on behalf of respondent Nos.5,6,7,9 and 11. The respondent No.8 (eight) is called upon to give a declaration/affidavit to the effect that respondent No.5,6,7,9 and 11 will be bound by the consequences and result in the O.A..
- 7) That, the averments made in paragraphs 2 & 3 of the Counter Affidavit are neither correct nor tenable and acceptable in the eyes of law and facts. It is humbly submitted that chapter on fundamental duties enshrined in Constitution of India clearly imposes duty on every citizen to protect the environment. Article 51 - A (g), says that "it shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures. Further, the directive principles under the Constitution of India directed towards ideals of building welfare states. Healthy environment is also one of the elements of welfare state. Article 47 provides that the State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of the public health as among its primary duties. The improvement of public health also includes the protection and improvement of environment without which public health cannot be assured. Article 48-A of the Constitution says that "the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country.

Furthermore, according to Article 21 of the Constitution, "no person shall be deprived of his life or personal liberty except according to



S. K. Datta
Secretary
Puri Bar Association, Puri

procedure established by law". Article 21 has received liberal interpretation from time to time after the decision of the Hon'ble Supreme Court in Menaka Gandhi vs. Union of India, (AIR 1978 SC 597). Article 21 guaranties fundamental right to life. Right to environment, free of danger of disease and infection is inherent in it. Right to healthy environment is an important factor for right to live with dignity for citizens. The right to live in a healthy environment as part of Article 21 of the Constitution was first recognize in case of Rural Litigation and Entitlement Kendra vs. State, AIR 1988 SC 2187 (Popularly known as Deheradun Quarrying Case). It is the first case of this kind in India, involving issues relating to environment and ecological balance in which Hon'ble Apex Court directed to stop the excavation (illegal mining) under the Environment (Protection) Act, 1986. In M.C Meheta vs. Union of India, AIR 1987 SC 1086, the Hon'ble Apex Court treated the right to live in pollution free environment as a part of fundamental right to life under Article 21 of the constitution.

The counter affidavit filed by the Respondent Nos.5,6,7,8,9 & 11 praying for costs is not tenable. The averments made in paras.2(two) and 3(three) are therefore specifically denied. It is travesty of truth to submit that the O.A. is not maintainable being devoid of merit and is liable to be dismissed with compensatory cost. Therefore, the averments made in paras. 2 & 3 are not tenable either in fact or in law.

- 8) That, the averments made in paragraphs 4 (four) and 5(five) of the Counter Affidavit cannot be sustained and hereby specifically denied. It will be pertinent to state here that the phrase "*locus-standi*" cannot be raised and questioned of the Applicant Association in this O.A, as the Form-I prescribed under Sub Rule.(1) of Rule.8 of National Green Tribunal (Practices and Procedures) Rules, 2011 prescribes an applicant can file the O.A in the said prescribed form. The term applicant has been defined in clause.(c) of Sub Rule.(1) of Rule.2 of the National Green Tribunal (Practices and Procedures) Rules, 2011 which defines who is an "applicant".
- "Applicant means person making an application or appeal to the Tribunal U/S.8 of National Green Tribunal Act, 2010. The Sub Clause.(v)



and (viii) of Clause.(j) of Sub Section.(1) of Section.2 of National Green Tribunal Act, 2010 is hereunder quoted for perusal "2(1) (j) (v) "an association of persons or a body of individuals, whether incorporated or not", "(viii) every artificial juridical person not falling within any of the preceding sub-clauses";. Also lays down under clause.(e) sub section.(2) of Section.18 of National Green Tribunal Act, 2010 "(e) any person aggrieved, including any representative body or organization;". In view of such position of law under the provisions of NGT Act, 2010 and Rules,2011, the applicant association has apparently locus-standi to present this O.A. and as such the aforesaid plea challenging the locus-standi of the applicant association should be summarily rejected

It is humbly submitted that the Hon'ble Supreme Court of India in its judgment passed on 07.10.2021 in **Civil Appeal Nos.12122-12123 of 2018** in case of **Municipal Corporation of Greater Mumbai vs. Ankita Sinha & ors** has stated in **Para IV Salient Statutory Features of the NGT Act** that:

"16.6 Another distinguish feature of the environmental forum is on the aspect of locus standi which was made as wide as is available to the High Courts and Supreme Court. Thus, any person or organization who may be interested in the subject matter is permitted to approach the NGT".

The question of locus-standi of the Applicant Association cannot be questioned and raised as the Hon'ble Tribunal under the provisions of NGT Act, 2010 and the schedule thereof which includes the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 within its fold for consideration wherein penal provisions have been enshrined for violation of the provisions as enumerated in the Environment (Protection) Act and the Rules, 1986 thereof, any citizen/organization/association/juristic person can approach invoking and initiating proceeding before this Hon'ble Tribunal which contains penal provisions as questioning the locu-standi of the Applicant Association is foreign to criminal jurisprudence as has been held by the Hon'ble Apex Court in leading case i.e. **A.R. ANTULAY V.**



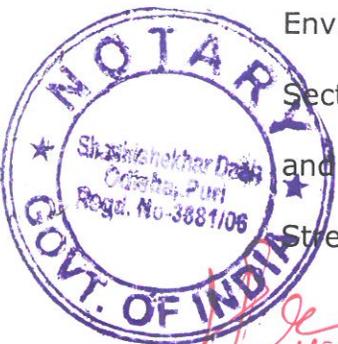
RAMDAS SRINIWAS NAYAK- (1984) 2 SCC 500 : (AIR 1984 SC 718 : 1984 CriLJ 647) in which at para 14 at page 888 & 889 the Hon'ble Apex has held that:

XXX XXX XXX. It is for this reason that in A.R. Antulay v. R.S. Nayak (1984) 2 SCC 500 : (AIR 1984 SC 718 at p.723), this Court pointed out "punishment of the offender in the interest of the society being one of the objects behind penal statute enacted for larger good of society, **the right to initiate proceedings cannot be whittled down, circumscribed or fettered by putting into a strait jacket formula of locus-standi**". This Court observed that **locus-standi of the complainant is a concept foreign to criminal jurisprudence. Now if any citizen can lodge a first information report or file a complainant and set the machinery of the criminal law in motion and his locus-standi to do so cannot be questioned.** XXX XXX XXX.

The Applicant Association as in the O.A. has given the number and date of the registration of the Association under the provisions of The Societies Registration Act, 1860 and also has filed extract of the resolution which is attached as Annexure-1 at page.57 of the O.A. filed by the Applicant Association, the by-law/memorandum/guideline/rule/regulation with respect to its formation, object and functioning etc. are absolutely not necessary for considering the 'locus-standi' as the question of 'locus-standi' should be held to be foreign to a proceeding of this nature as there are flagrant violation of CRZ Notifications and amended Notifications thereof as well as EIA Notification which are continuing offences being committed by the respondent Nos.5,6,7,8,9 and 11 **attracting penal provision under Section.15 read with Section.17 of the Environment (Protection) Act, 1986.**

That, the Ministry of Environment & Forests (Department of Environment. Forests & Wildlife, Govt. of India Notification under Section.3(1) and Section.3(2) (v) of the Environment (Protection) Act, 1986 and Rule 5(3) (d) of Environment Protection Rules, 1986 declaring Coastal Stretches as Coastal Regulation Zone (CRZ) and Regulating Activities in the

Savitri Prasad Samant
Secretary
Puri Bar Association, Puri



15/01/02

CRZ. Therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 and all other powers vesting in its behalf, the Central Govt. hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) upto 500 meters from the High Tide Line(HTL) and the land between the Low Tide Line(LTL) and the HTL as Coastal Regulation Zone and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes etc. in the said Coastal Regulation Zone (CRZ). For purpose of this Notification the High Tide Line (HTL) will be defined as the line up to which the highest high tide reaches at spring tides.

The photocopy of the CRZ Notification, 1991 is annexed hereto as **Annexure - 39.**

- 9) That, the statements contained in Paragraph 6 (six) of the counter affidavit are neither acceptable nor tenable as the respondent No.8 (eight) is neither competent nor has any authority to swear the affidavit for and on behalf of respondent Nos. 5,6,7,9 and 11 as no letter of authority is produced and annexed to the Counter Affidavit in support of the alleged authority. Since the respondent No.8(eight) is neither competent to swear any affidavit nor authorized and acquainted with the affairs of the offices/departments headed by respondent Nos.5, 6, 7, 9 and 11 as is revealed from the averments in the Paragraph 6 (six) of the counter affidavit that the respondent No. 8 (eight) is swearing the affidavit by virtue of his office or in other words it means the respondent No. 8 (eight) has swear the counter affidavit for and on behalf of his office and has not been authorized by other respondents named above. It is absolutely irrelevant that the respondent No.8 (eight) has gone through the averments, assertions, allegations, statements and submissions made in the O.A. and his denial alone can never be held to be the denial for and on behalf of respondent No.5,6,7,9 and 11.

- 10) That, the statement contained in Paragraph 7 (seven) of the counter affidavit with regard to the alleged malafide intention of the Applicant



Association is ridiculous as being an Association of Advocates it cannot have malafide intention against the hierarchy of the State and as such the respondents are called upon to furnish strict proof of such defamatory and wild allegation and therefore should be prepared to face defamatory proceeding together with claim of damages and compensation against the respondents for such defamatory allegation without any basis.

- 11) That, the averments stated in Paragraph 8 (eight) of the counter affidavit are correct and the Applicant Association not only challenges the approval of CZMP of Puri District with regard to village Sipasurubili as the CZMP for Sheet No E 45B 13/SW which had prepared without following the CRZ Notifications 2011 & 2019 but also not adhering to the CRZ Notification, 2011 as enumerated in Annexure I at Clause D Point IV for conducting public hearing before finalization of Coastal Zone Management Plan (CZMP) prepared as per CRZ Notification, 2011, further not abiding the direction of Hon'ble Apex Court vide Case No W.A (Civil) 664 of 1993 reported as **(1996) 5 SCC 281** wherein the State of Odisha being a Party to the said case is bound by the ratio decided therein.
- 12) That, the averments made in Paragraph 9 (A), (B) of the counter affidavit are not correct and are hereby denied. The same has been stated in the earlier paragraph 8 (eight) of this rejoinder supra.
- 13) That, the contents of counter affidavit para No.9 (C), (D), (F), (H), (J), (N), (P), (R), and 10 cannot be accepted in view of **Rule 16 (2) of National Green Tribunal (Practices and Procedures) Rules, 2011**, the counter affidavit filed by the respondents being not in accordance and conformity with the said regulations and the respondents having not been specifically denied mere evasive denial amounts to admission of the relevant parts of the O.A., thus the contents of the paragraphs in i.e. 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 19, 28, 30, 31 and 32 of the O.A. shall be deemed to have been admitted and the aforesaid respondents are completely debarred to submit any facts relating to the averments made in the aforesaid paragraphs of the O.A. as there has been a waiver of the right to submit in respect of the contents/averments of the said paras of the O.A.

Sarada Prasad Samal
Secretary
Puri Bar Association, Puri



That, the Hon'ble Apex Court in its judgment reported in **AIR 1974 SUPREME COURT 471** has stated in Paragraph 26 at page 477 "XXX XXX XXX. Admission if true and clear are by far the best proof of the facts admitted. Admissions in pleadings or judicial admission admissible under Section 58 of the Evidence Act, made by the parties or their agents at or before the hearing of the case, stand on a higher footing than evidentiary admission. The former class of admissions are fully binding on the party that makes them and constitute a waiver of proof. They by themselves can be made the foundation of the rights of the parties. XXX XXX XXX". Here the contents/averments made by the applicant association in paras 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 19, 28, 30, 31 and 32 of the O.A. have not been specifically denied, the evasive denial if any being no denial it should be held that the respondent Nos. 5, 6, 7, 8, 9 and 11 have admitted the contents/averments of the para Nos. 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 19, 28, 30, 31 and 32 are bound by the contents and averments made therein.

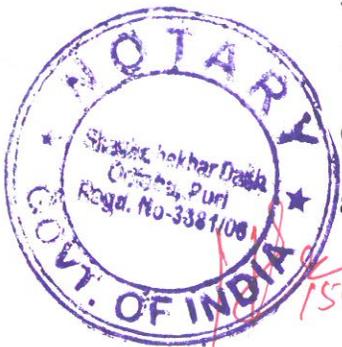
14) That, the averments made in paragraphs 9 (G) of the Counter Affidavit are not true and hereby denied. It is humbly submitted that the **Respondents have never adhered to the terms and conditions as stipulated** in the Office Memorandum dt. 26.06.2019 which has been annexed as **Annexure-A/5 of the counter affidavit at page 27**. The "**GUIDELINES FOR UPDATION OF COASTAL ZONE MANAGEMENT PLAN (CZMP) PREPARED AS PER CRZ NOTIFICATION, 2011 TO ALIGN IT WITH CRZ NOTIFICATION, 2019**" states as follows: -

- i. That, it is humbly submitted that as per the Clause 2 (a) of the General Guideline for preparing CZMP, 2019 envisages as "*all coastal States and Union territory administrations shall update their respective CZMPs (which was prepared based on the CRZ Notification, 2011), as per the provisions contained in the CRZ Notification, 2019, and after its updation and finalization following due procedures shall submit to the MoEF & CC, Govt. of India for its final approval at the*



earliest". Thus it is construed that for preparing the CZMP, 2019 the CZMPS which has been prepared as per CRZ Notification, 2011 shall be updated. **It is pertinent to submit here that the CZMP Sheet No E 45 B 13/SW which had been prepared as per CRZ Notification, 2011 completely violates the terms and conditions as enumerated in the CRZ Notification, 2011 and the same has been categorically submitted before this Hon'ble Tribunal in the Original Application by the Applicant Association at Para 29 from Pages 33 to 42.** Therefore, the contents of the averments made by the Respondents in Para 9(G) are totally false, baseless, misleading and actually shows the vexatious nature and malafide intention of the Respondents.

- ii. That, as per the said Office Memorandum dt.26.06.2019 **"GUIDELINES FOR UPDATION OF COASTAL ZONE MANAGEMENT PLAN (CZMP) PREPARED AS PER CRZ NOTIFICATION, 2011 TO ALIGN IT WITH CRZ NOTIFICATION, 2019"** at Annex-2 regarding "CHECK-LIST FOR PREPARATION OF CZMP MAPS AND COASTAL LANDUSE MAPS" at Point 9 it is clearly mention that **"If legally designated urban areas other than municipality area are included in CRZ-II category, details in the form of supporting Government notification/act/rules are to be provided in the CZMP report"**.
- iii. Further, in Annexure-1 of the Ministry of Environment Forest & Climate Change, Govt. of India (respondent No.1 of the O.A) Letter No. D.O. No.12-I/2019-IA-III dt.18.05.2020 addressing to the Chief Secretary, Govt. of Odisha (Respondent No.5 of the O.A), wherein it has been clearly mentioned at Point v that: **Stakeholder Data such as Municipal maps, Notifications for legally designated urban areas etc., for new CRZ-II areas, fishing Zone in the water bodies and fishing village boundaries, breeding and spawning grounds of fish and the like, for updating the CZMP, as applicable "**



Saada Ahmad Saman
Secretary
Puri Bar Association, Puri

The photocopy of the letter dt.18.05.2020 is annexed hereto as

Annexure – 40.

- iv. It is pertinent to state here that Director, Forest & Environment Department, Govt. of Odisha (respondent No.8 of the O.A) issued letters vide their letter No.23759 dt.06.12.2019 to various Department of the Govt. of Odisha to furnish relevant Stakeholders data as per the Govt. of India, Office Memorandum dt.26.06.2019 for updation of CZMP map as per CRZ Notification, 2019.

The photocopy of the letter dt.06.12.2019 is annexed hereto as

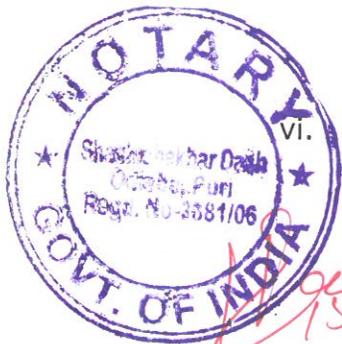
Annexure –41.

- v. In response to the aforesaid letter of Director, Env Cum Spl Secy to Govt. of Odisha (respondent No.8 of the O.A), the Housing and Urban Development Department of Govt. of Odisha (respondent No.11 of the O.A.) gave a reply vide its letter No.24213/HUD dt.27.12.2019 to the respondent No.8 (eight) that Puri Municipality as Urban Local Body (ULB) located in the coastal zone of Odisha and the **date of notification for Puri Municipality as ULB on 01.01.1865**. It is worth to submit here that the Mouza/Village-Sipasurubili is situated outside the Municipal area of Puri. **But the Housing and Urban Development Department, Govt. of Odisha (Respondent No.11 of the O.A) never provide any notification/rule/Act etc. in which the said Village/Mouza-Sipasurubili comes under an Urban Local Body or designated Urban area.** Therefore, it violates the Annex-2, Point 9 of the guidelines of the Office Memorandum dt.26.06.2019 i.e **If legally designated urban areas other than municipality area are included in CRZ-II category, details in the form of supporting Government notification/act/rules are to be provided in the CZMP report.**

The photocopy of the letter dt.27.12.2019 is annexed hereto as

Annexure –42.

- vi. It will not be out of context to submit here that the respondent No.9(nine) of the O.A. in his additional affidavit dt.03.08.2019 filed



Sarada Anand Samal
 Secretary
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before the Hon'ble High Court of Orissa in suo motu P.I.L. OJC No.11406 of 1996 has stated on oath that consolidation operation is going on in the disputed Mouza/Village-Sipasurubili and same has been annexed as Annexure 13 of the O.A at page 212.

- vii. Further, DCZMC, Puri in its proceeding dt.14.01.2020 (Respondent No.9 of the O.A) has clearly stated that "*Sipasurubali is a village located in sheet No.E 45 13/SW having population density less than 2161 per sq. Km as per 2011 census under process of **consolidation as per the Revenue & Excise Department, Govt. of Odisha Gazette Notification No.1390 dt.22.09.1988***" and same has been annexed as Annexure 10 at page 202 of the O.A. The consolidation operation in village Sipasurubali is still going on as there has been no de-notification U/S.41 of the OCH and PFL Act, 1972 as yet.
- viii. Under this situation the counter affidavit filed by the respondent Nos.5, 6, 7, 8, 9 & 11 with respect to the preparation of CZMP sheet No.E 45 B 13/SW has never been prepared in accordance to the Office Memorandum dt.26.06.2019 and letter dt.18.05.2020 of respondent No.1. Therefore, it is nothing but the respondent deliberately and intentionally submitted a false affidavit in the proceeding before this Hon'ble Tribunal. All other contents / statements made by the respondent Nos.5 to 9 and 11 are hereby specifically denied and to be rejected *in limini* as the same are not true.

15) That, the averments made in paragraphs 9 (I) of the Counter Affidavit are not correct and hereby denied rather the respondents have attempted to mislead this Hon'ble Tribunal by suppression of material facts and have not approached this Hon'ble Tribunal with clean hands as per the following grounds:

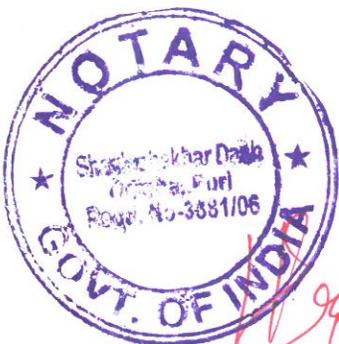
- i. That, in the counter affidavit at para 1 the respondent has admitted and stated that "**XXX XXX XXX. Subsequently the trust included 12 mouzas into their jurisdiction (10 inside Municipality + 2 outside Municipality area) vide Notification**



Sarda Anand Kumar
 Secretary
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No.1462 dt.03.10.1983 after preparing a Development Plan of Puri Sea Beach. In view of this Notification, Sipasurubili area continues to be a part of Puri town. XXX XXX XXX." But the true state of affairs is that the said **Development Plan of Puri Sea Beach, 1983** which is annexed as Annexure. G/5 at page.70 of the counter affidavit at point of 3 of the said Development Plan of Puri Sea Beach clearly states **"In the meanwhile, it was felt necessary by the Government that the Puri Sea Beach should be kept free from all building activities, setting of industries etc. at least up to 500 meters from the water tide, with a view to Preserve esthetics and environmental value and other important uses of Sea Beach"**. Accordingly, with the assistance of the Director of Town Planning, Odisha, Bhubaneswar a "Development Plan of Puri Sea Beach with 500 meters from High Tide Line" of the Master Plan of Puri, has been prepared and again in the said **Development Plan of Puri Sea Beach para No.4** states as follows:- "A development plan of Puri Sea Beach within 500 meter from High Tide Line of the Sea comprising of the villages schedule below, has been prepared and hereby published under section.31 (1) of the Odisha Town Planning and Improvement Trust Act, 1956 (Orissa Act 10 of 1957) in partial modification to Notification No.2266-T.P. dt.1st July 1968 of erstwhile Special Planning Authority, Puri. XXX XXX XXX".

- ii. That, in the said Notification No.1462 dt.03.10.1983 the Village/Mouza-Sipasurubili comes under **Master Plan of Puri to be kept free from all building activities, setting of industries etc. at least up to 500 meters from the water tide**, with a view to preserve esthetics and environmental value and other important uses of Sea Beach, **the same has been mentioned in the Additional Affidavit dt.22.11.2021 of the Applicant**

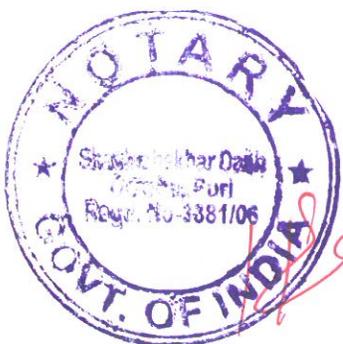


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Association at Paragraph 15 and 16, page 258 and 259 and has been annexed as Annexure-30 at page 313 and page 319, the existing land use analysis of the area between HTL and 500 meter line clearly shows that Village/Mouza-Sipasurubili has kept free from all development activities from the 500 meters of the HTL.

- iii. That, the respondents have admitted that in view of the aforesaid notification Sipasurubili area continues to be a part of Puri Town and the development for the said Mouza Sipasurubili will be as per Development Plan of Puri Sea Beach and the land use analysis for the said Mouza Sipasurubili will be also as per Development Plan of Puri Sea Beach and same has been **annexed as Annexure 30 of the additional affidavit at page 319 filed by the Applicant Association dt.22.11.2021.** Therefore, in this situation as admitted by the respondents. The Village/Mouza-Sipasurubili never comes under classification/categorization under CRZ-II at any point of time rather comes under categorization/classification of CRZ-III which is the prayer of the Applicant Association made in the O.A..
- iv. That, the Hon'ble Apex Court in its order passed in **AIR 1974 Supreme Court 471** observed that **"Admissions, if true and clear, are by far the best proof of the facts admitted and they by themselves can be made the foundation of the rights of the parties"** and at Page 477 the Hon'ble Apex Court observed at para 26 that:

xxx xxx xxx Admission is true and clear are by far the best proof of the facts admitted. Admissions in pleadings or judicial admission admissible under Section.58 of the Evidence Act, made by the parties or their agents at or before the hearing of the case, stands on a higher footing than evidentiary admission. The former class of admissions are fully binding on the party that makes them and



Sand a Prasad Samal
Secretary
Puri Bar Association, Puri

constitute a waiver of proof. They by themselves can be made the foundation of the rights of the parties.

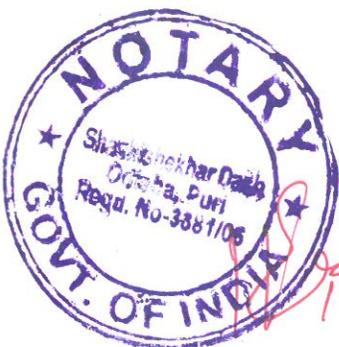
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- v. That, further, it is pertinent to state here that, respondents intentionally and deliberately are misleading this Hon'ble Tribunal by showing the built up area is 52.37%, buildable area is 18.30% & land with scrub is 29.33% in the said Village/Mouza-Sipasurubi within CRZ-II (i.e. from western boundary of Puri Municipal to Mangala River) on 19.11.2020 by the Odisha Space Application Center (ORSAC) but not mentioning the built up area and buildable area for the said mouza while preparing draft CZMP for the sheet No.E 45 B 13/SW as per CRZ Notification, 2011. The respondents had intentionally and deliberately not submitted all the relevant papers/documents including the ORSAC report, if any, at the time of preparation of CZMP as per CRZ Notification, 2011.
- vi. That, it is utterly surprise as to when the representative of the respondents and the ORSAC detected the unauthorized structures in the CRZ Zone of the said Village/Mouza-Sipasurubili with the help of other respondent's departments, **on the basis of such report, the Collector, Puri (respondent No.9 of the O.A) filed prosecution against 17(seventeen) numbers of violators who have raised offending structures in the CRZ Zone** and the said cases have been filed on 18.11.2014 by the Collector, Puri in compliance to the order of Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No.110 of 2013 vide order dt.21.10.2014 [envisages as "XXX XXX XXX. **In the report it has been stated the Collector, Puri had been directed to take action under the Environment Protection Act (1986) against 25 offending structure in the CRZ Zone**"] in the Court of Sub Divisional Judicial Magistrate, Puri, Odisha. That, from the said 17(seventeen) numbers of violators 5(five) numbers of violators of the said Village/Mouza-Sipasurubili who have raised offending

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structure in the CRZ Zone of the said **mouza/village-Sipasurubili vide case No. I.C.C. No.408/2014, I.C.C. No.409/2014, I.C.C. No.410/2014, I.C.C. No.417/2014 and I.C.C. No.418/2014** is still pending before the learned **Sub Divisional Judicial Magistrate, Puri, Odisha**. It is pertinent to submit here that a number of unauthorized structures have been constructed and many are also under process of construction without having CRZ clearance and respondent Nos.6,8,9,10 and 12 are well aware of the said unauthorized constructions. Under this situation the report of ORSAC relating to built up area 52.37%, buildable area 18.30% & land with scrub 29.33% includes the unauthorized structures and thereby the respondent is misleading this Hon'ble Tribunal only to help the unscrupulous hoteliers, builders, developers and destroys the environment as well as Golden Beach of Puri.

The photocopy of order of the Hon'ble NGT, Principal Bench, New Delhi vide order dt.21.10.2014 and the counter affidavit dt.18.11.2014 filed by the Collector, Puri as to filing of said criminal cases as one of the Opposite Party-Respondent in O.A. No.110 of 2013 and ICC case Nos.408/2014, 409/2014, 410/2014, 417/2014 and 418/2014 are annexed hereto as **Annexure -43, Annexure -44 & Annexure -45** respectively.

- vii. That, further, it is humbly submitted that regarding alleged road as stated by the respondent at para 4 i.e. Sea Ward side from Hans Coco Palm (Hotel Parchi) to Sterling Resort which has already been clarified in the Addl. Affidavit filed at page.8 to 14, 17, 18,19,20,21, 22, 24 and in pages 253 to 258, 259 to 264 filed on 21.11.2021 by the Applicant Association. Furthermore, as per the orders of Principal Secretary (respondent No.7 of the O.A) and Director-cum-Special Secretary, Forest & Environment Department, Govt. of Odisha (respondent No.8 of the O.A) on 28.07.2007, it is observed that **'from the tour report of Dr. L.**



Secy. Anand Das
 Secretary
 Puri Bar Association, Puri

Ali, Senior Scientist (PC) of Forest & Environment Department it is observed "During discussion it has been revealed that because of unusual behaviour of the sea in Puri major damage has been caused in the newly constructed road in the Sipa Sarubali area and some damage are also reported in Penthakata basti of the fisherman.

Regarding the damages caused to the newly constructed road from a "Hotel Cocopam" to "Sterling Resort", it can be said that this road was dealt violating of norms of CRZ in the middle of the Sea Beach. This was just like inviting the wrath of nature. All efforts were taken from the Environment Department to stop the construction of this road. In order to give plan approval for construction purpose to different Hoteliers and Builders in the area adjoining Sea towards the landward side of the alleged road in Sipa-Sarubali, area all norms of CRZ were ignored. As on to-day also the revenue map of the road area does not speak of the existence of the road. The alleged road was constructed virtually over-night by spending the tune of Rs.1.5 crores in the mid beach and thereby narrowing the beach area to almost half of this original area.

Such an action by violating the norms was really very unfortunate. Even last year such minor damage were reported to the tune of some hundred meter length of this road and this year a further damaged to the extent of more than 200 meters has occurred in front of "Kathiabba Ashram" and "Thousand Sand Apartment" of JNB BUILTECH Pvt. Ltd.

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But the case of Puri beach is entirely different from the rest of India and nothing should be done to change the environment of the golden sandy beach of Puri". XXX XXX XXX.

The photocopy of the tour report dt.28.07.2007 is annexed hereto as **Annexure -46.**

Therefore, under this situation the respondent have not come to this Hon'ble Tribunal with clean hands rather has filed a false and misleading counter affidavit for inexplicable reasons.

- 16) That, the averments made in paragraphs 9 (K) of the Counter Affidavit are not correct and hereby denied and the same has been clarified at Para 14 & 15 of this Rejoinder, supra.
- 17) That, the averments made in paragraphs 9 (L) of the Counter Affidavit are not correct and hereby denied. Since sufficient proof have been provided by the Applicant Association in Paragraph 21 to 24 at page 29 to 32 with supporting documents attached as as Annexure 11 to 13 at page 209 to 222 of the O.A. Thus the Respondent knowingly and deliberately have attempted to mislead this Hon'ble Tribunal by stating that "*In this connection, a clarification was sought for by the Authority from the Collector, Puri for placing the same before the 34th meeting of the Authority considering the following points*".

Furthermore the Orissa Coastal Zone Management Authority had been reconstituted by the MoEF & CC Govt. of India in its order by S.O. No.3546 (E) dt.20.07.2018 in the said order at clause 3 states as "the quom for the meeting of the authority shall be 1/3rd of the total member of its member and clause.5 (iv) of the said MoEF & CC order states as the **Authority shall examine the proposal received from the State Govt. for changes or modification in the classification of Coastal Regulation Zone and in the Coastal Zone Management Plan and make specific recommendation thereon, to the National Coastal Zone Management Authority.** Therefore the issuance of the letter No.14/DES dt.18.06.2020 which is annexed as Annexure-11 at page 209 of the O.A.



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Secretary
Puri Bar Association, Puri

by the respondent No.8 to the Collector, Puri (respondent No.9 of this O.A) regarding clarification with respect to area of Village/Mouza-Sipasurubili and asking the Collector, Puri to recommend the area of Mouza Sipasurubili to be CRZ-II area is completely malafide, arbitrary and without jurisdiction and flagrant violation of CRZ Notification 2019 as well as MoEF & CC, Govt. of India vide its order by S.O.3546 (E) dt.20.07.2018 is nothing but abuse of process of law which is arbitrary, capricious, non-est in law and as such illegal and unauthorized action of respondent No.8 such plea cannot be held to have been taken in "**good faith**" for discharging of statutory duty and obligation.

The photocopy of the MoEF & CC, Govt. of India order dt.20.07.2018 is annexed hereto as **Annexure-47**.

- 18) That, the contents of Paragraph 9 (L) (a) of the counter affidavit are hereby specifically denied. It is false to say that Ministry of Environment Forest, Govt. of India have ever recommended Village/Mouza-Sipasurubili as CRZ-II classification on the basis of the **letter dt.27.09.1996 bearing No. J 17011/II/92/IA-III which has been annexed as Annexure-L/5 at page.106 of the counter affidavit.**
- 19) That, it is pertinent to state here that, the CZMPs of Orissa which was prepared as per CRZ Notification 1991 by the State Govt. of Odisha with the help of ORSAC vide its letter No.3334 dt.04.01.1995 was submitted to the Ministry of Environment & Forest, Govt. of India by the Forest & Environment Department, Govt. of Odisha vide their letter Nos.22245/F&E/EE-26/95 DT.31.10.1995 and 14658 dt.27.06.1996 delineating the entire coastal state of Odisha into CRZ-I, CRZ-II and CRZ-III.

The photocopy of the ORSAC letter No.3334 dt.04.01.1995 is annexed hereto as **Annexure-48**.

Whereas the Ministry of Environment & Forest Department, Govt. of India approved the aforesaid draft CZMPs of Odisha which was prepared as per CRZ Notification, 1991 with certain modification the CZMPs of Odisha on 27.09.1996 vide their approval letter No. J-17011-II/II/92-IA-

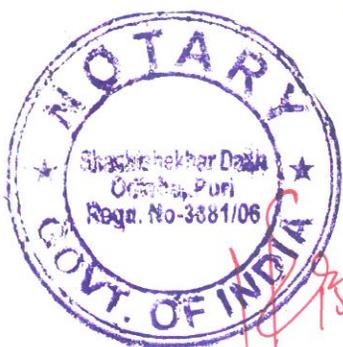
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III with some stipulations, conditions and modifications. That in the said approval letter of CZMPs of Odisha at clause.2 direction has been issued in accordance with the powers vested Central Govt. Under Section (3) (3) (i) CRZ Notification, 1991 subject to following conditions/modifications as follows:-

GENERAL CONDITIONS

- (i) All the relevant provisions of the Coastal Regulation Zone (CRZ) Notification, 1991 as amended in 1994 (after incorporating directions given by the Hon'ble Supreme Court vide its judgment dated 18.04.1996) shall be strictly incorporated in the CZMP.
- (ii) No activity that has been declared as prohibited under Section 2 of CRZ Notification, 1991 shall be carried out within the Coastal Regulation Zone.
- (iv) The classification of the Coastal Regulation Zone shall be in accordance with Annexure - I, Section 6(1). For development of Beach Resort / Hotels in the designated areas of CRZ - III, the guidelines indicated under Annexure - II shall be followed.
- (x) Government of Orissa shall ensure that all development and activities in CRZ areas take place within the frame work of approved Coastal Zone Management Plan. Violations shall be subject to the provision of Environmental (Protection) Act, 1986 and other relevant laws.
- (xi) Government of Orissa or any other Authority so designated shall be responsible for monitoring and enforcement of the provisions of CRZ Notifications and CZMP.
- (xvi) **Parks, Play Ground, regional parks, green zones and non buildable areas falling within CRZ - II areas are categorized as CRZ - III.**



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(xvii) **Government of Orissa shall not make any changes in approved categorization of CRZ areas without prior approval of Ministry of Environment & Forest, Government of India.**

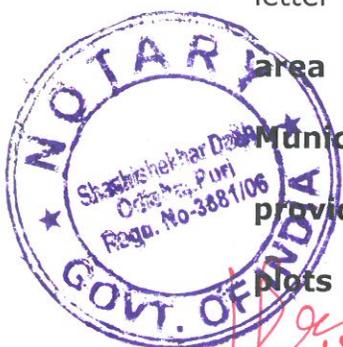
(xviii) Government of Orissa will give **wide publicity to CZMP** and indicate the list of places where it is available / can be inspected.

(B) SPECIAL CONDITIONS / MODIFICATIONS / CLASSIFICATIONS

The categorization of areas into CRZ - I/ II / III / IV, as mentioned vide Government of Orissa Letter No 20750 / E&F / EE - 11/96 dt. 10.09.96 are not approved. With reference to CZMPs submitted earlier the following modifications / classifications are made:

(xx) Details requested for determining various areas proposed for **CRZ - II categorization, namely Puri Municipal area**, Balugaon and Rambha NAC areas and Gopalpur and Paradip Port areas have not been furnished by the State Government. In view of this, it is decided that a **committee may be setup under the Chairmanship of Chief Secretary with at least two NGOs as Members to identify and demarcate CRZ - II areas within the proposed CRZ - II areas.** For the **purpose of determining whether an area is substantially built-up, the ratio of built-up plots to that of total plots is to be ascertained. Where this ratio is 50% or more, such areas (built-up and buildable) are to be classified as CRZ - II provided the same confirms to the criteria of the CRZ - II as per the CRZ Notification.** The remaining areas will be classified as CRZ - I or III as applicable.

That, from the conditions/modifications of CZMPs of Odisha which were prepared as per CRZ Notification, 1991 and the aforesaid CZMP approval letter of Odisha clause.2 (B) (XX), **it is crystal clear that Puri Municipal area is classified/categorized as CRZ-II and other area beyond the Municipal area have to be identified and demarcated if any as CRZ-II provided the area is substantially built up and the ratio of built up plots is to be ascertained and where it would be found that the ratio**



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of the built up plots are 50% or more than that of the areas capable of built up and buildable after enquiry and determination are to be classified as CRZ-II provided the same confirms to the criteria of the CRZ-II as per the CRZ-II Notification of 1991, the remaining area will be declared as CRZ-I or CRZ-III as applicable.

That, the approval of CZMP, Odisha by MoEF, Govt. of India dt.27.09.1996 for the Puri District from Chilika Mouth to Konark Stretch area of 5.3. Sector-II, Puri Urban Zone coming under CRZ area has been delineated in the CZM Plan No.CZMP.74/E/13/SW as contained in the CZMP for Odisha (Chilika Mouth-Konark Stretch) which had been prepared as per CRZ Notification, 1991, by virtue of the aforesaid approval CZM plan No. CZMP.74/E/13/SW by the MoEF, Govt. of India which was prepared as per the CRZ Notification, 1991, **the Forest & Environment Department, Govt. of Odisha in its letter No.13668 dt.21.07.1997 declared Puri municipal area as classified and categorized as CRZ-II.**

The photocopy of the CZM Plan No.CZMP.74/E/13/SW and letter No.13368 dt.21.07.1997 are annexed hereto as **Annexures-49 & Annexures-50** respectively.

That, in the aforesaid CZM Plan No. CZMP 74/E/13/SW, it is categorically mentioned that "This area delineated in the CZM plan No. CZMP 74/E/13/SW extends from Managala Nadi in South-West of Puri town to Balukhanda R.F at opposite direction. The entire CRZ as depicted in the map comes under Puri Master Plan. **The coastal tract between the Mangala Nadi and western boundary of Puri town has been delineated as CRZ-III as the area is not under Municipal Limit of the town**". Again in the said CZM plan No.CZMP 74/E/13/SW in the 4th line it is mentioned that "**as the CRZ area under Puri town municipal limit is marked CRZ-II**". It is pertinent to state here that "The coastal tract between Mangala Nadi and western Boundary of Puri town has been delineated as CRZ-III as the area is not under municipal limit of Puri town, is otherwise known as Mouza/Village-Ginasurubili. Therefore, the respondents averments in Paragraph 9 (L) (a)



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"MoEF, Govt. of India had approved the CZMP of Orissa prepared on the basis of CRZ Notification, 1991 vide their letter No.J-17011/II/92-IA-III dt.27.09.1996 and demarcated Sipasurubili Mouza as CRZ-II has been deliberately and intentionally a false statement and that as such the respondent have therefore out and out false.

Such false affidavit filed by the respondents attracts criminal liability as false affidavit has been filed in the present O.A. during course of proceeding before this Hon'ble Tribunal.

- 20) That, averments in paragraph.9(L) (b) of the counter affidavit are travesty of truth. Although it is true to state that **"regarding categorization of CRZ area of Puri, it was seen that the Ministry had constituted a committee under the Chairmanship of Chief Secretary with at least 2(two) NGOs as member to identify and demarcate CRZ-II" area within proposed CRZ-II area"** but the respondents have deliberately, intentionally and mischievously omitted the words from the sentence xxx xxx xxx **within the proposed CRZ-II areas** only to mislead this Hon'ble Tribunal by suppressing the real facts. It is worth to mention here that the committee which had been constituted by the Govt. of Odisha vide Notification No.3430 dt.15.12.1999 categorically stated/mentioned that **"The State Govt. have been pleased to constitute a committee with the following members to identify and demarcate CRZ-II areas "within the proposed CRZ-II areas"**. But, within two months as per the Govt of India, approval letter dt.27.9.1996 the Government of Odisha could not constitute a committee as mentioned at Para 2 (B) (xx) in compliance with the said letter of Govt. of India whereas, after three years the Govt of Odisha constituted a committee headed by the Chief Secretary as Chairman vide Notification No 3430 dt.15.12.99. It is pertinent to state here that the committee which had been constituted by the Govt. Of Odisha vide Notification No.3430 dt.15.12.1999 confined only to identify and demarcate CRZ-II areas within the proposed CRZ-II areas, if any, which are/were situated outside municipal limit.

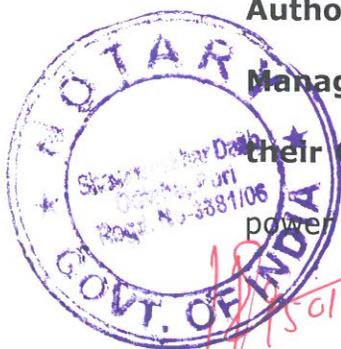


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 Secretary
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A photocopy of the Notification dt.15.12.99 is annexed hereto as

ANNEXURE – 51.

- 21) That, the committee which was constituted by the Govt. of Orissa vide Notification No 3430 dt.15.12.99 had passed a proceeding on April 25, 2000 **which is annexed as Annexure-M/5 at page.112 of counter affidavit** that *"the CRZ portion of Puri urban area defined within the boundaries of Sri Jagannath Sanskrit University, in the East and Mangala River on the west is to be categorized as CRZ – II. Existing plantation areas in the Government land are to be protected at the planning stage"*. It is construed that Puri urban area is the area from Sanskrit University to Mangal River and thereby two areas have been mixed up i.e. Puri Municipal area and beyond municipal area i.e. village/Mouza-Sipasurubili (i.e. is from western boundary of Puri Municipal area to Mangala River). It is pertinent to say here that the CZMPs of Odisha specifically CZM Plan No.CZMP 74/E/13/SW which was approved by the MoEF, Govt. of India vide its letter No.J-17001/II/92/IA-III dt.27.09.1996 which was prepared as per the CRZ Notification, 1991. In the said CZM Plan No.CZMP 74/E/13/SW categorically mentioned that "the CRZ area under Puri town municipal limit is marked as CRZ-II and beyond Municipal limit i.e. Mouza/Village-Sipasurubili (i.e. from western boundary of Puri Municipality to Managala River) is marked as CRZ-III. Hence, such proceeding by the committee to mark Mouza/Village-Sipasurubili (i.e. from western boundary of Puri Municipality to Managala River) as CRZ-II instead of CRZ-III is/was illegal, arbitrary, capricious, ultra vires and violation of CRZ Notifications and non-est in the eye of law.
- 22) That, it will not be out of context to submit before this Hon'ble Tribunal that in the mean time the Ministry of Environment & Forest, Govt. of India by exercising its power conferred under sub-sections (1) and (3) of Section 3 of the Environment (protection) Act, 1986 (29 of 1986), **constituted an Authority for the State of Odisha called as Orissa Coastal Zone Management Authority (herein after to be called as OCZMA) vide their Order No S.O 1004 (E) dt.26.11.1998** wherein the OCZMA has the power to take measures for protecting and improving the quality of the



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 Secretary
 Puri Bar Association, Puri

coastal environment and preventing, abating and controlling environment pollution in coastal areas of the State of Orissa and to examine the proposals for change / modification in classification of Coastal Regulation Zone areas in the Coastal Zone Management Plan (CZMP) received from the State Government and making specific recommendations to the National Coastal Zone Management Authority for change of classification as per Clause II (i) of the said order. That after the constitution of OCZMA dt.26.11.1998 by the MoEF, Govt. of India, the change of classification/categorization of Village/Mouza-Sipasurubili (i.e. western boundary Puri municipal area to Mangala River) vested in OCZMA and as such the committee which was constituted by the State Govt. on 15.12.1999 had no jurisdiction to determine the classification of CRZ area in its proceeding dt.25.04.2000 and therefore the determination of the CRZ area if any by the committee is without jurisdiction and a colourable exercise of power not vested in law and therefore, a nullity and has to be ignored.

A photocopy of the S.O 1004 (E) dt.26.11.1998 is annexed hereto as

ANNEXURE-52.

- 23) That, further, the committee had no jurisdiction to change the classification / categorization in CRZ areas and not followed the conditions as stipulated for approval of CZMPs of Odisha by the MoEF, Govt. of India vide letter dt.27.09.1996 at clause.2 (B) (xx), as well as Govt. of Odisha Notification dt.15.12.1999, CRZ Notification, 1991 and also violative of the order of Hon'ble Apex Court in case of Writ Petition (Civil) No.664 of 1993 reported as **(1996) 5 SCC 281** wherein the Hon'ble Apex Court passed an order that **"xxx xxx xxx The restrictions imposed by the Coastal Areas Classification and Development Regulations contained in Annexure - 1 to the above said Notification shall also be strictly followed by the respondent States"**. Therefore, this amounts not only flagrant violation of CRZ Notification but also the order of Hon'ble Apex Court as well as commission of continuing offence under the provisions of Environment (Protection) Act, 1986.



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24) That, as per the CRZ Notification legally designated urban areas will come under the CRZ - II only when there exist facilities like water supply and sewerage mains, but till date the Village/Mouza-Sipasurubili do not have such facilities, like water supply and sewerage mains. The same can be corroborated from the Forest and Environment Department, Govt of Odisha, Office Order No Env-I-69/2003/16146/F&E. dt.25.09.06 and following steps were taken as follows:-

- i) That, in obligation to such office order a "Task Force" was constituted under the Chairmanship of Chairman, State Pollution Control Board who is the respondent No.10(ten) of the O.A..
- ii) That, **the committee passed a proceeding vide Letter No 2339 dt.09.02.2007 in its 2nd meeting** wherein, it is clearly observed at Point No 4 captioned as '**Drainage and Sewer beyond Municipality Area**' that "xxx xxx xxx. *All the members shared their concerned that without proper sewer and drainage network, the waste water generated from the area is bound to go the beach and sea xxx xxx xxx. **It was agreed that till such time, no further construction plan should be approved by PKDA. Housing & Urban Development Department may be requested to instruct PKDA.***
- iii) That, further, from the note sheet no 99 & 100 of the Task Force File No Env - I - 69/2003 it is observed that "xxx xxx xxx *in the 2nd meeting of Task Force, the drainage and sewerage beyond Puri Municipality area along the sea-beach, was discussed. xxx xxx xxx The area of the beach near Coco Palm Hotel does not come under the Jurisdiction of Puri Municipality and as such there is no proposal for development of sewerage system in that area. Xxx xxx xxx. The members of the Task Force shared their concern that without proper sewerage and drainage network for the waste water generated in that area, it is bound to go to the beach or sea". Xxx xxx xxx **where it was agreed that permission can only be given for development of dwelling houses but in no case construction of commercial***



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establishment will be allowed, pending preparation of a proper development plan for the area".

Photocopy of the Office Order dt.25.09.2006, Task Force proceeding dt.13.11.2006 and Note Sheet No 99 & 100 are annexed here to as **ANNEXURE-53, ANNEXURE-54 & ANNEXURE-55** respectively.

- 25) That, amended CRZ Notification, 2011 vide its Notification S.O.1212 (E) dt.22.03.2016 clearly states at paragraph 5, in item (xii) for the year "2016" and the year "2017" shall be substituted namely-

"(xii) The Coastal Zone Management Plan as already approved by the erstwhile Ministry of Environment and Forest under the Coastal Regulation Zone, 1991, shall be valid up to the 31st day of January, 2017 or till such time as the approval is given by this Ministry to fresh Coastal Zone Management Plans made under the said Notification whichever is earlier".

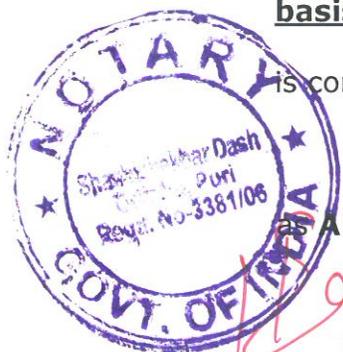
A photocopy of the amended CRZ Notification dt. 22.03.2016 is annexed hereto as **ANNEXURE-56.**

- 26) That, therefore, it is construed that the said CZM plan No.CZMP-74/E/13/SW is/was in force in which the classification/categorization of Mouza/Village-Sipasurubili (i.e. western boundary from Puri Municipal to Mangala river) is CRZ-III till the new approval CZMP which was prepared as per CRZ Notification, 2011 in comparison with CRZ Notification, 1991.
- 27) That, since the CZMP map was not completed in all respect as per the letter and spirit of the CRZ Notification, 2011, respondent No.8 wrote a letter to Joint Secretary, MoEF & CC, Govt. of India vide its letter No.6974/F&E dt.5.4.2017 that "which refers to the subject cited above I am directed to inform you that **the Chief Secretary of Odisha in DO letter No.2454 dt.4th February, 2017 had requested the Secretary, MoEF & CC to kindly extend the validity of the previous CZMPs prepared on the basis of CRZ Notification, 1991 up to 31st January, 2018.** Therefore, it

is construed that the said mouza Sipasurubili was CRZ - III till 31.01.2018.

A photocopy of the letter No.6974/F&E dt.5.4.2017 is annexed hereto

as **ANNEXURE-57.**

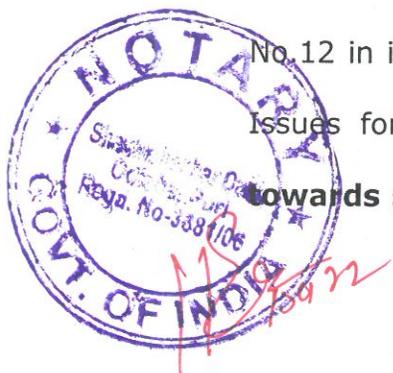


ms 10/1/17

- 28) That, the averments made in the paragraph.9 (L) (C) of the counter affidavit are not correct and hereby denied, same has been clearly explained in the earlier paragraphs of this rejoinder vide paragraph 15 (fifteen) supra.
- 29) That, the averments made in the paragraph.9(M) of the counter affidavit are false, baseless and misleading. The respondent Nos.5 to 9 and 11 are deliberately twisting and mis-representating material facts as well as the position of prevailing law. This has been clearly elaborated at paras.22 to 25 in page Nos.30 to 32 of the O.A.. It is alleged as per the Assistant Consolidation Officer, office of the Additional Sub-Collector Consolidation, Puri (hereinafter referred to as "ACO" throughout this rejoinder) through its letter No.896 dt.08.04.2021 communicated to respondent No.12-P.K.D.A. which approved the building plan in its 41st B.P. Committee meeting held on 02.06.2021 which is annexed as Annexure27 at page 280 of the additional affidavit filed by the Applicant Association on 22.11.2021. Thus, from the aforesaid ACO letter it reveals that in the said Village/Mouza-Sipasurubili "Consolidation operation is still going on" and there has been no de-notification U/S.41 of OCH and PFL Act, 1972 as yet.

A photocopy of the ACO letter No.896 dt.08.04.2021 is annexed hereto as **ANNEXURE-58.**

- 30) That, the averments made in the Paragraph 9 (O) of the counter affidavit are hereby denied as the same are not true and correct and in addition to the same, have been clearly explained in the earlier paragraphs of this rejoinder vide paragraphs 15 & 16. In said paragraphs of the counter affidavit in 9th line it is clearly observed that "XXX XXX XXX. *The same was scrutinized by NCSCM in the 11th Technical Scrutiny Committee Meeting with respect to Satellite imagery. XXX XXX XXX*" and the Applicant Association **in its additional affidavit dt.22.11.2021 in para Nos.8 to 10 at pages 253 to 256 and annexures 28 to 30 in pages 300 to 310 clearly explained that the road has already been washed away.** Further, the respondent No.12 in its 41st agenda clearly mentioned at item No.16/41 relating to (19) Issues for discussion that **"There is no road on the field at present towards seaward side of the plot"**. Therefore, the road which was shown



Sarada Aravind Sengupta
Secretary
Puri Bar Association, Puri

and earmarked as continuous road from Hotel Hans Coco Palm (Hotel Prachi) to Hotel Sterling Resort in CZMP sheet No.E 45 B 13/SW was never placed before NCSCM respondent No.3 of the O.A at any point of time for scrutiny and also NCSCM did not conduct any enquiry in this matter through satellite imagery. Thus, such statements are out and out false and same can be verified from Google Earth Map. **Therefore the preparation of CZMP sheet No.E 45 B 13/SW as per CRZ Notification, 2019 is a colourable exercise of power and have been done to mislead this Hon'ble Tribunal.**

- 31) That, the contents of Paragraph.9 (Q) of the counter affidavit filed by the respondent Nos.5 to 9 and 11 are false, frivolous and malafides and are hereby denied and the averments therein won't improve the case of the respondent Nos.5 to 9 and 11. The draft CZMP which was prepared as per CRZ Notification, 2011 being not in accordance with the provisions as enumerated in Annexure-I of the CRZ Notification, 2011 i.e. "Guidelines For Preparation Of Coastal Zone Management Plans". Under item I.D. HAZARD MAPPING clause.2, classification of CRZ areas Under Sub-Clause.6, **it is made clear that CRZ-II areas shall be those areas which have been substantially built up with a ratio built-up plots to that of total plots is more than 50%.** The respondents have neither placed any report of Village/Mouza-Sipasurubili which is allegedly already substantially built-up in the year 2014 nor placed the reports of existence of any drainage, road as well as other infrastructural facilities such as water supply and sewerage mains, since the respondents were very kin and interested as it appears from Paragraph9 (I) "The State Govt. had already constructed drainage in the CRZ-II area of the said Mouza/Village-Sipasurubili vide letter dt.22.02.2018 of the Executive Engineer, Drainage Division, Puri which is attached as annexure-J/5 at page.83 of the counter affidavit. For the year 2014 the respondents appear to be proverbial silence which shows that the respondents have not come to this Hon'ble Tribunal with clean hands rather have deliberately and intentionally suppressed very many material facts in order to mislead this Hon'ble Tribunal by giving false statements that there

Sarada Prasad Samal
Secretary
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was public hearing conducted accomplished by views/ comments/ suggestion/opinions were collected.

32) That, further, the respondents violated the Guidelines of Annexure-I of the CRZ Notification, 2011 i.e. **"Guideline For Preparation Of Coastal Zone Management Plans"**. Under item I.D. HAZARD MAPPING clause.III, public views on CZMP under Sub Clause (a) it is made clear that **"The draft CZMP prepared shall be given wide publicity and suggestion and objection received in accordance with Environment (Protection) Act, 1986. Public hearing on the draft CZMP shall be held at district level by the concerned CZMAs"**. It is not be out of context to state here that before this Hon'ble Tribunal that the respondents did not provide/submitted the documents regarding the public notice nor copies of service of public notification or wide publicity, if any, which are required to be published in accordance with the Annexure-I i.e. "Guideline For Preparation Of Coastal Zone Management Plans" Clause. III, sub clause (a) of the CRZ Notification, 2011 of Puri District for the draft CZMP sheet No.E 45 B 13/SW in the year 2014 by misleading this Hon'ble Tribunal with suppression of material facts which are neither tenable in eye of law nor in fact. Thus as a fact there has no wide publicity and public hearing conducted for preparation of CZMP as per CRZ Notification, 2011 for sheet No.E 45 B 13/SW by the respondents in 2014 at any point of time and as such it is not only a false statement but also flagrant violation of CRZ Notification and attracts penal provision both under Indian Penal Code and Environment (Protection) Act, 1986.

33) That, the Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A. No.424 of 2016 (in earlier O.A. No.159 of 2015) passed an order on 03.05.2017 that *"XXX XXX XXX. The affidavit will clearly say if not in all the States, but at least in some of the State demarcation of Hazard line, High Tide Liner, Low Tide Line and preparation of CZMP should be completed within the fixed time with no variation. In the event of default, the Ministry and the State Govt. Shall fix the responsibility on the erring officials"*.

Issue Notice to the following 13 States and Union Territories.



Secretary
 Puri Bar Association, Puri

XXX XXX XXX

(2) State of Odisha

XXX XXX XXX

Photocopy of the order of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dt.03.05.2017 is annexed hereto as **ANNEXURE-59.**

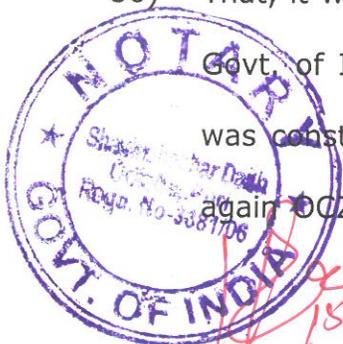
- 34) That, in view of the aforesaid order of Hon'ble National Green Tribunal, Principal Bench, New Delhi, State of Odisha through Chief Secretary (respondent No.5 of the O.A), as a Noticee No.2 (two) of the aforesaid O.A filed a counter affidavit on 06.06.2017 through the Additional Chief Secretary to Govt., Forest & Environment Department, Govt. of Odisha in the aforesaid O.A. That, in the said counter affidavit filed by Additional Chief Secretary of Govt. of Odisha at Paragraph 4 it is clearly observed that **the provision of Coastal Regulation Zone Notification 2011 will be followed for finalization of CZMP.** XXX XXX XXX.

A photocopy of the Counter Affidavit filed by the Additional Chief Secretary to Govt., Forest & Environment Department, Govt. of Odisha on 06.06.2017 is annexed hereto as **ANNEXURE-60.**

- 35) That, under this situation as per the filing of the said counter affidavit before Hon'ble National Green Tribunal, Principal Bench, New Delhi, the respondent No.8 issued a letter to Collector, Puri (respondent No.9 of the O.A) through its letter No.9345 dt.21.04.2018 directed the Collector to **give wide publicity of the draft CZMPs inviting suggestion/objection in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMPs shall be held at the District level by the concerned District Coastal Zone Monitoring Committee, as per the procedure laid down in the CRZ Notification, 2011.**

A photocopy of the letter No.9345 dt.21.04.2018 is annexed hereto as **ANNEXURE-61.**

- 36) That, it will not be out of context to submit here that as per the MoEF & CC, Govt. of India order dt.01.04.2015 vide Order No S.O.936 (E), the OCZMA was constituted and it was valid for three years i.e. up to March 2018 and again OCZMA was reconstituted by the MoEF & CC vide order S.O.3546 (E)



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dt.20.07.2018 for a period of three years and it was effected from the date of publication of the order which is attached as Annexure-47 at page.422 of this rejoinder. Therefore, there was a vacuum period from April 2018 to 19.07.2018 when there was no OCZMA in the State of Odisha till the same was reconstituted on 20.07.2018.

The photocopies of the MoEF & CC order dt.01.04.2015 is annexed hereto as **ANNEXURE-62**.

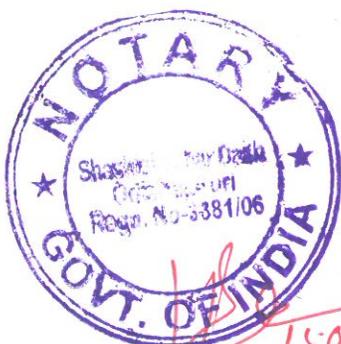
37) That, during the aforesaid intervening period since the OCZMA was defunct from 01.04.2018 to 19.07.2018, the respondent No 8 published a public notice and it was published on 03.06.2018 as per the provisions of CRZ Notification 2011. **Therefore, the OCZMA did not conduct any public hearing and also the respondent Nos.6 to 10 did not conduct any public hearing and this fact has been clearly and categorically explained in paras 29 at page 33 to 42 and annexure 17 to 23 at pages 228 to 236 of the O.A.**

38) That, in the event OCZMA is not constituted then it is the duty of the Forest & Environment Department, Govt of Odisha to provide comments and recommend the proposal in terms of the provisions of the said Notification to the Ministry of Forest & Climate Change and the same has been **published by the MoEF & CC Notification dt.03.05.2017 by S.O. 1393 (E). The Notification clearly states as:**

(a) In paragraph.4, in sub para graph.4.2, for clause (iii), (iv), (v) and (vi), the following clauses shall be substituted namely :-

XXX XXX XXX.

(i) **In case the CZMAs are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union Territory Administrations, who are the custodian of the Coastal Zone Management Plans of respective States or Union Territories to provide comments and recommend the proposal in terms of the provisions of the said**



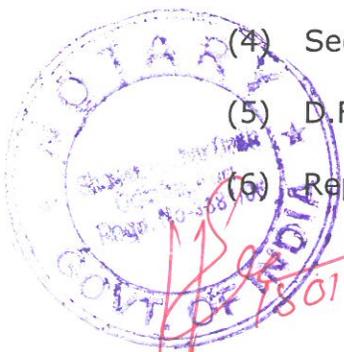
Secretary
 Puri Bar Association, Puri

Photocopy of the minutes of the First meeting is annexed hereto as

ANNEXURE-64.

41) That, therefore, it is worth to state here that the Chairman District Coastal Zone Monitoring Committee, respondent No.9 of the O.A. have not followed the direction/request letter from the respondent No.8 vide letter No.9345 dt.21.04.2018 which has been attached as Annexure-61 of this rejoinder at para.35 at page.375. There was neither any wide publicity of the draft CZMP which was prepared as per the CRZ Notification, 2011 for sheet No. E 45 B 13/SW inviting suggestion and objection in accordance with the provisions of Environment (Protection) Act, 1986 has been made at any point of time nor public hearing conducted for the said draft CZMP i.e. sheet No. E 45 B 13/SW at the District Level by the District Coastal Zone Monitoring Committee, Puri as per the provisions of the CRZ Notification, 2011 and in accordance with the Environment (Protection) Act, 1986 have also been made. The respondent No.9 made a proceeding in violation of the procedure as enumerated in the CRZ Notification, 2011 without public hearing and send the minutes of the alleged proceeding vide its memo No.3390 dt.21.07.2018 to the respondent No.8 without complying the mandatory directions of respondent No.8 vide letter No.9345 dt.21.04.2018. In the aforesaid alleged proceeding of the respondent No.9 if any only official staffs/public servants/Government officers from the various departments of the Govt. of Odisha were the participants and the same was conducted behind the back and without the knowledge of the stake holders and public at large including the members of the applicant association who had filed an objection, suggestions/inputs/comment. The participants of the alleged meeting are as follows:-

- (1) Chairman-cum-Collector DCZMC and D.M, Puri
- (2) A.D.M, Puri
- (3) Planning Member of P.K.D.A,
- (4) Secretary of P.K.D.A
- (5) D.F.O, Puri
- (6) Representative of respondent No.12-P.K.D.A



Savada Prasad Samal
 Secretary
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(7) Representative of convenor of DCZMC, Puri

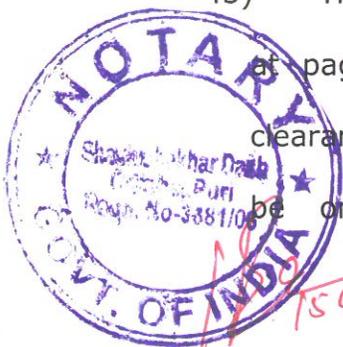
It is strange and horror to submit here that the CZMPs of Odisha vide reference letter No.EE-13/2018, 15575/F & E dt.17.07.2018 was approved by the National Coastal Zone Management Authority, (respondent No.2 of this O.A.) in its 34th meeting held on 18.07.2018. The fraud and deception is apparent on face of record that though DCZMC, Puri send the minutes of the aforesaid alleged proceeding on 21.07.2018 which was attended by only Govt. officials. The NCZMA-respondent No.2(two) of the O.A. had already approved CZMP sheet No.E 45 B 13/SW of Odisha on 18.07.2018 much prior to receipt of the minutes of the proceeding of the DCZMC, Puri send on 21.07.2018. This has been earmarked as Annexure-23 at page 243 of the O.A. Be that as it may since no public hearing has ever been conducted for the preparation of specifically CZMP Sheet No. E 45 B 13/SW the approval of CZMP sheet No.E 45 B 13/SW prior to receipt of the minutes of the proceeding DCZMC, Puri is noting but abuse of process of law, arbitrary, capricious and non-est and vitiated by fraud and deception and a colorable exercise of power in the eye of law, as well as flagrant violations of CRZ Notification and apparent proof of the fact on face of the record of continuing offences under the provisions of Indian Penal Code as well as Environment (Protection) Act,1986.

A photocopy of the memo No.3390 dt.21.07.2018 is annexed hereto as

ANNEXURE-65.

42) That, the averments made in the Paragraph9 (Q) of the counter affidavit at page.23 that "regarding public consultation process on preparation of CZMP, detail procedure was followed as above" is nothing but a misnomer by providing false statement/counter affidavit before this Hon'ble Tribunal with some inexplicable reasons which can never be accepted in the eyes of law and cannot be condoned.

43) That, the statements made in Paragraph9 (Q) of the counter affidavit at page.24 that "The proposal received by the OCZMA for the CRZ clearance as per provisions of CRZ Notification are false and the same can be only verified if the respondent Nos.6 and 8 submit detail



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information/report regarding the CRZ clearance provided by them (respondent No.6 and 8) for the projects/ infrastructures/ developments in the said Coastal Regulation Zone of mouza-Sipasurubili after constitution of OCZMA by the Govt. of India dt.26.11.1998 as well as per the order of Hon'ble Apex Court vide case i.e. **W.P. (Civil) No.664 of 1993 reported in (1996) 5 SCC 281.**

- 44) That the statements made in Paragraph9(Q) of the counter affidavit at page.25 which reveals that "The Puri Urban area defined within the boundaries of Shree Jagannath Sanskrit University in the east and Mangala River on the west is classified as CRZ-II" is nothing but travesty of truth and have been made to mislead this Hon'ble Tribunal. In fact from the western boundary of Puri Municipal area to Mangala River i.e. **Mouza/Village-Sipaurubili in CZM plan No. CZMP 74 E 13/SW (Old map which corresponds to CZMP sheet No. E 45 B 13/SW)** which was prepared as per CRZ Notification 1991 and the same has been approved by the Govt. of India vide its letter No.J 17011/II/92/IA-III dt.27.09.1996 classified/categorized as CRZ-III. Therefore, the classification of said Village/Mouza-Sipasurubili have never been changed from the classification/ categorization of CRZ-III to CRZ-II at any point of time.

Thus the CRZ clearance provided to the project in the said Mouza/Village-Sipasurubili (i.e. from western boundary of Puri Municipality to Mngala river) as per classification/categorization as CRZ-II is nothing but, is a colorable exercise of power of the respondent not vested in law which is illegal, arbitrary, capricious, ultra-vires and non-est in view of the order of Hon'ble Apex Court passed in W.P. (Civil) No.664 of 1993 **in (1996) 5 SCC 281** referred to supra. Violations of CRZ Notification is not only deliberate but also intentional as the conditions imposed by the Govt. of India for approval of CZMPs of Orissa in accordance with CRZ Notification, 1991 at clause.2 (B) point (xx) dt.27.09.1996 which is attached as Annexure-L/5 at page.106 of the counter affidavit proves that the respondents have not followed the aforesaid conditions laid down in the said approval letter dt.27.09.1996 which amounts to flagrant violation of CRZ Notification. The submission of



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false affidavit in a proceeding before this Hon'ble Tribunal is criminal offence under Indian Penal Code and as such the errant respondents are liable to be prosecuted. To uphold the rule of law, the guilty must be prosecuted having not complied the conditions and direction in law necessary criminal proceeding and cases have not been initiated which is a matter of regret. When the violations are continuing for long the same can be considered deliberate calling for more stringent action.

**REJOINDER SUBMITTED AGAINST THE AFFIDAVIT FILED BY THE
RESPONDENT No.10**

- 45) That, the averments made in the paragraph 3 & 4 of the affidavit filed by respondent No.10 are totally false, baseless and misleading and to be rejected *in limini*. It is humbly submitted that the Applicant Association never ever mentioned in the O.A that the Respondent No.10 is the enforcing authority for taking action regarding violation of the Coastal Regulation Zone Notification, 2019 for preparing the CZMPs. It is pertinent to say here that the Applicant Association has made allegation against the Respondent No.10 as the Respondent No 10 has not discharged its statutory duty in accordance with law for conducting public hearing in compliance with the statutory duty and obligation to the MoEF & CC, Govt. of India Notification No S.O 1533 dt.14.09.2006 and same has been categorically mentioned at Point No 29 (I) & (J) in Pages 39 & 40 of the O.A.
- 46) That, the averments made in paragraphs 5(five) of the Affidavit cannot be sustained and hereby denied. It is humbly submitted that the letter dt.29.03.2007 can never be called as an advisory letter as in the CRZ Notification, 2011 at Clause 8 (h) it has been clearly stated that No Objection Certificate has to be provided by the State Pollution Control Board for CRZ clearance for permissible and regulated activities. From the said letter dt.29.03.2007 it is crystal clear that permissible activity should not be allowed till there is sewage network. It is pertinent to submit here that the said letter will never be called as an advisory letter as the "TASK FORCE" committee was constituted as per the Forest and Environment



Sarada Prasad Samal
 Secretary
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Department of Govt of Odisha Office, Order No Env-I-69/2003/16146/F&E.A dt.25.09.06 which is attached as Annexure 53 of this rejoinder. Therefore, the Respondent No.10 wants to mislead this Hon'ble Tribunal by not providing the actual facts and Office Order. Further, it is important to submit here that the Respondent Nos.5 to 9 & 11 has clearly mentioned in para 9(I) of their Counter Affidavit that in the said Mouza Sipasurubili the built-up area is 52.37% and buildable area is 18.30% if the same is accepted for the shake of argument then in that event the question would be if respondent No.10(ten) had/has not provided the "Consent to establish" or "No Objection Certificate" as per the letter and spirit of the Respondent No.10(ten) letter dt.29.03.2007 then how the Respondent No.6 is extending the CRZ clearance to construct buildings and other developmental activities in the said Mouza Sipasurubili. Therefore, it is humbly prayed to the Hon'ble Tribunal to call upon respondent No.6 to give a declaration / affidavit to the effect that how many CRZ Clearance has been provided by the Respondent No.6 without obtaining Consent to establish or No Objection Certificate from the Respondent No.10 from June 2007 to 19.11.2020.

- 47) That, as "**truth is the foundation of justice**" should be the guiding principle in any judicial process. The entire judicial system has been created only to discern and find out the real truth. Therefore, the Hon'ble Tribunal is requested to give greater emphasis on the veracity of pleadings and documents in order to ascertain the truth.

The Hon'ble Apex Court in its judgement in *A. Shanmugam v. Ariya Kshatriya Rajkula Vamsathu Madalaya Nandhavan Paripalanai Sangam* reported as **(2012) 6 SCC 430** has stated in **Para 43 page 459** as:

"**43.** On the facts of the present case, the following principle emerge:

43.1. It is the bounden duty of the court to uphold the truth and do justice.

43.2. Every litigant is expected to state truth before the law Court whether

it is pleadings, affidavits or evidence. Dishonest and unscrupulous litigants have no place in law courts.



Sarda Prasad Samal
Secretary
Puri Bar Association, Puri

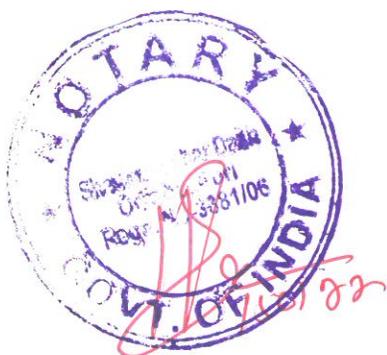
43.3. *The ultimate object of the judicial proceedings is to discern the truth and do justice. It is imperative that pleadings and all other presentations before the court should be truthful.*

43.4. *Once the Court discovers falsehood, concealment, distortion, obstruction or confusion in pleading and documents, the court should in addition to full restitution impose appropriate costs. The court must ensure that there is no incentive for wrongdoer in the temple of justice. **Truth is the foundation of justice and it has to be the common endeavour of all to uphold the truth and no one should be permitted to pollute the stream of justice**.*

That, under the aforesaid facts and circumstances of the case, contentions of the respondents which are all false and misleading made in the Counter Affidavit and affidavit are not tenable either in law or in fact and are liable to be rejected.

In the light of the aforesaid submissions, all the contention raised by the respondent Nos.5(five) to 9(nine) and 11(eleven) and also respondent No.10 in their counter affidavit and affidavit respectively are liable to be discarded and it is prayed that this Hon'ble Tribunal may kindly be pleased to reject their submissions for prayer made by the aforesaid respondents in the counter affidavit and affidavit respectively and pass any such order/further order(s), which it may deem fit and proper in the interest of justice or ends of justice.

That, the Applicant Association craves the leave of this Hon'ble Tribunal to file further Additional Affidavit, Additional Rejoinder, Supplementary Affidavit, necessary and relevant documents, photographs etc. if necessary in the facts and circumstances of this O.A. for proper adjudication of the dispute between the parties and for better appreciation of the case.



Santa Prasad Kumar

**Secretary
Puri Bar Association, Puri**

BY THE APPLICANT

Verification

I, the Secretary of Puri Bar Association, Puri do hereby solemnly verify that the contents of the above paragraphs are all true to the best of my knowledge and grounds are based on legal advice that I have not suppressed any material facts and I sign this verification on this the 15th day of January 2022.

Sarada Prasad Samal
**Secretary
Puri Bar Association, Puri
Verificant**

Date-15.01.2022

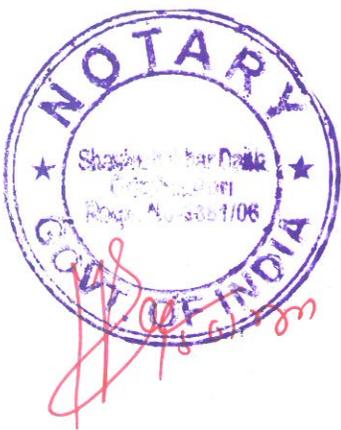
Place-Puri

Identified by
[Signature]
15.01.2022
Advocate

SL. No. *03*
Dated *15.01.22*

Solemnly Affirms & Signed
before the on this *15th*
day of 2022 at *Puri* AM/PM *11:00am*

[Signature]
Shashishekar Dash
Notary Govt. of India



MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests & Wildlife)

NOTIFICATION UNDER SECTION 3(1) AND SECTION 3(2)(v) OF THE ENVIRONMENT (PROTECTION) ACT, 1986 AND RULE 5(3)(d) OF ENVIRONMENT (PROTECTION) RULES, 1986, DECLARING COASTAL STRETCHES AS COASTAL REGULATION ZONE (CRZ) AND REGULATING ACTIVITIES IN THE CRZ.

New Delhi, the 19th February, 1991

S.O. 114(E).—Whereas a Notification under Section 3(1) and Section 3(2)(v) of the Environment (Protection) Act, 1986, inviting objections against the declaration of Coastal Stretches as Coastal Regulation Zone (CRZ) and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O. No. 944 (E) dated 15th December, 1990.

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) upto 500 metres from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and the HTL as Coastal Regulation Zone; and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes etc. in the said Coastal Regulation Zone (CRZ). For purposes of this Notification, the High Tide Line (HTL) will be defined as the line upto which the highest high tide reaches at spring tides.

Note.—The distance from the High Tide Line (HTL) to which the proposed regulations will apply in the case of rivers, creeks and backwaters may be modified on a case by case basis for reasons to be recorded while preparing the Coastal Zone Management Plans (referred to below); however, this distance shall not be less than 100 metre or the width of the creek, river or backwater whichever is less.

2. Prohibited Activities :

The following activities are declared as prohibited within the Coastal Regulation Zone, namely :

- (i) setting up of new industries and expansion of existing industries, except those directly related to water front or directly needing foreshore facilities;
- (ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment & Forests, No. S.O. 594(E) dated 28th July, 1989, S.O. 966(E) dated 27th November,

1989 and GSR 1037(E) dated 5th December, 1989;

- (iii) Setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);
- (iv) setting up and expansion of units/mechanisms for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for storm water drains;
- (v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;
- (vi) dumping of city or town waste for the purposes of landfilling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification;
- (vii) dumping of ash or any wastes from thermal power stations;
- (viii) land reclamation, bunding or disturbing the natural course of sea water with similar obstructions, except those required for control of coastal erosion and maintenance or clearing of waterways, channels and ports and for prevention of sandbars and also except for tidal regulators, storm water drains and structures for prevention of salinity ingress and for sweet water recharge;
- (ix) mining of sands, rocks and other substrata materials, except those rare minerals not available outside the CRZ areas;
- (x) harvesting or drawal of ground water and construction of mechanisms therefor within 200 m of HTL; in the 200 m to 500 m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;
- (xi) construction activities in ecologically sensitive areas as specified in Annexure-I of this Notification;
- (xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and
- (xiii) dressing or altering of sand dunes, hills, natural features including landscape changes



for beautification, recreational and other such purposes, except as permissible under this Notification.

3. Regulation of Permissible Activities :

All other activities, except those prohibited in para 2 above, will be regulated as under :

- (1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.
- (2) The following activities will require environmental clearance from the Ministry of Environment & Forests, Government of India, namely :
 - (i) Construction activities related to Defence requirements for which foreshore facilities are essential (e.g. slipways, jetties etc.); except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ);
 - (ii) Operational constructions for ports and harbours and light houses requiring water frontage; jetties wharves, quays, slipways etc. (Residential buildings & office buildings shall not come within the definition of operational activities except in very special cases and hence shall not normally be permitted in the CRZ);
 - (iii) Thermal power plants (only foreshore facilities for transport of raw materials facilities for in-take of cooling water and out-fall for discharge of treated waste water/cooling water); and
 - (iv) All other activities with investment exceeding rupees five crores.
- (3) (i) The coastal States and Union Territory Administrations shall prepare, within a period of one year from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures-I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment & Forests;
 - (ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and

- (iii) In the interim period till the Coastal Zone Management Plans mentioned in para 3(3)(i) above are prepared and approved, all developments and activities within the CRZ shall not violate the provisions of this Notification. State Governments and Union Territory Administrations shall ensure adherence to these regulations and violations, if any, shall be subject to the provisions of the Environment (Protection) Act, 1986.

4. Procedure for monitoring and enforcement :

The Ministry of Environment & Forests and the Government of State or Union Territory and such other authorities at the State or Union Territory levels, as may be designated for this purpose, shall be responsible for monitoring and enforcement of the provisions of this notification within their respective jurisdictions.

[N. K-15019]1[84-IA-III (Vol. II)]

R. RAJAMANI, Secy.

ANNEXURE-I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone :

6(1) For regulating development activities, the coastal stretches within 500 metres of High Tide Line of the landward side are classified into four categories, namely :

Category I (CRZ-I) :

- (i) Areas that are ecologically sensitive and important, such as national parks|marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals|coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty|historical|heritage areas, areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as may be declared by the Central Government or the concerned authorities at the State|Union Territory level from time to time.
- (ii) Area between the Low Tide Line and the High Tide Line.

Category-II (CRZ-II) :

The areas that have already been developed upto or close to the shore-line. For this purpose, "developed area" is referred to as that area within the municipal limits or in other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.

Category-III (CRZ-III) :

Areas that are relatively undisturbed and those which do not belong to either Category-I or II. These



will 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.

Category-IV (CRZ-IV)

Coastal stretches in the Andaman & Nicobar, Lakshadweep and small islands except those designated as CRZ-I, CRZ-II or CRZ-III.

Norms for Regulation of Activities.

6(2) The development or construction activities in different categories of CRZ areas shall be regulated by the concerned authorities at the State/Union Territory level, in accordance with the following norms :

CRZ-I

No new construction shall be permitted within 500 metres of the High Tide Line. No construction activity, except as listed under 2(xii), will be permitted between the Low Tide Line and the High Tide Line.

CRZ-II

- (i) Buildings shall be permitted neither on the seaward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) nor on seaward side of existing authorised structures. Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of FSI/FAR.
- (ii) Reconstruction of the authorised buildings to be permitted subject with the existing FSI/FAR norms and without change in the existing use.
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

- (i) The area upto 200 metres from the High Tide Line is to be earmarked as 'No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density. However, the following uses may be permissible in this zone— agriculture, horticulture, gardens, pastures, parks, playfields, forestry and salt manufacture from sea water.
- (ii) Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of MEF permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

(iii) Construction/reconstruction of dwelling units between 200 and 500 metres of the High Tide Line permitted 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/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units ; total covered area on all floors shall not exceed 33 per cent of the plot size ; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors (ground floor plus one floor).

(iv) Reconstruction/alterations of an existing authorised building permitted subject to (i) to (iii) above.

CRZ-IV

Andaman & Nicobar Islands :

- (i) No new construction of buildings shall be permitted within 200 metres of the HTL ;
- (ii) The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres ;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.
- (iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes ;
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment and Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

Lakshadweep and small Islands :

- (i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects erosion and ecological sensitivity;
- (ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than



- 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.
- (iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment & Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

Lakshadweep and small Islands :

- (i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects, erosion and ecological sensitivity;
- (ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.
- (iv) Corals and sand from the beaches and coastal waters, shall not be used for construction and other purposes.
- (v) Dredging and under water blasting in and around lagoons and coral formations shall not be permitted; and

- (vi) However, in some of the Islands, coastal stretches may also be classified into categories CRZ-I or II or III with prior approval of the Ministry of Environment & Forests. In such designated stretches the appropriate regulations given for respective categories shall apply.

ANNEXURE-II

GUIDELINES FOR DEVELOPMENT OF BEACH RESORTS|HOTELS IN THE DESIGNATED AREAS OF CRZ-III FOR TEMPORARY OCCUPATION OF TOURIST|VISITORS, WITH PRIOR APPROVAL OF THE MINISTRY OF ENVIRONMENT & FORESTS

7(1) Construction of beach resorts|hotels with prior approval of MEF in the designated areas of CRZ-III for temporary occupation of tourists| visitors shall be subject to the following conditions :

- (i) The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward side) from the High Tide Line and within the area between the Low Tide and High Tide Line;
- (ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33. The open area shall be suitably landscaped with appropriate vegetal cover;
- (iii) The construction shall be consistent with the surrounding landscape and local architectural style;
- (iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);
- (v) Ground water shall not be tapped within 200 m of the HTL; within the 200 metre-500 metre zone it can be tapped only with the concurrence of the Central|State Ground Water Board;
- (vi) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not



be permitted within 500 metres of the High Tide Line;

- (vii) The quality of treated effluents, solid wastes, emissions and noise levels etc. from the project area must conform to the standards laid down by the competent authorities including the Central|State Pollution Control Board and under the Environment (Protection) Act, 1986;
- (viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent|solid waste shall be discharged on the beach;
- (ix) To allow public access to the beach, atleast a gap of 20 metres width shall be provided

between any two hotels|beach resorts; and in no case shall gaps be less than 500 metres apart; and

- (x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation), Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with.
- (xi) Approval of the State|Union Territory Tourism Department shall be obtained.

7(2) In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other areas as may be notified by the Central|State Government| Union Territories) construction of beach resorts|hotels shall not be permitted.





सी.के.मिश्रा
C.K.Mishra



6325/FE/20
21/05/20



सत्यमेव जयते

Annexure-40

21/5368-4
20/5 सचिव

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भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
SECRETARY

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

D.O. No. 12-1/2019-IA-III

Dated: 18th May, 2020

Dear Asit,

May please refer to my earlier letter of even number dated 16.10.2019 regarding updation/revision of the Coastal Zone Management Plans (CZMPs) in consonance with the new CRZ Notification, 2019 issued vide GSR 37(E), dated 18.01.2019. It is reiterated that this Ministry have issued the 'Guidelines for updation of coastal zone management plan prepared as per CRZ Notification, 2011 to align it with CRZ Notification, 2019', on 26.06.2019 and circulated to all Coastal States/UTs Management Authorities. Para No.5 of the said guidelines prescribes that the State Governments / UT administration shall take up the updation or revision of CZMPs approved as per CRZ Notification, 2011, to align with the CRZ Notification, 2019 at an early date and not later than six months from the date of issue of this guidelines. The assistance required from the respective State Governments /UT administrations to enable the authorised agencies in preparation of the CZMPs are enclosed as Annexures.

It is again requested that the updation/revision of the CZMPs may be taken up on top priority and submit to this Ministry for its approval at an early date.

Best wishes,

Yours sincerely,

C.K. Mishra

[C.K. Mishra]

Encl: as above.

ACS, F&E

Chief Secretary,
Odisha
Shri Asit Kumar Tripathy,
Chief Secretary,
Government of Odisha,
General Administration Department,
Odisha Secretariat,
Bhubaneswar - 751001(Odisha)
E-mail: csori@ori.nic.in



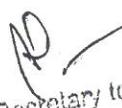
Under Secretary to Govt. & P.
Environment Wing
Forest & Env. Deptt.

इंदिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110 003 फोन : (011) 24695262, 24695265, फैक्स : (011) 24695270

INDIRA PARYAVARAN BHAWAN, JOR BAGH ROAD, NEW DELHI-110 003 Ph. : (011) 24695262, 24695265, Fax : (011) 24695270

Data to be provided by the States/UTs to the authorized agencies for preparation of CZMPs:

- i. Database of the CZMPs prepared and approved based on CRZ notification 2011, including HTL, LTL, ESAs, CVCA, Hazard line and coastal landuse, along with hardcopies/pdf of approved CZMP and landuse maps.
- ii. Geo - referenced and digitized Cadastral maps (1:4000/1:5000 scale) in ArcGIS format (shapefiles) with survey numbers etc. (Hard copy and Soft copy).
- iii. Details of village-wise survey numbers pertaining to government land, in the format (Taluk name, Village name, Survey No./Part Survey No. etc.) for demarcation of buffers around mangrove areas.
- iv. Digitized geo-referenced Census village boundary maps in shapefile format as per 2011 census base and the corresponding 2011 census (population) data of villages in digital/soft copy/xls format for demarcation of CRZ-IIIA and CRZ-IIIB areas.
- v. Stakeholder data such as Municipal maps, Notifications for legally designated urban areas etc., for new CRZ-II areas, fishing Zones in the water bodies and fishing village boundaries, breeding and spawning grounds of fish and the like, for updating the CZMP, as applicable.
- vi. Infrastructure facilities such as roads, jetty, port, fish landing centers, etc.
- vii. Existing authorized structures on the seaward side and features like cyclone shelters, rain shelters, helipads and other infrastructure including road network.


Under Secretary to Govt. & PIO
Environment Wing
Forest & Env. Deptt.



Annexure-41

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REMINDER
By E.Mail

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Government of Odisha
Forest and Environment Department

No. EE-12/2019 23759 /F&E, Dt. 06.12.19

From

Dr K.Murugesan, IFS
Director, Env.-cum-Spl. Secy. to Govt.

To

The Principal Secretary to Govt.
H & U D Department
The Principal Secretary to Govt.
Water Resources Department
The Principal Secretary to Govt
C & Transport(Transport) Department
The Principal Secretary to Govt.
Revenue & D.M Department
The Commissioner cum Secretary to Govt
Fisheries & ARD Department
The Commissioner cum Secretary to Govt.
Industries Department
The Commissioner cum Secretary to Govt.
Tourism Department
The M.D, OSDMA

Sub: Availability of Stakeholders data to ORSAC for incorporation in the Coastal Zone Management Plan (CZMP) Maps of Odisha Coast (CRZ Notification-2019).

Sir,

In inviting a reference to this Department letter No-21348/F & E, dt-06.11.2019 on the above cited subject, I am directed to inform you that the updation/revision of Coastal Zone Management Plans (CZMP) has been started and the mapping activities is fixed to be completed within two months by ORSAC as per the Guidelines of MoEF & CC, Govt. of India. Accordingly, the relevant Stakeholders data may kindly be made available to us on urgent basis for incorporation in the CZMP. However, the relevant data have not been received yet. A brief outline in respect of department wise data required for updation of CZMP is enclosed herewith for your kind reference..

It is, therefore, once again requested to kindly be furnished the relevant data to this Dept. as soon as possible, which will be provided to ORSAC for updation of CZMP Maps, as per CRZ Notification, 2019.

This may be treated as most urgent.



Under Secretary to Govt. & PIO
Environment Wing
Forest & Env. Dept.

Yours faithfully

Director, Env.-cum-Spl. Secy. to Govt.

(19/11/19)

Stakeholder Data

1. Housing & Urban Dept.

- Municipal Boundary Map
- Notification of legally designated urban area
- Ports & Jetties
- Any other Coastal infrastructure

2. Fishery Dept.

- Fishing zones in water bodies
- Fishing village boundaries
- Fish landing Center
- Breeding & Spawning Ground of fish
- Ice plant & fish drying platforms

3. OSDMA

- Cyclone shelters/Rain shelters
- Helipads
- Road network
- Infrastructure for rescue & relief operation during cyclone/ tsunami and the like

4. Revenue & D.M Department

- Census village boundary
- village-wise survey numbers pertaining to government land, in the format (bearing Taluk name, Village name, Survey No./Part Survey No. etc

5. Water Resource Department

- Coastal Protection measures
- Embankment
- Jetty
- Any other Coastal infrastructure

6. Commerce and Transport Department

- Ports
- Coastal high ways
- Any other Coastal Infrastructure

7. Industries Department

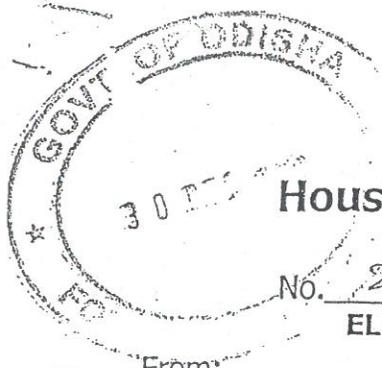
- Proposed Industrial Complex
- Any other Coastal Infrastructure

8. Tourism Department

- Proposed Tourist Complex
- Beach Tourism
- Any other Coastal Infrastructure



Under Secretary to Govt. & P.O
Environment Wing
Forest & Env. Deptt.



MOST URGENT

892
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Government of Odisha

Housing and Urban Development Department

No. 24213 /HUD., Bhubaneswar, dated the 27.12.2019
ELE-88/2019

From:

Sri Durga Prasad Mohapatra,
Joint Secretary to Government.

To

The Director,
Env.-cum-Spl. Secretary to Govt.
Forest & Environment Deptt.



Sub: -Availability of Stakeholders data to ORSAC for incorporation in the Coastal Zone Management Plan (CZMP) Maps of Odisha Coast (CRZ Notification-2019).

Sir,

In inviting a reference to your letter No.23759, dtd. 06.12.2019, addressing to the principal Secretary H&UD Deptt on the above subject, I am directed to say that there are five No. of Municipalities and NACs located at Coastal Zone of Odisha, list with date of notifications as Urban Areas is enclosed herewith. Besides the map of aforesaid Municipalities and NACs are not available in this Deptt., hence the same will be provided by the Executive Officers of concerned Municipalities and NACs. No other information is available about Ports & Jetties and Coastal infrastructure.

Yours faithfully,

[Signature]
Joint Secretary to Government

Memo No. 24214 Dtd. 27.12.2019

Copy along with copy of letter of Forest & Environment Deptt. forwarded herewith to the Executive officers of Puri (Municipality)/ Paradeep (Municipality)/ Konark NAC/ Gopalpur NAC & Chandbali NAC for information and necessary action.

They are requested to furnish the Municipal Boundary Map of their respective ULB directly to the Forest & Environment Deptt. under intimation to this Deptt.

[Signature]
Joint Secretary to Government

ULBs located in the Coastal Zone of Odisha

Sl. No.	Name of the ULBs	Date of Notification as ULBs
1	Gopalpur NAC	20.03.1961
2	Puri Municipality	01.01.1865
3	Konark NAC	19.12.1983
4	Paradeep Municipality	27.09.1979 NAC 12.12.2002 Municipality
5	Chandabali NAC	03.04.2012


Under Secretary to Govt. & PIO
Environment Wing
Forest & Env. Deptt.



BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 110 of 2013

Subhas Datta Vs. Union of India &Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant
Respondent No.1: Mr. Vikas Malhotra, Mr. M.P. Sahay, Advocates.
Respondent Nos.3&4: Mr. Shibashish Misra, Advocate.
Respondent No.5: Mr. Swetaketu Mishra, Advocate
Respondent No.8: Mr. A.K. Panda, Sr. Adv., Mr. S. Panda, Adv. and
M. Paikaray, Advocate
Mr. Alpna Poddar, Adv. for CPCB

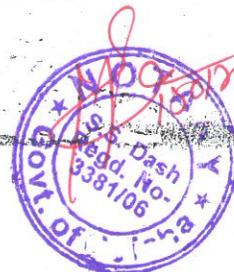
Date and Remarks	Orders of the Tribunal
<p>Item No. 15 October 21, 2014</p>	<p>Learned Counsel appearing for the State of Odisha states that he has filed the status report before the tribunal today. The same is taken on record. In the report it has been stated the Collector, Puri had been directed take action under the Environmental Protection Act (1986) against the 25 offending structure in the CRZ zone. Let the Collector of Puri file comprehensive complete report within four weeks from today and must take steps in accordance with law without further delay.</p> <p>There is a written request for adjournment on behalf of the Applicant, adjourned to 3rd December, 2014.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,EM (Dr. D.K. Agrawal)</p> <p>.....,EM (Dr. G.K. Pandey)</p> <p>.....,EM (Bikram Singh Sajwan)</p>

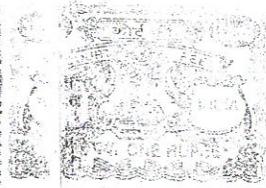
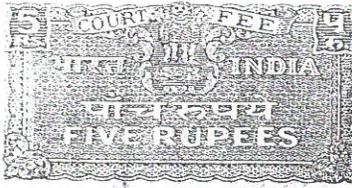


Annexure - 44**BEFORE THE NATIONAL GREEN TRIBUNAL
(PRINCIPAL BENCH, NEW-DELHI)****Original Application No. 110 of 2013**SUBHASH DATTA **APPLICANT****-VERSUS-**UNION OF INDIA & OTHERS **RESPONDANTS****AFFIDAVIT IN COMPLIANCE OF THE ORDER DATED
21.10.2014.**

I, Sri Aravind Agrawal, aged about 34 years, S/O. Sri Vinod Agrawal, at present working as Collector, Puri, At/PO/Dist:-Puri, State of Odisha do hereby solemnly affirm and state as follows:-

1. That, I am working as Collector, Puri, (Odisha) At/PO/Dist:-Puri since 22.08.14 continuing as such.
2. That, in compliance of the direction of this Hon'ble Court, this deponent has filed prosecution against 17 numbers of violators who have raised offending structure in C.R.Z. zone. The said Cases have been filed on 18.11.2014 in the Court of Sub-Divisional Judicial Magistrate, Puri, Odisha. The details of Case numbers and name of the accused persons are given below for kind perusal of Hon'ble Court.

Aravind Agrawal
COLLECTOR PURIAravind Agrawal
COLLECTOR PURI



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Annexure-45

IN THE COURT OF THE S.D.J.M, PURI

1. C.C. No. 408 of 2014

1. Name and address of the complainant Collector , Puri , At- Collectorate, P.S- Puri Town, P.o / Dist- Puri,
2. Name and address of the accused
1. Mr.K Chandra Sekhran, Vice-President
 2. G. Sudhakar Gupta, aged about 54 years
Asst. Manager(Admn) Sterling Holiday Resorts India Ltd, 154-ELDAMAS Road, Chennai-600018,
At Present Hotel Sterling Resort, P.S-Puri Sadar, Sipasurubali, Dist-Puri 752001
3. Date time and place of occurrence Continuous negligence and violating CRZ norms in the afore said premises of hotel , since it's functioning.
4. List of witnesses and their address.
- (1) Planning Member P.K.D.A, Puri
 - (2) Tahasildar, Puri
 - (3) Sr. Scientist F & E. Deptt, Representative of OCZMA
 - (4) Dr. N.L.N.S Prasad
Director (Scientific) Ministry of Env't. & Forests, Govt. of India, ERO, Bhubaneswar-752023.
 - (5) Sri S.Mishra,
Director of Town Planning Odisha ,Bhubaneswar
5. Nature of offence with section of statute Violation of CRZ Notification and clearance from MOEF not obtained read with Section -15 of Environment Protection Act 1986 and Rules framed there under.

Handwritten signature
17-11-2014
III. COLLECTOR PURI



1/21/

- 6. Whether any previous complaint regarding the same occurrence was filed and if so, the name of the Court and the date and manner of disposal of the same.
- 7. Fact of the case.

No

S.P.
S.P.

That the accused person are leading office bearer of a hotel/Premises name and styled as Hotel Sterling Holiday Resort P.S-Puri Sadar, Dist-Puri. That the accused have intentionally violated the provision of C.R.Z notification issued under the Environment Protection Act.1986 and have constructed the said offending structure in CRZ-II area. Though the accused have been warned / directed to refrain themselves and demolish the violation but the accused have not carried out the same. This amounts to intentional violation of Environmental norms. For the aforesaid action of the accused persons , The Hon'ble National Green Tribunal (N.G.T) had been pleased to direct the Govt.of Odisha in H & UD, Deptt. ,BBSR to submit the status report. Accordingly a team of experts have visited different construction and violated sites along with the construction of Hotel Sterling Holiday Resort and it's Environmental sites. They had visited and satisfied that the allegation which are made against them are true and they had suggested for taking action under Environment Protection Act, a xerox copy / true copy of the same is filed here with as Annexure-1.Further the Hon'ble Green Tribunal vide it's order dt.21.10.2014

Udhav Chandra Nayak
Udhav Chandra Nayak
13.11.2014



[Handwritten signature]
G.P.

has also been pleased to direct the complainant to take step in accordance with law. So the complainant files this case against the accused persons under Environment Protection Act, for taking cognizance against them.

PRAYER

Therefore the complainant prays that your honour will be pleased to take cognizance of the offence against the accused person and convict them after hearing the parties and for this he shall as in duty bound ever pray.

Uddhaba Chandra Majhi
By the complainant
17/11/2014
1/c. COLLECTOR PURI

VERIFICATION

I Sri Uddhaba Chandra Majhi O.A.S, Addl. Dist. Magistrate, Puri in charge of the Dist. Collector, Puri, do hereby verify that the fact stated above are all true to the best of my knowledge I gathered from the official records and I sign this verification on this the 17th day of November 2014 being present in Court premises at Puri.

Uddhaba Chandra Majhi
By the Vericant 17.11.2014
1/c. COLLECTOR PURI



[Handwritten signature]



AFFIDAVIT

Sl. No.
Date.....

Shashishekar Dash
Notary Govt. of India

I Sri Uddhaba Chandra Majhi aged about 50 years ,Son of Sri Srikar Majhi working as Addl. Dist. Magistrate now in charge of Dist. Magistrate and Collector,Puri do hereby solemnly affirm and state as follows:-

That the facts stated above in the petition are all true to the best of my knowledge I gathered from official records.

Identified by

[Signature]
Govt. Pleader, Puri

Uddhabachandra Majhi
Deponent
1/ COLLECTOR, PURI



Subscribed, sworn to & Signed
before me on this *17/11/14*
17/11/14
Shashishekar Dash
Notary Govt. of India



[Handwritten signature]
G.P.

7. Fact of the case

That the accused persons are the owners of a hotel/Premises name and styled as International Hotel, At- Sipasarubali, Puri. That the accused persons have intentionally violated the provisions of C.R.Z Notification issued under the Environment Protection Act and have constructed the said offending structure in CRZ-II area. Though the accused have been warned / directed to remove and demolish the violation but they have not carried out the same. This amounts to intentional violation of Environmental norms. For the aforesaid action of the accused persons, The Hon'ble National Green Tribunal (N.G.T) had been pleased to direct the Govt. in H & UD, Deptt. ,BBSR to submit the status report. Accordingly a team of experts have visited different construction and violated sites along with the construction of International Hotel and it's Environmental Pollutant sites. They had visited and satisfied that the allegation which are made against them are true and they had suggested for taking action under Environment Protection Act, a xerox copy / true copy of the same is filed here with as Annexure-1. Further the Hon'ble Green Tribunal vide it's order dt,21.10.2014 has also been pleased to direct the

[Handwritten signature]
Ujendra Chandra Nayak
H. COLLECTOR BBSR dt. 17-11-2014



complainant to take step in accordance with law. So the complainant files this case against the accused persons under Environment Protection Act for taking cognizance against him.

PRAYER

Therefore the complainant prays that your honour will be pleased to take cognizance of the offence against the accused person and convict them after hearing the parties and for this he shall as in duty bound ever pray.

Uddhaba Chandra Majhi
By the complainant
1/c. COLLECTOR PURI

VERIFICATION

I Sri Uddhaba Chandra Majhi O.A.S, Addl. Dist. Magistrate, Puri in charge of the Dist. Collector, Puri, do hereby verify that the fact stated above are all true to the best of my knowledge I gathered from the official records and I sign this verification on this the 17th day of November 2014 being present in Court premises at Puri.

Uddhaba Chandra Majhi
By the Vericant
1/c. COLLECTOR PURI



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AFFIDAVIT Shashishekhar Dash
Notary Govt. of India

Sl. No. 37
Date 12/11/14

I Sri Uddhaba Chandra Majhi aged about 50 years, Son of Sri Srikar Majhi working as Addl. Dist. Magistrate now in charge of Dist. Magistrate and Collector, Puri do hereby solemnly affirm and state as follows:-

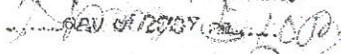
That the facts stated above in the petition are all true to the best of my knowledge I gathered from official records.

Identified by

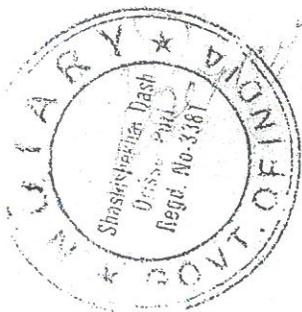

Govt. Pleader, Puri


Deponent
1/ COLLECTOR, PURI

Subscribed & Signed
before me on this, 12/11/14



Shashishekhar Dash
Notary Govt. of India





406

IN THE COURT OF THE S.D.J.M, PURI

1. C.C. No. 410 of 2014

1. Name and address of the complainant
Collector , Puri
At/P.o/P.s/ Dist- Puri,
2. Name and address of the accused
Sudhansu Kumar Mishra, aged about 73 years S/o- Late Abhiram Mishra,
at- C/104 Pallaspali, Bhubaneswar,
Dist- Khurda, at present Hotel Chariot Resort & SPA, Sipasurubali, Dist-Puri.
3. Date time and place of occurrence
Continious negligence and violating CRZ norms in the afore said premises of hotel , since it's functioning
4. List of witnesses and their address.
(1) Planning Member P.K.D.A,Puri
(2) Tahasildar,Puri
(3) Sr. Scientist F & E.Deptt, Representative of OCZMA
(4) Dr. N.L.N.S Prasad
Director (Scientific) Ministry of Env't. & Forests, Govt. of India, ERO, Bhubaneswar-752023. .
(5) Sri S.Mishra,
Director of Town Planning
Odisha ,Bhubaneswar .
5. Nature of offence with section of statute
Violation of CRZ Notification and clearance not obtained from MOEF read with Section-15 of Environment Protection Act-1986 and Rules framed there under.
6. Whether any previous complaint regarding the same occurrence was filed and if so, the name of the Court and the date and manner of disposal of the same.
No

Handwritten signature and notes:
S.P.
Mishra
Collector
Puri
11/11/2014



7. Fact of the case

That the accused is the owner of a hotel/Premises name and styled as Hotel Panchabati/ Chariot, Hotel Chariot Resort & SPA, Sipasarubali, Puri-1. That the accused has intentionally violated the provisions of C.R.Z Notification issued under the Environment Protection Act 1986 and has constructed the said offending structure in CRZ-II area. Though the accused has been warned / directed to remove and demolish the violation but he has not carried out the same. This amounts to intentional violation of Environmental norms. For the aforesaid action of the accused person, The Hon'ble National Green Tribunal (N.G.T) had been pleased to direct the Govt. in H & UD, Deptt. ,BBSR to submit the status report. Accordingly a team of experts have visited different construction and violated sites along with the construction of Hotel Chariot Resort & SPA and its Environmental Pollutant sites. They had visited and satisfied that the allegation which are made against them are true and they had suggested for taking action under Environment Protection Act, a xerox copy / true copy of the same is filed here with as Annexure-1. Further the Hon'ble Green Tribunal vide its order dt.21.10.2014 has also been pleased to

S.P.A.

*Yashoda Chandra Nayak
1/2/2011*



15/10/11

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G.P.

direct the complainant to take step in accordance with law. So the complainant files this case against the accused persons under Environment Protection Act for taking cognizance against him.

PRAYER

Therefore the complainant prays that your honour will be pleased to take cognizance of the offence against the accused person and convict him after hearing the parties and for this he shall as in duty bound ever pray.

Uddhaba Chandra Majhi
By the complainant
1/1 COLLECTOR PURI

VERIFICATION

I Sri Uddhaba Chandra Majhi O.A.S, Addl. Dist. Magistrate, Puri in charge of the Dist. Collector, Puri, do hereby verify that the fact stated above are all true to the best of my knowledge I gathered from the official records and I sign this verification on this the 17th day of November 2014 being present in Court premises at Puri.

Uddhaba Chandra Majhi
By the Verificant
1/1 COLLECTOR PURI





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409

AFFIDAVIT Shashishankar Das
Notary Govt. of India

No. 007

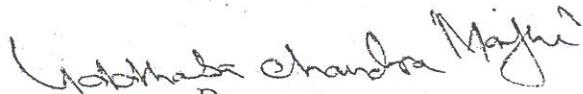
Date 17/11/14

I Sri Uddhaba Chandra Majhi aged about 50 years ,Son of Sri Srikar Majhi working as Addl. Dist. Magistrate now in charge of Dist. Magistrate and Collector,Puri do hereby solemnly affirm and state as follows:-

That the facts stated above in the petition are all true to the best of my knowledge I gathered from official records.

Identified by


Govt. Pleader, Puri

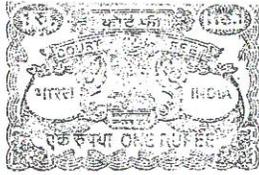
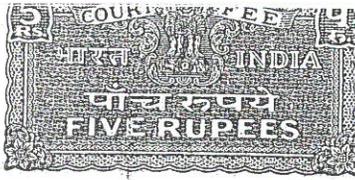

Deponent
COLLECTOR, PURI

Subscribed & Signed
before me on this 17/11/14

17/11/2014

Shashishankar Das
Notary Govt. of India





410

IN THE COURT OF THE S.D.J.M, PURI

1. C.C. No. 417 of 2014

Yashdhaba Chandra
COLLECTOR PURI

1. Name and address of the complainant Collector , Puri
At/P.o/P.s/ Dist- Puri,
2. Name and address of the accused Geeta Patra ,aged about 68 years
W/o- Late Ladu gopal Patra
Director Patra Builders & Developers Pvt.
& Ltd, At present Matimandap Sahi, Puri-1
P.S-Puri Town, P.O/Dist-Prui
3. Date time and place of occurrence Continuous negligence and violating CRZ norms in the afore said premises of hotel , since its construction.
4. List of witnesses and their address. (1) Planning Member P.K.D.A,Puri
(2) Tahasildar,Puri
(3) Sr. Scientist F & E.Deptt,
Representative of OCZMA
(4) Dr. N.L.N.S Prasad
Director (Scientific) Ministry of
Envt. & Forests, Govt. of India,
ERO, Bhubaneswar-752023.
(5) Sri S.Mishra,
Director of Town Planning
Odisha ,Bhubaneswar
5. Nature of offence with section of statute Violation of CRZ Notification and clearance not obtained from MOEF read with Section-15 of Environment Protection Act-1986 and Rules framed there under.
6. Whether any previous complaint regarding the same occurrence was filed and if so, the name of the Court and the date and manner of disposal of the same. No



1/2/11

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[Handwritten signature]

7. Fact of the case.

That the accused person is the owner of the Premises name and styled as Geetanjali Apartment ,At- Sipasarubali, P.S- Balia Panda, P.O/ Dist-Puri. That the accused person has been intentionally violated the provisions of C.R.Z Notification issued under the provision of Environment Protection Act and has constructed the said offending structure in CRZ-II area. Though the accused has been warned / directed to remove and demolish the violated portions but they have not yet carried out the same. This amounts to intensional violation of Enveiromental norms. For the aforesaid action of the accused persons , The Hon'ble National Green Tribunal (N.G.T) has been pleased to direct the Govt. in H & UD, Deptt. ,BBSR to submit the status report. Accordingly a team of experts have visited different construction and violated sites along with the construction of Hotel Geetanjali Apartment and it's Enveiromental Pollutant sites. They had visited and satisfied that the allegation which are made against her are true and they had sugested for taking action under Environment Protection Act, a xerox copy / true copy of the same is filed here with as Anexure-1. Further the Hon'ble Green Tribunal vide it's order dt.21.10.2014 has also been pleased to direct the complainant to take step in

[Handwritten signature]
Collector Puri



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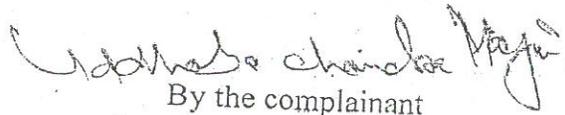
412



accordance with law. So the complainant files this case against the accused person under Environment Protection Act for taking cognizance against her.

PRAYER

Therefore the complainant prays that your honour will be pleased to take cognizance of the offence against the accused person and convict her after hearing the parties and for this he shall as in duty bound ever pray.



By the complainant

1/c. COLLECTOR PURI

VERIFICATION

I Sri Uddhaba Chandra Majhi O.A.S, Addl. Dist. Magistrate, Puri in charge of the Dist. Collector, Puri, do hereby verify that the fact stated above are all true to the best of my knowledge I gathered from the official records and I sign this verification on this the 17th day of November 2014 being present in Court premises at Puri.



By the Vericant

1/c. COLLECTOR PURI





AFFIDAVIT

Shashin Sekhar Dash
Notary Govt. of India

Sl. No.....
Date.....

I Sri Uddhaba Chandra Majhi aged about 50 years ,Son of Sri Srikar Majhi working as Addl. Dist. Magistrate now in charge of Dist. Magistrate and Collector,Puri do hereby solemnly affirm and state as follows:-

That the facts stated above in the petition are all true to the best of my knowledge I gathered from official records.

Identified by

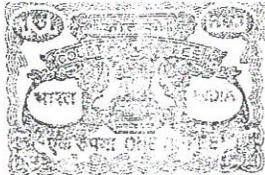
[Signature]
17/11/14
Govt. Pleader, Puri

[Signature]
Deponent
COLLECTOR, PURI

Solemnly Affirms & Signed
before me on this 17/11/14
Date 17/11/14

[Signature]
Shashin Sekhar Dash
Notary Govt. of India





414

IN THE COURT OF THE S.D.J.M, PURI

1. C.C. No. 418 of 2014

1. Name and address of the complainant Collector , Puri
At/P.o/P.s/ Dist- Puri,
2. Name and address of the accused Arindum Sarkhel aged about 45 years
S/o- Gaurangalal Sarkhel ,
Managing Director M/S- Sarkhel Developers
& Builders Pvt. & Ltd,
Regd.Office, At-Tulasipur, P.S- Bidanasi,
Dist-Cuttack
At present Shreeram Apartment
Near Hotel ^{Hans co} Co Palm, Sipasurubali, Puri
P.S- Baliapanda, P.O/Dist-Puri
3. Date time and place of occurrence Continious negligence and violating CRZ norms in the afore said premises since it's construction.
4. List of witnesses and their address. (1) Planning Member P.K.D.A, Puri
(2) Tahasildar, Puri
(3) Sr. Scientist F & E. Deptt,
Representative of OCZMA
(4) Dr. N.L.N.S Prasad
Director (Scientific) Ministry of
Envt. & Forests, Govt. of India,
ERO, Bhubaneswar-752023.
(5) Sri S.Mishra,
Director of Town Planning
Odisha , Bhubaneswar
5. Nature of offence with section of statute Violation of CRZ Notification and clearance not obtained from MOEF read with Section-15 of Environment Protection Act-1986 and Rules framed there under.
6. Whether any previous complaint regarding the same occurrence was filed and if so, the name of the Court and the date and manner of disposal of the same No

S.P.

Chandra Mohan
12.11.14
Collector Puri



11211

Fact of the case.

That the accused person is the owner of a Premises name and styled as "Shreeram Apartment" , Sipasarubali P.S- Baliapanda, P.O/ Dist-Puri. That the accused person has intentionally violated the provisions of C.R.Z Notification issued under the provision of Environment Protection Act and has constructed the said offending structure in CRZ-II area. Though the accused has been warned / directed to remove and demolish the violated portions but they have not yet carried out the same. This amounts to intensional violation of Enviromental norms. For the aforesaid action of the accused person , The Hon'ble National Green Tribunal (N.G.T) has been pleased to direct the Govt. in H & UD, Deptt. ,BBSR to submit the status report. Accordingly a team of experts have visited different construction and violated sites along with the construction of Shreeram Apartment and it's Enviromental Pollutant sites. They had visited and satisfied that the allegation which are made against him are true and they had sugested for taking action under Environment Protection Act, a xerox copy / true copy of the same is filed here with as Anexure-1. Further the Hon'ble Green Tribunal vide it's order dt.21.10.2014 has also been pleased to derect the complainant to take step in accordance with law. So

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G.P.

[Handwritten signature]
Collector Puri



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S.P.

the complainant files this case against the accused person under Environment Protection Act for taking cognizance against him.

PRAYER

Therefore the complainant prays that your honour will be pleased to take cognizance of the offence against the accused person and convict him after hearing the parties and for this he shall as in duty bound ever pray.

Uddhaba Chandra Majhi
By the complainant
17.11.2014
1/c COLLECTOR PURI

VERIFICATION

I Sri Uddhaba Chandra Majhi O.A.S, Addl. Dist. Magistrate, Puri in charge of the Dist. Collector, Puri, do hereby verify that the fact stated above are all true to the best of my knowledge I gathered from the official records and I sign this verification on this the 17th day of November 2014 being present in Court premises at Puri.

Uddhaba Chandra Majhi
By the Vericant
17.11.2014
1/c COLLECTOR PURI



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Shashishekhar Das
Notary Govt. of India

AFFIDAVIT

I, No.....
ate.....

I Sri Uddhaba Chandra Majhi aged about 50 years ,Son of Sri Srikar Majhi working as Addl. Dist. Magistrate now in charge of Dist. Magistrate and Collector,Puri do hereby solemnly affirm and state as follows:-

That the facts stated above in the petition are all true to the best of my knowledge I gathered from official records.

Identified by

Govt. Pleader, Puri

Deponent
COLLECTOR, PURI

Subscribed & Signed
before me on this
day of 2007 at

Shashishekhar Das
Notary Govt. of India



Tour report of Dr. L. Ali, Senior Scientist(PC) Forest & Environment, on the erosion of beach in Puri Urban Area and remedial measures to be taken as per the orders of Principal Secretary and Director-Cum-Special Secretary to Government, Forest & Environment Department on 28.07.2007

Left Bhubaneswar at 9 A.M. in a OTDC hired Taxi to Puri and a discussion was made with the following officers and Members of NGOs.

THE FOLLOWING MEMBERS WERE PRESENT AT THE TIME OF DISCUSSION

1. Sri S.N. Panigrahi, Additional District Magistrate, Puri.
2. Sri P.K. Das, Executive Engineer Roads and Buildings, Puri.
3. Sri Monoj Kumar Das, Executive Engineer Irrigation Division, Puri.
4. Sri P.K. Pattanaik, Secretary, PKDA, Puri.
5. Sri Binod Saraff, Municipal Engineer, Puri.
6. Sri Jaganath Bastia, President, beach protection Council, Puri.
7. Sri Ramesh Prasad Singh, Member Secretary, beach protection Council, Puri.
8. Sri V. Rabikanta, Assistant Manager, (South) Garware-Wall Roofs limited.

During discussion it has been revealed that because of the unusual behaviour of the Sea in Puri major damage has been caused in the newly constructed road in Sipa Sarubali area and some damages are also reported in Penthakata basti of the fishermen.

Under Secretary (Environment Wing
Forest & Env. Deptt.)

Regarding the damages caused to the newly constructed road from a "Hotel Cocopam" to "Sterling Resort", it can be said that this road was built violating of norms of CRZ in the middle of the Sea beach. This was just like inviting the wrath of nature. All efforts were taken from the Environment



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A Department to stop the construction of this road. In order to give plan approval for construction purpose to different Hoteliers and Builders in the area adjoining Sea towards the landward side of the alleged road in Sipa-Sarubali, area all norms of CRZ were ignored. As on to-day also the revenue map of the road area does not speak of the existence of the road. The alleged road was constructed virtually over-night by spending to the tune of Rs. 1.5 crores in the mid beach and thereby narrowing the beach area to almost half of its original area.

Such an action by violating the norms was really very unfortunate. Even last year some minor damage was also reported to the tune of some 100 meters length of this road and this year a further damage to the extent of more than 200 meters has occurred in front of "Kathiabba Ashram" and "Thousand Sand Apartment" of JNB BUILTECH private limited.

X' It will not out of place to mention that the Sea beach near the alleged road contained a type of weed named "Gudhank" whose purpose was to bind the sand and it could withstand the high tides of the Sea. During the visit it has been further revealed that sand bags has been kept on the side of the road facing the Sea to withstand the forces of tide. From the other side of the road sands are dug and put in sand bags. By this the road shall be further weakend and can bring further disaster



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to the existing scenario in future.

Regarding the damage caused in the penthakata area of the fishermen basti it can be said that, steps may kindly be taken to rehabilitate and give shelter in a place of their choice having proper consideration for their livelihood. As these fishermen are living in huts very closed to sea, they should be rehabilitated and resettled in a safer area near the sea. Their settlement in far off places from the sea should not be considered as this may affect their livelihood. The Environment Department in collaboration with Revenue Department should work for their proper rehabilitation.

The Irrigation Department and P.W.D. Department seems to have a great concern for the construction and remedial measures. Even some consultants could be present during the discussion to impress upon their activities in the construction work of sea shores of other states. But the case of Puri beach is entirely different from the rest of India and nothing should be done to change the environment of the golden sandy beach of Puri. Before assigning any contract as remedial measures, the views of the Environment Department should be given due weightage. At present a project on "Integrated Coastal Zone Management Plan" (ICMZP) for Puri Konark stretch is being undertaken by the Institute for Ocean Management Anna University

Under Secretary to Govt. & P.O.
Environment Wing
Forest & Env. Deptt.



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of Chennai being funded by MoEF, Govt. of India. The Director of the Institute of Ocean Management may be intimated to include this aspects of the beach erosion at Puri area in the study. He may also be requested to under-take field visit to the affected area and advise the measures to check beach erosion in their report.

Besides some other agencies mentioned below may also be consulted namely :-

1. Integrated Coastal Marine Area Management (ICMAM), NIOT Campus Pallikarnai, Chennai.
2. IIT, Chennai.
3. NIO Goa.

We may also have special meeting of the Orissa State Coastal Zone Management Authority (OSZMA) to discuss the matter in detail.

Reached Bhubaneswar at 9.P.M. dt. 28.07.07.

For kind perusal and approval of the tour.

A
Under Secretary to Govt. & PIO
Environment Wing
Forest & Env. Deptt.

Leena Das
31/7/07.



6. प्राधिकरण, अपने कृत्यों में पारदर्शिता बनाए रखने के उद्देश्य के लिए एक समर्पित वेबसाइट तैयार करेगा और इसके कृत्य, जिनके अंतर्गत बैठकों में कार्यसूची, बैठकों का कार्यवृत्त, प्रत्येक बैठकों में किए गए विनिश्चय, उक्त अधिसूचना के अतिक्रमण तथा उल्लंघन के मामलों में सिफारिशें और ऐसे अतिक्रमण तथा उल्लंघन पर की गई कार्रवाई और न्यायालय मामले जिनके अंतर्गत न्यायालयों के आदेश हैं और राज्य सरकार की अनुमोदित तटीय जोन प्रबंध योजना से संबंधित सूचना डालेगा।

7. प्राधिकरण छह माह में कम से कम एक बार अपने क्रियाकलापों की रिपोर्ट राष्ट्रीय तटीय जोन प्रबंध प्राधिकरण को भेजेगा।

[फा. सं. 12-2/2005-आईए-III(जिल्द-III)]

रितेश कुमार सिंह, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

ORDER

New Delhi, the 20th July, 2018

S. O. 3546(E).—In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment(Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act) and in supersession of the notification of the Government of India in the erstwhile Ministry of Environment and Forest, number S.O.936(E) dated the 1st April, 2015, except as respects things done or omitted to be done before such suppression, the Central Government hereby constitutes an authority to be known as the Odisha Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this order in the Official Gazette, namely:—

S.N.	Members	Status
(i)	Additional Chief Secretary, Department of Forest and Environment, Government of Odisha	Chairperson. <i>ex-officio</i>
(ii)	Secretary, Department of Housing and Urban Development, Government of Odisha	Member. <i>ex-officio</i>
(iii)	Secretary, Department of Fisheries and Animal Resource Development, Government of Odisha	Member. <i>ex-officio</i>
(iv)	Chairman, State Pollution Control Board, Odisha or Member Secretary, State Pollution Control Board, Odisha	Member. <i>ex-officio</i>
(v)	Principal Chief Conservator of Forests (WL) and Chief Wildlife Warden, Odisha	Member. <i>ex-officio</i>
(vi)	Chief Conservator of Forest, Regional Office, Ministry of Environment, Forests and Climate Change, Bhubaneswar	Member. <i>ex-officio</i>
(vii)	Head of the Department, Department of Marine Science, Berhampur University, Odisha	Member. <i>ex-officio</i>
(viii)	Chief Executive, Chilka Development Authority, Bhubaneswar	Member. <i>ex-officio</i>
(ix)	Chief Executive, Odisha Space Application Centre, Bhubaneswar	Member. <i>ex-officio</i>
(x)	Project Director, Integrated Coastal Zone Management Project, Bhubaneswar	Member. <i>ex-officio</i>
(xi)	Shri Mangaraj Panda, Secretary, United Artists Association, At- Raula Street, P.O./District Ganjam-761026	Member
(xii)	Dr. B.R.Subramanian, Former Director, Integrated Coastal and Marine Area Management, Chennai	Member
(xiii)	Dr. Rabindra Nath Hota, Professor of Geology, Utkal University, Bhubaneswar.	Member
(xiv)	Director, Environment-Cum-Special Secretary to Government, Department of Forest and Environment, Government of Odisha, Bhubaneswar	Member Secretary. <i>ex-officio</i> .

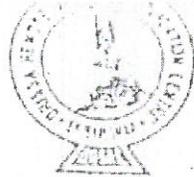


2. The Authority shall have its headquarters at Bhubaneswar.
3. The quorum for the meeting of the Authority shall be one-third of the total number of its Members.
4. A Member, other than an ex-officio Member, shall be paid allowances as per the norms fixed by the Central Government.
5. The Authority shall, for the purposes of protecting and improving the quality of the costal environment and preventing, abating and controlling environmental pollution in the Coastal Regulation Zone areas in the State of Odisha, take the following measures, namely:—
 - (i) the Authority shall, after receiving the application for approval of project proposal, examine the same if it is in accordance with the approved Coastal Zone Management Plan and within the requirements of the Coastal Regulation Zone notification issued by the Government of India in the Ministry of Environment and Forests *vide* number S.O.19(E), dated the 6th January, 2011 (hereinafter referred to as the said notification), and make recommendations for approval of such project to the concerned authority, as specified in the said notification, within a period of sixty days from the date of receipt of such application;
 - (ii) the Authority shall regulate all developmental activities in the Coastal Regulation Zone areas as specified in the said notification;
 - (iii) the Authority shall be responsible for enforcing and monitoring the provisions of the said notification;
 - (iv) the Authority shall examine the proposals received from the State Government for changes or modifications in the classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan and make specific recommendations thereon, to the National Coastal Zone Management Authority;
 - (v) the Authority shall inquire into cases of alleged violation of the provisions of the said Act or the rules made thereunder; and review the cases involving violations or contraventions of the provisions of the said Act and the rules made thereunder;
 - (vi) the Authority shall inquire or review cases of violations or contraventions of the said notification suo-moto, or on the basis of a complaint made by any individual or body or organisation;
 - (vii) the Authority is authorized to file complaints under section 19 of the said Act;
 - (viii) the Authority shall take such action as may be required under section 10 of the said Act, to verify the facts of the cases before it.
6. The Authority shall, for the purpose of maintaining transparency in its functioning, create a dedicated website and post the information relating to its functions, including the agenda in its meetings, minutes of the meetings, decisions taken in each meetings, recommendations for matters on violations and contravention of the said notification and actions taken on such violations and contraventions, court matters including the orders of the Courts and the approved Coastal Zone Management Plan of the State Government.
7. The Authority shall furnish reports of its activities at least once in six months to the National Coastal Zone Management Authority.

[F. No. 12-2/2005-IA.III(Vol.III)]

RITESH KUMAR SINGH, Jt. Secy.





GRAM : ANPARIKSHA
 Telex : 0675-6399 OCAC IN
 Tel : 406274 (EPABX)
 Fax : 91-674-401854
 Post Box No. 119

ORISSA REMOTE SENSING APPLICATION CENTRE
 (Deptt. of Science & Technology, Govt. of Orissa)
 2nd Floor, Suryakiran Building Complex,
 Shaheed Nagar, Bhubaneswar-751 007

P.R. MOHANTY,
 CHIEF EXECUTIVE

No. 3334 /Dt. 4.1.95

To

The Director (Environment),
 Forest & Environment Department,
 Government of Orissa,
 Bhubaneswar.

Sub: Preparation of Coastal Zone Management Plan for
 entire coast of Orissa.

Sir,

A reference is invited to this office letter No. 2219 dated November 13, 1992 alongwith which a detailed project proposal on 'Development of Coastal Zone Management Plan (CZMP) for the entire Orissa Coast' with a budget estimate of Rs. 17.90 lakhs was submitted to Forest and Environment Department on a request on the above-cited subject. Consequently it had been communicated by the Department vide letter No. EE 26/93 1761/F&E dated January 20, 1993 that the project proposal was under consideration of State Government.

Subsequently, this Centre was however advised to furnish an estimate for undertaking mapping of Coastal Regulation Zone (CRZ) under CRZ I, II and III alongwith High Tide Line and Low Tide Line as defined in the notification of Government of India in MOEF as it was considered first priority action on the part of State Government. Accordingly, an estimate of 6.50 lakhs to complete the CRZ mapping was submitted by this Centre to the Department, vide our letter No. 263 dated February 5, 1993. Later a proposal with detailed estimate had been furnished, vide our letter No. 1892 dated September 9, 1993 as desired by the Department. In response to the above proposal the projected amount was sanctioned in two phases, Rs. 4.50 lakhs in October, 1993 and Rs. 2 lakhs in March, 1994. After release of grants-in-aid necessary satellite imagery have been acquired from National



ORISSA REMOTE SENSING APPLICATION CENTRE

Remote Sensing Agency, Hyderabad covering entire Orissa coast and map preparation is presently in progress. An amount of Rs.5.60 lakhs has in the meanwhile been utilised for CRZ mapping and the balance amount is expected to be spent by the time of final map generation. Details of expenditure are as follows:

Total amount received : Rs.6,50,000.00

Expenditure status by the end of December, 1994

Head of Expenditure

	<u>Amount (Rs.)</u>
Manpower	50,000.00
Satellite Data	4,65,000.00
Ground Truth Collection	25,000.00
Stationary & Miscellaneous	20,000.00

Total : 5,60,000.00

(Rupees five lakhs sixty thousand) only.

In this connection, I would also like to draw your kind attention to our initial project proposal on Development of Coastal Zone Management Plan (CZMP) for the entire Orissa Coast submitted in November, 1992 for consideration of necessary funding during current (1994-95) and next financial year (1995-96). As a matter of fact, the CRZ maps generated from the ongoing CRZ mapping project will be the primary inputs in development of coastal zone management plan. Taking this into account, the budget estimate of the project has been revised and the same is sent herewith alongwith broad outline of the project for your kind information and necessary action.

In the meanwhile we are in receipt of Govt. letter (No.291/EE-2/94/F&E, dated October 31, 1994) from Dr.L.N.Patnaik, Senior Scientist (FC) seeking the detailed methodology which is being followed to assess inclusion of creeks in the Coastal Regulation Zone. In this connection I would like to inform that



13

the basis for delineation of CRZ has already been communicated to you vide this office letter No.2485 dated September 17,1994. However, the scientists of the department are most welcome to visit our Centre and personally discuss about the CRZ map preparation with the scientists of the Centre.

This is for favour of your kind information.

Yours faithfully,

Encl: As above.

[Signature]

CHIEF EXECUTIVE

Memo No. 3335 /Dt. 4.1.95

Copy to Dr.L.N.Patnaik, Senior Scientist (PC), Forest and Environment Department, Government of Orissa, Bhubaneswar.

Encl: As above.

[Signature]

CHIEF EXECUTIVE

1.1.95



EXTRACTS FROM APPROVED COASTAL ZONE
MANAGEMENT PLAN FOR ORISSA (CZMP)
25
(CHILKA MOUTH - KONARK STRETCH)

flow of ground water in that area.

The plantation in this sector has been existing for a considerable time and it prevents the area from sand casting.

5.3 SECTOR - II : PURI URBAN ZONE

This area delineated in the map no CZMP 74 E/13/SW extends from Mangala Nadi in south-west of Puri town to Balukhand RF at opposite direction. The entire CRZ as depicted in the map comes under Puri master plan. The coastal tract between the Mangala Nadi and western boundary of Puri town has been delineated as CRZ-III as the area is not under municipal limit of the town. However, right from the western boundary of Puri town upto western boundary of Balukhand RF is delineated as CRZ-II as the entire tract comes under municipal limit of Puri town.

A sand dune, alongwith nearby plantations near Mangala Nadi confluence should not be disturbed as it may have possible impact on the mouth of the confluence. No flattening of sand dune should also be allowed while pursuing any developmental activities in this zone.

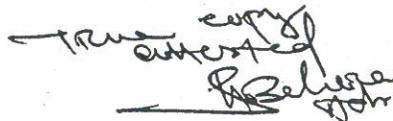
As the CRZ area under Puri town municipal limit is marked as CRZ-II the following relevant norms for regulation of activities as published in MEF notification are to be followed.

- * Building should neither be permitted on the seaward side of the existing road nor on seaward side of existing authorised structure.
- * Buildings should be permitted on the landward side of existing and proposed road/structures subject to the existing local town and country planning regulations including the existing norms of FSI/FAR.
- * Reconstruction of the authorised buildings should be permitted subject to the existing FSI/FAR norms and without change in existing use. The design and construction of buildings should be consistent with the surrounding landscape and local architectural style.

ATTESTED



Section Officer,
(Environment Wing)
E A E

True copy
attested




GOVERNMENT OF ORISSA
FOREST AND ENVIRONMENT (ENVIRONMENT) DEPARTMENT

No. 13668/F&E., Bhubaneswar, dated the 21st July '97.
EE-11/96

From: Dr. L.N. Patnaik,
Senior Scientist (FC).

To: The Director, Town Planning,
Orissa, Bhubaneswar.

Subj: Clarification of Coastal Zone with
respect to urban centres of Orissa.

Ref: Letter No. MP-VII-126/95-8292/DTP., dtd. 19.7.97.

Sir,

With reference to your letter cited above,
I am to say the following.

Pending clarification from Govt of India, the
following areas have been designated as CRZ-II.

- 1) Puri municipal area
- 2) Balugaon NAC
- 3) Rambha NAC
- 4) Gopalpur NAC & port area
- 5) Paradeep municipality and port area

As per Ministry of Environment & Forests, Govt
of India guidelines, the urban areas of Konark and Balasore
(Chandipur) are classified as CRZ-III.

Delineation of the CRZs, the stretch from Puri to
Konark has not yet been finalised.

I am enclosing six numbers of maps relating to
aforesaid CRZ-II areas.

Yours faithfully,

L. N. Patnaik
SENIOR SCIENTIST (FC) 21.7.97

Memo No. _____/F&E., dtd.

Copy forwarded to the Director, Housing and Ex-
officio Deputy Secretary to Govt., H&UD Dept for information.

SENIOR SCIENTIST (FC)



GOVERNMENT OF INDIA
 FOREST AND ENVIRONMENT DEPARTMENT (ENVIRONMENTAL POLLUTION)

NOTIFICATION

No. EE-4/99/ 3430 /F&E., Bhubaneswar, dtd. 15/12/99

In pursuance of the provisions made in the letter No. J-17011/11/92-IA-III, dated 27.9.1996 of Government of India in the Ministry of Environment & Forests conveying approval of Coastal Zone Management Plan of Orissa, the State Government have been pleased to constitute a Committee with the following members to identify and demarcate CRZ-II areas within the proposed CRZ-II areas.

- | | | |
|---|-----|-----------------|
| 1. Chief Secretary | ... | Chairman |
| 2. Secretary to Government,
Forest and Environment Department | | Member |
| 3. Secretary to Government,
Housing & Urban Development Department | | Member |
| 4. Director, Town Planning | | Member |
| 5. Orissa Environment Society, Bhubaneswar | | Member |
| 6. Beach Protection Council of
Orissa, Puri | | Member |
| 7. Director, Environment | ... | Member-Convenor |

By order of Governor,

[Signature]

Commissioner-cum-Secretary,
Forest and Environment Department.

Memo No. 3431(3) /F&E., dtd. 15-12-99

Copy to Private Secretaries to Chief Secretary/
Additional Chief Secretary & Secretary, Housing & Urban
Development Dept/ Commissioner-cum-Secretary, Forest and
Environment Dept for kind information of Chief Secretary/
Addl. Chief Secretary & Secretary, H&UD Dept/ Commissioner-
cum-Secretary, Forest & Environment Dept respectively.

[Signature]

DIRECTOR, ENVIRONMENT 15/12/99

Memo No. 3432(3) /F&E., dtd. 15-12-99

Copy to Director, Town Planning/ Orissa Environment
Society, Bhubaneswar and Beach Protection Council of Orissa,
Puri for information.

[Signature]

DIRECTOR, ENVIRONMENT 15/12/99



[अनुच्छेद 3(1)]

भारत का राजपत्र : असाधारण

- | | | |
|---|---|---|
| <p>IV. प्राधिकरण, तटीय विनियमन ज़ोन में पारिस्थितिकी संवेदनशील क्षेत्रों को पहचान करेगा और ऐसे पहचान किए गए क्षेत्रों के लिए क्षेत्र-विनिर्दिष्ट प्रबन्ध योजनाओं की विरचना करेगा।</p> <p>V. प्राधिकरण, ऐसे तटीय क्षेत्रों को पहचान करेगा जो अपरदन अपक्षय के लिए अतिसुमेध क्षेत्र हैं और ऐसे पहचान किए गए क्षेत्रों के लिए क्षेत्र विनिर्दिष्ट प्रबन्ध योजनाओं की विरचना करेगा।</p> <p>VI. प्राधिकरण, तटीय विनियमन ज़ोन में आर्थिक रूप से महत्वपूर्ण विस्तारों को पहचान करेगा और उनके लिए एकीकृत तटीय ज़ोन प्रबन्ध योजनाएं तैयार करेगा।</p> <p>VII. प्राधिकरण, ऊपर पैरा IV, V, VI के अधीन तैयार की गई योजनाएं और उनके उपान्तरण, परीक्षा और उसके अनुमोदन के लिए राष्ट्रीय तटीय ज़ोन प्रबंध प्राधिकरण को प्रस्तुत करेगा।</p> <p>VIII. प्राधिकरण, उन सभी विनिर्दिष्ट शर्तों को अनुपालना सुनिश्चित करेगा, जो उड़ीसा के अनुमोदित तटीय ज़ोन प्रबंध योजना में अधिकथित की जाती हैं।</p> <p>IX. प्राधिकरण, उसके क्रियाकलापों की रिपोर्ट छह मास में कम से कम एक बार राष्ट्रीय तटीय ज़ोन प्रबन्ध प्राधिकरण को प्रस्तुत करेगा।</p> <p>X. प्राधिकरण की पूर्वगामी शक्तियों और कृत्य केन्द्रीय सरकार के पर्यावेक्षण और नियंत्रण के अधीन होंगे।</p> <p>XI. प्राधिकरण का मुख्यालय भुवनेश्वर में स्थित होगा।</p> <p>XII. इस प्रकार गठित प्राधिकरण के विस्तार और अधिकारिता के भीतर विनिर्दिष्टतः न आने वाला कोई विषय संबंधित कानूनी प्राधिकारियों द्वारा निपटाया जाएगा।</p> | <p>3. Officer-in-charge,
Central Marine Fisheries Research
Institute, Research Station,
Bhubaneshwar</p> <p>4. Prof. Mrs. Hejmadi,
Vice Chancellor,
Sambalpur University.</p> <p>5. Sh. S.S. Das,
Joint Director
Directorate of Mining and
Geology,
Bhubaneshwar.</p> <p>6. Sh. R.C Das,
Sarana House,
337 Louise Road, Bhubaneshwar.</p> <p>7. Director,
Science, Technology,
and Environment and Forests Wing,
Orissa Secretariat
Bhubaneshwar.</p> | <p>Member</p> <p>Member</p> <p>Member</p> <p>Member</p> <p>Member-Secretary</p> |
|---|---|---|

[फा. सं. 17011/18/96-आई.ए.-III.]

के. रौय पौल, अपर सचिव

ORDER

New Delhi, the 26th November, 1998

S.O. 1004 (E).—In exercise of the powers conferred by sub-sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes an authority to be known as the Orissa Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of two years, with effect from the date of publication of this Order in the Official Gazette, namely :—

- | | |
|--|---------------------------------|
| <p>1. Principal Secretary,
Science, Technology
and Environment and Forests wing,
Orissa Secretariat,
Bhubaneshwar.</p> <p>2. Member Secretary,
Orissa State Pollution Control Board,
Bhubaneshwar.</p> | <p>Chairman.</p> <p>Member.</p> |
|--|---------------------------------|

II. The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in coastal areas of the State of Orissa, namely:—

(i) Examination of proposals for changes/modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Orissa State Government and making specific recommendations to the National Coastal Zone Management Authority therefor.

(ii) (a) Inquiry into cases of alleged violations of the provisions of the said Act and the rules made thereunder, or under any other law which is relatable to the objects of the said Act and, if found necessary in a specific case, issuing directions under section 5 of the said Act, insofar as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;

(b) Review of cases involving violations of the provisions of the said Act and the rules made thereunder, or under any other law which is relatable to the objects of the said Act, and, if found necessary, referring such cases, with comments, for review to the National Coastal Zone Management Authority;

Provided that the cases under sub-paragraphs (ii) (a) and (ii) (b) of paragraph II may either be taken up suo-moto, or on the basis of complaint made by an individual, or a representative body, or an organisation.



- (iii) Filing complaints, under section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-paragraph (ii) (a) of paragraph II of this Order.
- (iv) To take action under section 10 of this order to verify the facts concerning the issues arising from sub-paragraphs (i) and (ii) of paragraph II of this Order.
- III. The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the Orissa State Government, the National Coastal Zone Management Authority or the Central Government.
- IV. The Authority shall identify ecologically sensitive areas in the Coastal Regulation Zone, and formulate area-specific management plans for such identified areas.
- V. The Authority shall identify coastal areas highly vulnerable to erosion/degradation, and formulate area-specific management plans for such identified areas.
- VI. The Authority shall identify economically important stretches in the Coastal Regulation Zone and prepare Integrated Coastal Zone Management Plans for the same.
- VII. The Authority shall submit the plans prepared by it under paragraphs IV, V, VI above and modifications thereof to the National Coastal Zone Management Authority for examination and its approval.
- VIII. The Authority shall ensure compliance of all specific conditions that are laid down in the approved Coastal Zone Management Plan of Orissa.
- IX. The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.
- X. The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.
- XI. The Authority shall have its headquarters at Bhubaneswar.
- XII. Any matter specifically not falling within the scope and jurisdiction of the Authority as so constituted shall be dealt with by the statutory authorities concerned.

[F. No. 17011/18/96-IA-III]
K. ROY PAUL, Addl. Secy.



9/B
P. issue today
22/9/06

Annexure -53

432

Government of Orissa
Forest & Environment Department

-0-

OFFICE ORDER

Dated, Bhubaneswar the 25-9-06
No. Env-I-69/2003/16146 /F&E:A "Task Force" with the following as
Chairman and Members is hereby constituted to evaluate and draw an
effective time bound Action Plan for prevention of flow of sewage into the
beach of Puri.

- 1. Chairman, State Pollution Control Board, Orissa, Bhubaneswar Chairman
- 2. Secretary, Housing & Urban Development Department Member
- Or
- 3. His Nominee not below the rank of Joint Secretary Member
- 4. Director, Environment -Cum-Special Secretary, Forest & Environment Department Member
- 5. President, Hotel Association of Puri Member
- 6. Senior Scientist (PC), Forest & Environment Department Member Convener

S.P. Panda 21-9-06
Principal Secretary to Government

Memo No. 16147 /F&E., Dated- 25-9-06
Copy forwarded to the Private Secretary to the Principal Secretary, Forest & Env
Department/P.S. to Chairman, SPCB, Bhubaneswar for kind information of Principal
Secretary/ Chairman, SPCB, Bhubaneswar.

[Signature]
21-9-06
Director, Environment-cum-Special Secretary to Government

Memo No. 16148 /F&E., dated- 25-9-06
Copy forwarded to the All members of the Committee for information and
necessary action with a request to kindly accept their nomination as members and attend
the Task Force as and when convened.

[Signature]
21-9-06
Director, Environment-cum-Special Secretary to Government

Principal Secretary to Govt. & P.S.
Environment Wing
Forest & Env. Deptt.



PROCEEDINGS OF THE SECOND MEETING OF THE TASK FORCE,
NOVEMBER, 13, 2006

The second meeting of the Task Force was held in conference hall of Panthanivas, Puri, on November 13, 2006. The list of members and other participants present in the meeting is given in the Annexure.

For information of the participants who were not present in the first Task Force Meeting, chairman of the Task Force initiating the discussion, briefed about the back ground of constitution of the Task Force by Government of Orissa and explained the issues identified in the first Task Force meeting relating to beach pollution.

The following issues were deliberated and decisions taken;

1. Waste Water Management in Hotels

Action taken by the State Pollution Control Board to ensure pretreatment of wastewater generated from hotels before discharge to sewer / open drain was noted. The wastewater treatment system for kitchen / restaurant water for removal of oil, solid and sand was discussed. The enforcement action of State Pollution Control Board was also explained.

It was recommended that compact type of waste water treatment plants shall be installed by the hotels where adequate space is not available.

It was also decided that holiday homes and lodging houses, besides hotels, should also be brought under the purview of State Pollution Control Board for ensuring pretreatment of wastewater before discharge to sewer.

(Action-S.P.C.B.)

2. Overflow of Sewer Manholes

All members expressed serious concern about the overflow of sewage at the manholes of the sewer line laid from Swargadwar to Bankimuhan due to clogging and overload of sewer line.

drainage network, the wastewater generated from the area is bound to go to the beach and sea.

Since PKDA is the authority to approve the development and construction projects in the area, plan for wastewater management and drainage should be clearly worked out in the development plan right from now. It was agreed that till such time, no further construction plan should be approved by PKDA. Housing & Urban Development Department may be requested to instruct PKDA accordingly. *(Action-H & U.D & PKDA)*

5. Open Defecation

All members expressed concern on beach pollution due to open defecation, particularly at Penthakata and Noliasahi areas. After detailed discussion, the following actions are recommended:

- Immediate construction of adequate number of public toilets and involvement of the community in the management of the toilets.
- Sensitization of the people in slum areas to use toilets. *(Action-Collector, Puri)*
- Punitive action to be taken by District Administration and Police, supplemented by private security to be provided by the Hotel Association.

6. All the members agreed to move the Government to declare the Puri beach as Polythene Free Zone. However, the mechanism for surveillance and enforcement involving Municipality, Police, District Administration and NGOs is to be worked out.

7. Wastewater Discharge from Bankimuhan Sewage Treatment Plant

All the members expressed their grave concern on the direct discharge of wastewater to the sea from Bankimuhan treatment system, creating an ugly and unhygienic environment. As per the design of Bankimuhan treatment system, there should not be any discharge of wastewater to the sea except during rainy season. But it has been observed that the wastewater is regularly discharged to the sea.



It was informed by Secretary, Puri Konark Development Authority that there is a proposal by the Tourism Department for construction of a storm water drain from Swargadwar to Digabareni along the existing footpath in the sea beach, to collect storm water. However, it was felt that the proposal should be examined further by technical experts, since it is apprehended that the storm water, which is often contaminated and carry solid materials, is likely to get discharged to sea, because of the clogging of the sewer line, as is being experienced now.

As a short term measure, regular cleaning of manholes by engaging dedicated labour should be taken up by the Municipality.

In order to overcome this perpetual problem, the sewer line should be regularly cleaned by using mechanical compressor. Municipality should procure such equipment. Some members suggested that the amount can be spent from Lodging House Fund. It was decided to move the District Administration on the matter. However, immediate cleaning may be undertaken by hiring the compressor by Puri Municipality.

3. Drainage System

It was generally apprehended that the sewer system which is under construction may not work effectively, if proper drainage network is not provided.

(Action - H & U.D.)

This is a serious issue and it was decided that Government be moved to take up construction of proper drainage network in Puri as a long term measure.

4. Drainage and Sewer Beyond Municipality Area

Area beyond Hotel Coco Palm, does not come under Puri Municipality and hence there is no proposal of any sewerage system. However, a lot of construction activities are taking place in this area. Secretary, PKDA

informed that there is no developmental plan presently available for the area. All the members shared the concern that without proper sewer and



TASK FORCE ON PURI BEACH

PANTHANIVAS; PURI
SECOND MEETING - NOVEMBER 13, 2006

ion.
UL.

Sl.	MEMBER
MEMBERS PRESENT	
1.	Dr. L. N. Patnaik Chairman, State Pollution Control Board, Orissa
2.	Dr. Bijay Ketan Patnaik Director, Environment-cum-Special Secretary to Govt., Forest and Env. Department
3.	Sri Bijay Das, President of Honour, Hotel Association of Puri
4.	Sri R. K. Das Mohapatra, President, Hotel Association of Puri
5.	Dr. Liaquat Ali Senior Scientist (PC), Forest and Env. Department
OTHER INVITEES	
6.	Dr. D. K. Behera Sr. Env. Scientist, State Pollution Control Board, Orissa
7.	Dr. A. K. Tripathy Sr. DM (BP)-I, Orissa Tourism Development Corporation
8.	Sri U. S. Sarangi, OAS (S) Executive Officer, Puri Municipality
9.	Sri P. K. Patnaik Secretary, Puri Konark Development Authority
10.	Sri K. B. Khuntia Executive Engineer, Public Health Division, Puri
11.	Sri S. K. Patnaik, Tourist Officer, Representative of Director Tourism

Under Secretary to Govt. of Orissa
Environment Wing
Forest & Env. Deptt.



-99-
NOTE SHEET

This is regarding the UOI note received from Principal Secretary, H&UD Dept relating to banning of construction activities by PKDA in Puri Sea-beach.

A Task Force was constituted by Forest and Environment Department in its Office Order No.16146, dtd.25.9.2006 (P.443/C) under the chairmanship of Chairman, State Pollution Control Board.

The mandate of the Committee was to evaluate and draw an effective time-bound action plan for prevention of flow of sewage into the sea-beach of Puri.

The Task Force had so far held 3 meetings but the final report is yet to be submitted to Government.

In the 2nd meeting of the Task Force, the drainage and sewage beyond Puri municipality area along the sea-beach, was discussed. The area of the beach near Coco Palm Hotel does not come under the jurisdiction of Puri Municipality and as such there is no proposal for development of sewerage system in that area.

Puri Konark Development Authority (PKDA) also informed that there is no developmental plan available for that area.

The members of the Task Force shared their concern that without proper sewerage and drainage network for the wastewater generated in that area, it is bound to go to the beach or sea. It was agreed that without a clearly worked out development plan for that area no further construction plan should be approved by the PKDA authority. This fact has also intimated by the Chairman, SPC Board to the Principal Secretary to Govt., Housing & Urban Development Dept in his letter No.6888, dtd.29.3.07 and a copy was also sent to PKDA (vide P.501-500/C).

Contd.....



NOTE SHEET

In the last meeting of the Task Force where the Principal Secretary, H&UD Dept was present, this matter was also raised again, where it was agreed that permission can only be given for development of dwelling houses of that area but in no case construction of commercial establishment will be allowed, pending preparation of a proper development plan for the area.

With clear indication of source of fund and so time table

The development plan may include;

- (a) CRZ issue
- (b) Drainage water issue
- (c) Sewage treatment plant and water requirement for Sewage Treatment Plant
- (d) Infrastructure issues like road and storm water drainage

For orders.

[Signature]
(B.K. Patnaik) 28.6.07

Director-cum-Special Secretary

PRINCIPAL SECRETARY

This be communicated to the

42.40. Dept.

[Signature]
28/6/07

Principal Secretary to Govt
Forest & Environment Deptt.

The above observation has been communicated to the VOI note of Sri Ajit Prasad, Commissioner cum Secretary, Tourism Deptt. is returned back.

[Signature] 29.6.07

[Signature] 29/6

[Signature]

[Signature]

Under Secretary to Govt, PIO
Environment Wing
Forest & Env. Deptt.



CEOR-777-SFE
DT. 28-06-07

25/5/DE
28/6/07

और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:-

“उक्त तटीय विनियमन खंड की अधिसूचना, 2011 के पैरा 5 की मद (xii) के स्थान पर निम्नलिखित मद रखी जाएगी, अर्थात्:-

“(xii) तटीय विनियमन खंड, की अधिसूचना, 1991 के अधीन तत्कालीन पर्यावरण और वन मंत्रालय द्वारा पहले से ही अनुमोदित तटीय क्षेत्र प्रबंध योजनाएं 31 जनवरी, 2017 तक या ऐसे समय तक जैसा उक्त अधिसूचना के अधीन बनाई गई नई तटीय क्षेत्र प्रबंध योजनाओं को इस मंत्रालय द्वारा अनुमोदन दिया जाए, जो भी पहले हों, विधिमान्य होंगी।”

[सं. जे. 17011/18/96-ए-III]

बिश्वनाथ सिन्हा, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में का.आ. सं. 19(अ), तारीख 6 जनवरी, 2011 द्वारा प्रकाशित की गई थी और उसमें तत्पश्चात् निम्नलिखित संशोधन किए गए:-

1. का.आ. 2557(अ), तारीख 22 अगस्त, 2013;
2. का.आ. 1244(अ), तारीख 30 अप्रैल, 2014;
3. का.आ. 3085(अ), तारीख 28 नवंबर, 2014;
4. का.आ. 383(अ), तारीख 4 फरवरी, 2015;
5. का.आ. 556(अ), तारीख 17 फरवरी, 2015;
6. का.आ. 938(अ), तारीख 31 मार्च, 2015;
7. का.आ. 1599(अ), तारीख 16 जून, 2015; और
8. का.आ. 3552(अ), तारीख 30 दिसंबर, 2015 ।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 22nd March, 2016

S.O. 1212(E).—Whereas, by notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.19 (E), dated the 6th January, 2011 (hereinafter referred to as the said notification), the Central Government had declared certain coastal stretches as Coastal Regulation Zone and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said Zone:

And whereas, under clause (viii) of paragraph 5 of the said notification, the Coastal Zone Management Authority of a State Government or of a Union territory is required to submit the draft Coastal Zone Management Plan along with its recommendations to the Ministry of Environment and Forest, after incorporating the suggestions and objections received from the stakeholders;

And whereas, under clause (xii) of paragraph 5 of the said notification, the validity Coastal Zone Management Plans already approved under the Coastal Regulation Zone notification, 1991, was extended up to 31st January, 2016 by the Central Government by a specific notification:

And whereas after the periodic review of the status of preparation of the Coastal Zone Management Plans, the Central Government is satisfied that it may take some more time for the coastal States and Union territories to submit their respective draft Coastal Zone Management Plans for approval:

And whereas the Central Government, having regard to provision of sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules for amending the said notifications:



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) read with clause (d) of sub-rule (3) and sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said Notification, namely:-

In the said Coastal Regulation Zone, Notification, 2011, in paragraph 5, in item (xii), for the year, namely '2016', the year '2017' shall be substituted namely:-

"(xii) The Coastal Zone Management Plans as already approved by the erstwhile Ministry of Environment and Forest under the Coastal Regulation Zone notification, 1991, shall be valid up to the 31st day of January, 2017 or till such time as the approval is given by this Ministry to the fresh Coastal Zone Management Plans made under the said notification, whichever is earlier."

[No. J-17011/18/96-IA-III]

BISHWANATH SINHA, Jt. Secy.

Note : The Principal Notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O 19 (E) dated the 6th January, 2011 and subsequently amended as follows:-

1. S.O. 2557 (E), dated the 22nd August, 2013;
2. S.O. 1244 (E), dated the 30th April, 2014;
3. S.O. 3085 (E), dated the 28th November, 2014;
4. S.O. 383 (E), dated the 4th February, 2015;
5. S.O. 556 (E), dated the 17th February, 2015;
6. S.O. 938 (E), dated the 31st March, 2015;
7. S.O. 1599 (E), dated the 16th June, 2015; and
8. S. O. 3552(E), dated the 30th December, 2015.



Government of Odisha
Forest & Environment Department

No. 6974 /F&E
EE-26/2017

Dated 5th April, 2017

From

Shri S.K. Sinha, IFS
Director Environment
-cum-Special Secretary to Govt.

To

Sri A.K. Mehta, IAS
Joint Secretary to Govt., MoEF &CC
Govt of India, Indira Paryavaran Bhavan
Jorbagh Road, New Delhi - 110 003

Sub: Proposal for extension of the validity of the previous CZMP up to 31st January, 2018

Sir,

With reference to the subject cited above, I am directed to inform you that the Chief Secretary of Odisha in his D.O. letter No. 2454 dated 4th February, 2017 had requested the Secretary, MoEF &CC to kindly extend the validity of the previous CZMP prepared on the basis of CRZ notification, 1991 up to 31st January, 2018. However, no response in this connection has been received from your end.

Regarding further developments in respect of preparation of CZMP, I am to inform you that on receipt of HTL and ESA data from NCSCM Chennai, this Department has requested the Odisha Space Application Centre to take immediate steps for modifying the already prepared maps by incorporating the HTL and ESA data, received recently through NCSCM. The work is in progress.

In the mean time, projects are coming to OCZMA for consideration and unless the validity of the previous CZMP is extended, the project proponents will be in difficult situation so far as the approval of the projects are concerned.

It is therefore requested to kindly consider the problem and convey the extension of the validity of the previous CZM Plan up to 31st January, 2018

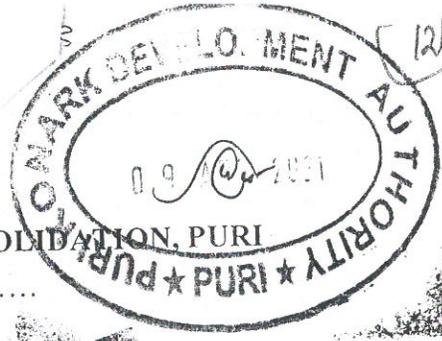
Yours faithfully,


05/04/17
Director Environment
-cum-Special Secretary to Govt


Under Secretary to Govt.
Environment Wing
Forest & Env. Deptt.



Annexure -58



Dep. No - 235(a)
09/04/2021

OFFICE OF THE ADDL. SUB-COLLECTOR CONSOLIDATION, PURI
No. 890 / Dated. 8/1/21

Planning

To, The Puri Konark Development Authority, Puri.

Sub: Regarding Road width and kism of L.R. Plot Nos. 648 and 665 of Mouza - Sipasarubuli, Puri.

Sir,

In inviting on the subject cited above, I am to submit the required information regarding Road width and Kism of L.R. Plot Nos. 648 and 665 in Mouza-Sipasarubuli, Puri. One Sri Jitendra Kumar Patra, Director, Prabhukrupa Realities (P) Ltd. has applied to the undersigned regarding Road width and kism of L.R. Plot Nos. 648 and 665 for the purpose of building plan. On field enquiry by the field functionary and as per the report of Amin, the land status and kism of the plots are as follows:

LAND SCHEDULE

LR Khata No.	LR Plot No.	Area	Kisam	Boundary	Status
521	665	Ac.0.55 dec.	Rasta (Anabadi)	North - 660, 678, 679, 681, 664 South - 680, 677, 676	60'0" wide blacktop road
521	648	Ac.2.33 dec.	Rasta (Anabadi)	North - 647, 646 South - 657, 656, 649, 661	60'0" wide moorum road

This is for favour of kind information.

Yours faithfully,

[Signature]
Asst. Consolidation Officer, Puri

Memo No. dt.

Copy to Sri Jitendra Kumar Patra, Director, Prabhukrupa Realities (P) Ltd, Bhubaneswar with reference to their application for information.

Asst. Consolidation Officer, Puri

[Signature]
Public Information Officer,
Puri Konark Development Authority, Puri.

20/12/21



Annexure -59

444

2

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 424 of 2016
(Earlier O.A. No. 169 of 2015)

M/s. Mehdad & Anr.
Vs.

Ministry of Environment, Forests & Climate Change & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER

Present: Applicant: Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney Sail, Adv.
Mr. Rajesh K. Singh and Mr. Kuldeep Singh, Adv. for MoEF
Dr. Abhishek Atrey and Ms. Megha Tyagi, Adv. for UT of Lakshwadeep

Date and Remarks	Orders of the Tribunal
Item No. 01 May 03, 2017	<p>We direct the Ministry of Environment, Forest and Climate Change to file an Affidavit by the Joint Secretary concerned, the reasons as to why the CZMP for different states is not being finalized. From the note given to us, we see that it is primarily shifting of blame between the State and the Centre and the execution of the direction is kept in abeyance without any justifiable reason. It is a matter which must be attended with utmost priority and expeditiousness. The affidavit will clearly say, if not in all the States, but at least in some of the States demarcation of hazard line, high tide line, low tide line and preparation of CZMP should be completed within the fixed time with no variation. In the event of default, the Ministry and the State Government shall fix the responsibility on the erring official.</p> <p>Issue Notice to the following 13 States and Union Territories:</p> <ol style="list-style-type: none">1. State of Andhra Pradesh2. State of Odisha



<p>Item No. 01</p> <p>May 03, 2017</p>	<ol style="list-style-type: none"> 3. State of Goa 4. State of Gujarat 5. State of Karnataka 6. State of Kerala 7. State of Maharashtra 8. State of Tamil Nadu 9. State of West Bengal 10. UT of Daman & Diu 11. UT of Puducherry 12. UT of Lakshadweep 13. UT of Andaman & Nicobar <p>The Registry to issue the Notice without process fee. Notice returnable on <u>17th May, 2017.</u> List this matter for direction on <u>17th May, 2017.</u></p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
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- i. Para 5 (vi) of the CRZ Notification, 2011 stipulates that the Coastal States will prepare draft CZMPs in 1:25000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in the Notification.
- ii. Odisha Space Application Centre (ORSAC), Bhubaneswar was entrusted with the responsibility of preparation of CRZ maps in 1:25000 scale for the State of Odisha (altogether 87 maps) classifying CRZ I, II, III, IV using LISS-IV (2012) data and mapping of HTL/LTL with the help of Space Application Centre, Govt of India, Ahmedabad. Preliminary maps were prepared showing HTL/LTL all along the coast using Resourcesat-1 LISS-IV data of 2012 as per the guidelines of MoEF. Necessary Ground truthing was done. Maps were finalized by ORSAC after necessary scrutiny and guidance by the scientists of SAC from time to time and the quality checking was completed. HTL and LTL were demarcated by the Scientists of SAC on the land use maps of the entire State.
- Soft copies of the maps were sent to all concerned Departments of State Government and Collectors of coastal districts, soliciting their views/comments/inputs especially regarding the existing infrastructure they have in the coast and proposed projects, if any, to

with Chand Mohan



[Signature]

be undertaken under their jurisdiction in the near future.

- iv. Simultaneously consultation meetings were taken up by the District Coastal Zone Management Committees with the stakeholders in the district level. The responses received from the stakeholder Departments at the State level and the stakeholder meetings at the district level were considered for incorporation in the CZMP.
- v. MoEF &CC entrusted the responsibility of finalizing the maps to National Centre for Sustainable Coastal Management (NCSCM), Chennai, an organization of MoEF&CC in consultation with the States. Subsequently, as per the request of Director, NCSCM, Chennai, vide letter No NCSCM/ NPMU/ ESA/2014/Corresp dated 14th October, 2014 seeking inputs with respect to State of Odisha, the CZMP maps prepared as per CRZ Notification 2011(digitized form as .shp file) on WGS 84 datum in 1:25000 scale, duly authenticated by SAC, Ahmedabad, (one of the agencies identified by MoEF for authentication of HTL <L) complete in all respects were submitted to NCSCM vide letter No. 20663 dated 12.11.2014.

- vi. But MoEF &CC prepared HTL data using high precision aerial data generated by Survey of India. NCSCM Chennai was asked to finalize the same in consultation



Under Secretary to Govt.
Wing



with the States. Concerned Officer of the State Government and the Scientist, ORSAC visited NCSCM, Chennai to verify and finalize the maps.

vii. NCSCM provided the HTL data to F&E Dept in pdf format vide its letter No. 1128 dated 12.08.2016, which cannot be used for correction/incorporation in the CZM maps prepared by the State, as they were not in GIS format.

viii. But, on the other hand, Secretary, MOEF&CC in his letter dated 8.9.2016 requested the Chief Secretary to complete the CZMP maps within a short period. Accordingly, it was examined and Secretary, MoEF & CC was informed about the status of the CZMP and requested vide letter No 17804 dated 24.09.2016 to issue necessary instruction to NCSCM to provide HTL information in (.shp) format without which CZMP cannot be completed.

ix. In response to the above, NCSCM informed vide letter dated 17.10.2016 that MoEF &CC has directed them to provide HTL data in (.shp) format on submission of an undertaking regarding the terms & conditions and restriction on use of those data. This was complied with and necessary undertaking was sent to NCSCM vide letter No 20291 dated 4.11.2016.

x. NCSCM had asked for the geo-referenced cadastral level data of 6 coastal districts, which were given to

Chandra Palay



Under



them a year back. However, on their request once again a DVD containing complete cadastral level data was sent to NCSCM vide letter No 22885 dated 07.12.2016.

xi. Finally HTL data in (.shp) format, and Ecologically Sensitive Areas (ESA) were received from NCSCM on 17th February, 2017. After receiving the data, from NCSCM, the same were provided to ORSAC after obtaining the prescribed undertaking from ORSAC using the format of NCSCM with a request to take immediate steps for modifying the already prepared maps by incorporating the HTL and ESA data. Now the revised HTL data is to be placed on the maps which were already prepared earlier. The work is in progress.

Chanda Malaga
* with

xii. Now the Scientists of ORSAC are coming across several difficulties especially with reference to putting buffer line along very thin/almost non-existent river/stream/creek/canal which are distinguishable only at a very high resolution. Some of the typical problems like drawing two or more HTL lines in and around the aquaculture ponds, as pointed out by them require NCSCM's intervention for correction. Copies of the observation sheet along with 11 locational pictures have been sent to them for reference vide letter No 10523 dated 19th May, 2017. A copy of the letter dated 19th May 2017 is enclosed and marked as **Annexure I**.



[Handwritten signature]



xiii. Hazard line of the coastal zone, which is a pre-requisite for finalization of CZMP, have not been provided by MoEF &CC.

xiv. Further NCSCM has been requested to suggest remedial measures so that the CZMP is completed without further delay and to suggest if concerned Scientists are required to be deputed to complete the work at NCSCM. Response is awaited.

4. That, provisions of Coastal Regulation Zone Notification, 2011 will be followed for finalization of the CZMP. In brief, it may be submitted that after the maps are finalized, they will be compared with the geo-referenced maps which were prepared on the basis of CRZ Notification 1991 and published and again stakeholders meetings will be conducted in the 7 coastal districts since the previously prepared maps have been modified on the basis of high precision HTL data. The proceedings of all consultation meetings, responses from stakeholders along with all relevant papers and maps will be submitted to OCZMA for their appraisal. All these above records along with hazard line data, to be provided by MoEF &CC will be submitted to MoEF &CC for their approval.

with Chandra Mahapatra

5. That, in summary, it may be submitted that in 2014, maps were submitted first time complete in all respects with categorization of CRZ I, II, III, and IV. Now revision work is

[Handwritten signature]

Boys & PIO
Along
Deptt:



going on since MoEF &CC instructed to use high precision HTL data generated by them.

- 6. That, it may be submitted that preparation of maps is a highly technical job and requires analysis of high precision data, which is time consuming. Occurrence of error may carry serious implications in future.
- 7. That, it has been calculated that after correction of the maps at NCSCM, and after availability of hazard line data, total time to be taken for final submission to Government of India will be around 4 to 5 months.

That the facts stated herein above are true to the best of my knowledge and belief.

IDENTIFIED BY ME

ADVOCATE, BHUBANESWAR

Place: Bhubaneswar
Dated: 06.06.2017

Min Chand Mahapatra

DEPONENT

Additional Chief Secretary
Forest & Env. Department



VERIFICATION

I, the above named Deponent do hereby verify at Bhubaneswar on this day of June 2017 that the contents of the present affidavit are true and correct to the best of my knowledge & believe based on official records and no material has been concealed there from.

Place: Bhubaneswar

Date: 06.06.2017

Min Chand Mahapatra

Additional Chief Secretary
Forest & Env. Department
DEPONENT

Mr. above name deponent is being identified by *P.K. Dalabenera* Advocate, Bhubaneswar appears before me on dt. *06/06/17* at *10:00 AM* States on oath the contents of this affidavit are true to the best of his/her/their knowledge and belief

DEPONENT

NOTARY



BY REGISTERED POST
VERY IMPORTANT

Government of Odisha
Forest and Environment Department

No. EE-26/2017 4345 /F&E, Dated 21st April, 2018

From

Dr K. Murugesan, IFS
Director, Environment-cum-Special Secretary to Government

To

The District Collectors of Ganjam /Puri/ Khurda

Sub: Coastal Zone Management Plan (CZMP) of Odisha

Sir,

With reference to the subject cited above, I am directed to inform you that the Ministry of Environment & Forests, Government of India have notified **Coastal Regulation Zone Notification, 2011** for regulating different kinds of activities in the Coastal Regulation Zone.

Para 5 (vi) of the said Notification stipulates that the Coastal States will prepare draft CZMPs in 1:25000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in the Notification.

Odisha Space Application Centre (ORSAC), Bhubaneswar has prepared CRZ maps in 1:25000 scale for the State of Odisha (altogether 87 maps) classifying CRZ I, II, III, IV using LISS-IV (2012) data and demarcation of High Tide Line/Ecologically sensitive areas with the help of National Centre for Sustainable Coastal Management (NCSCM). Necessary Ground Truthing has been made. Maps were finalized by ORSAC after necessary scrutiny and the quality checking has been completed.

The draft Coastal Zone Management Plan maps for 3 districts of Odisha namely; Ganjam, Puri and Khurda MoEF have been prepared using the high precision aerial data related to High Tide Line (HTL) and Ecologically Sensitive Areas (ESA) provided by MoEF &CC and authenticated by National Centre for Sustainable Coastal Management, Chennai.

In the mean time, Principal Bench of the Hon'ble National Green Tribunal (NGT) has directed that all draft CZMPs are to be submitted to the MoEF by 30th

CRZ/Coastal Zone Management Plan

Under
Environment & Forests
Department
Government of Odisha



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April 2018. As per the procedure laid down in the CRZ Notification, 2011, we are to seek public response, if any, on the draft CZMP.

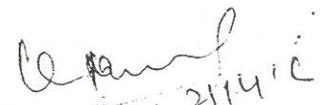
In this connection, I am enclosing herewith hard copies of the maps (Ganjam-12 / Puri-25/ Khurda-07 in nos.) as well as a CD containing the CRZ maps, an index map prepared by ORSAC for the entire stretch of your district and CRZ Notification, 2011 in pdf format for your consideration.

It is therefore requested to kindly give wide publicity to the draft CZMPs inviting suggestion and objections in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMPs shall be held at district level by the concerned District Coastal Zone Monitoring Committee, constituted under CRZ Notification 2011 and furnish detailed information as requested above to facilitate taking further course of action for approval of CZMP.

Encl:

1. Hard copies of the maps concerning your district (Ganjam-12 / Puri-25/ Khurda-07 in nos.)
2. A CD with the following information/data in PDF format:
 - (i) CRZ Notification, 2011
 - (ii) CRZ maps
 - (iii) An index map showing location of different areas

Yours faithfully,


21/4/18
Director, Environment-cum-
Special Secretary to Govt


UNION MINISTER, ENVIRONMENT & FOREST
ENVIRONMENT, FOREST & CLIMATE DEPT.



XII. प्राधिकरण का अपना मुख्यालय भुवनेश्वर में स्थित होगा।

XIII. कोई मामला जिसे प्राधिकरण के क्षेत्र और अधिकारिता के भीतर विनिर्दिष्ट रूप से फाइल नहीं किया गया हो, उस पर संबंधित कानूनी प्राधिकरणों द्वारा विचार किया जाएगा।

[फा. सं. 12-2/2005-आई ए. III]

बिश्वनाथ सिन्हा, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

ORDER

New Delhi, the 1st April, 2015

S.O. 936(E).— In exercise of the powers conferred by sub sections (1) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), and in supersession of the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.490 (E), dated the 19th March, 2012 except as respects things done or omitted to be done before such supersession, the Central Government hereby reconstitutes the Odisha Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the 19th Day of March, 2015, namely :—

- | | |
|--|------------------|
| 1. Secretary, Forests and Environment Department, Government of Odisha | Chairman |
| 2. Shri. Jagannath Bastia, President Beach Protection Council of Odisha, Dolamandap Sahi, Puri-752001 | Member |
| 3. Dr. B.R. Subramanian, Former Director, Integrated Coastal and Marine Area Management, Chennai | Member |
| 4. Dr. Rabindra Nath Hota, Professor of Geology, Utkal University, Bhubaneswar | Member |
| 5. Head of the Department, Department of Marine Science, Berhampur University, Odisha. | Member |
| 6. Secretary, Housing and Urban Development Department, Government of Odisha | Member |
| 7. Secretary, Fisheries and Animal Resource Development Department, Government of Odisha | Member |
| 8. Principal Chief Conservation of Forest (WL) and Chief Wildlife Warden, Odisha | Member |
| 9. Chairman, State Pollution Control Board, Odisha or Member Secretary, State Pollution Control Board, Odisha | Member |
| 10. Chief Executive, Chilika Development Authority, Bhubaneswar | Member |
| 11. Chief Executive, Orissa Space Application Centre, Bhubaneswar | Member |
| 12. Chief Conservator of Forests, Regional Office, Ministry of Environment, Forest and Climate Change, Bhubaneswar | Member |
| 13. Project Director, Integrated Coastal Zone Management Project, Bhubaneswar | Member |
| 14. Director, Environment-cum-Special secretary to Government of Forests and Environment Department, Bhubaneswar | Member-Secretary |

II The Authority shall have the power to take the following measures for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in areas of State of Odisha, namely :—

- (i) (a) examination of the proposals in accordance with the approved Coastal Zone Management Plan and in compliance with notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 19 (E), dated the 6th January, 2011 (hereinafter referred to as the CRZ notification, 2011) and making recommendations within a period of sixty days from date of receipt of complete application to the Ministry of Environment, Forest and Climate Change or State Environmental Impact Assessment Authority or Local Planning Authority as applicable :
- (b) examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Odisha State Government and making specific recommendations in accordance with the provisions of the CRZ notification, 2011;
- (ii) (a) inquire into cases of alleged violation of the provisions of the said Act or the rules made thereunder or any other law which is relatable to the objects of the said Act and, if found necessary in a specific case,



issuing directions under section 5 of the said Act, in so far as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority constituted by the Central Government;

(b) review of cases involving violations of the provisions of the said Act and the rules made thereunder or under any other law which is relatable to the objects of the said Act, and if found necessary referring such cases, with comments, for review to the aforesaid National Coastal Zone Management Authority:

Provided that the cases under clauses (a) and (b) of this sub paragraph may be taken up by the Authority, *suo motu* or on the basis of complaint made by an individual or a representative body or an organisation;

(iii) filing complaints, under section 19 of the said Act, in cases of non-compliance of the directions issued by it under this paragraph;

(iv) to take action under section 10 of the said Act to verify the facts concerning the issues arising from this paragraph.

III The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by State of Odisha, the National Coastal Zone Management Authority or the Central Government, as the case may be.

VI The Authority shall prepare and submit Coastal Regulation Zone Plans and maps of the coastal areas in the State as per the procedure laid down in the CRZ notification, 2011 and submit to the National Coastal Zone Management Authority and the Central Government in the Ministry of Environment, Forest and Climate Change for approval.

V The Authority shall ensure compliance of all specific conditions that are laid down in the approved Coastal Zone Management Plan of Odisha and the CRZ notification, 2011.

VI The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority and the Central Government in the Ministry of Environment, Forest and Climate Change.

VII The quorum of the meeting of the Authority shall be one-third of the total number of the Members of the Authority and in case the quorum is not available, the meeting shall be adjourned for 30 minutes and shall be reconvened.

VIII The pay and allowances such as TA, DA, Seating Fees, Field visit fees etc., shall be as per the norms decided by the Ministry of Environment and Forests/ Central Government.

IX The State Government shall ensure that sufficient resources, manpower and funds are available to the Authority to discharge its functions effectively as envisaged in this notification and in the Environment (Protection) Act, 1986.

X It shall be the responsibility of the Authority to create a dedicated website to maintain transparency in the working of the Coastal Zone Management Authority and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and cases pending in the courts including the Orders of the Court as also the approved Coastal Zone Management Plans of State of Odisha.

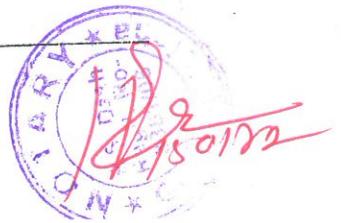
XI The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

XII The Authority shall have its headquarters at Bhubaneswar.

XIII Any matter specifically not falling within the scope and jurisdiction of the Authority shall be dealt with by the statutory authorities concerned.

[F.No.12-2/2005-IA-III]

BISHWANATH SINHA, Jt. Secy.



MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 3rd May, 2017

S.O.1393(E). – Whereas, a draft notification further to amend the notification of the Government of India in the erstwhile Ministry of Environment and Forests number. S O. 19(E), dated the 6th January, 2011 (hereinafter referred to as the Coastal Regulation Zone, Notification, 2011) was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 1497(E) dated the 25th April, 2016, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, inviting objections and suggestions from all persons likely to be affected thereby, within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 25th April, 2016;

And whereas, objections and suggestions received in response to the said draft notification 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 said Environment (Protection) Act, (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the Coastal Regulation Zone Notification, 2011, namely:—

In the Coastal Regulation Zone Notification, 2011,-

(a) in paragraph 4, in sub-paragraph 4.2, for clause (iii), (vi), (v) and (vi), the following clauses shall be substituted, namely:-

“(iii) MoEFCC or SEIAA shall consider such projects for clearance based on the recommendations of the concerned CZMA within a period of sixty days.

(iv) In case the CZMAs are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union territory Administrations, who are the custodian of the Coastal Zone Management Plans of respective States or Union Territories to provide comments and recommend the proposals in terms of the provisions of the said notification to the Ministry of Environment, Forest and Climate Change.

(v) 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.

(vi) 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.

(vii) 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”.

(b) in paragraph 8, in sub-paragraph (V),

(i) in clause 1 relating to CRZ areas falling within municipal limits of the Greater Mumbai, in sub-clause (i), after item (B), following item shall be inserted, namely:-

“C. The construction of sewage treatment plants in CRZ-I for the purpose of treating the sewage from the municipal area shall be taken only by the municipal authorities in exceptional circumstances, where no alternate site is available to set up such facilities, subject to recommendations of the concerned CZMA



and approval by the Central Government. Three times the number of mangroves destroyed or cut during construction process shall be replanted”;

(ii) in clause 3 relating to CRZ of Goa, after item (iii), the following item shall be inserted, namely:-

“(iiiia) such structures shall not be removed and dismantled during the month of June to August:

Provided that the facilities available in these structures shall remain non-operational during the month of June to August”.

[F.No.19-27/2015-IA-III]

ARUN KUMAR MEHTA, Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 19 (E) dated the 6th January, 2011 and subsequently amended as follows:-

1. S.O. 2557 (E), dated the 22nd August, 2013;
2. S.O. 1244 (E), dated the 30th April, 2014;
3. S.O. 3085 (E), dated the 28th November, 2014;
4. S.O. 383 (E), dated the 4th February, 2015;
5. S.O. 556 (E), dated the 17th February, 2015;
6. S.O. 938 (E), dated the 31st March, 2015;
7. S. O. 1599 (E), dated the 16th June, 2015;
8. S. O. 3552 (E) dated the 30th December, 2015;
9. S. O. 1212 (E), dated the 22nd March, 2016;
10. S.O. 4162(E), dated the 23rd December, 2016; and
11. S.O. 621(E), dated the 23rd February, 2017.



Minutes of the First Meeting of the Committee to Scrutinize Coastal Zone Management Plans Prepared by Coastal States/ UTs, held on 2nd and 3rd July 2018 at NCSCM, MoEF&CC, Chennai

The Committee under the Chairmanship of Dr. Shailesh Nayak, Former Secretary, Ministry of Earth Sciences, met at the National Centre for Sustainable Coastal Management (NCSCM), MoEF&CC on 2nd and 3rd July 2018, to scrutinize the Coastal Zone Management Plans (CZMPs) prepared by agencies authorized by MoEF&CC. List of other Members of the Committee present at the meeting is at Annex-1.

2. Director NCSCM presented the High Tide Line, and Ecologically Sensitive Areas prepared by NCSCM and the Hazard Line prepared by Survey of India, jointly with NCSCM.
3. The Committee discussed in detail the methodologies for demarcation of HTL/ ESAs and especially mapping of seagrass and was satisfied with the overall mapping approach
4. The Committee developed criteria and a data sheet for scrutiny of the CZMPs prepared by the various authorized agencies. The data sheet was provided to the concerned State/ UTs for providing information in the prescribed format and is at Annex-2
5. CZMPs of five coastal states/ UTs were taken up for scrutiny on 2nd and 3rd July 2018: i) Karnataka and ii) 5 coastal districts of Maharashtra; iii) Odisha; iv) Puducherry and v) West Bengal
6. The following recommendations were made by the Committee

General Recommendations

- (1) The title of the maps should read as Coastal Zone Management Plan (CZMP)
- (2) The coastal land use and CZMP maps shall be prepared according to the Manual on Demarcation of High Tide Line and Low Tide Line and Preparation of CZMP of the Coast of India”.
- (3) Color codes and symbols standardized by NCSCM shall be provided to all authorized agencies for finalizing the CZMPs
- (4) Indexing for all the states shall be standardized e.g. South to North, Left to Right etc.
- (5) Two sets of maps need to be provided: (i) CZMP map depicting different CRZ categories and (ii) Coastal land use maps (i.e. land use map used to define CZMP) categories along with the year in which it was prepared



- (6) Maps of Ecologically Sensitive Areas (ESAs) provided by NCSCM are to be integrated with the coastal land use map
- (7) Boundary of CRZ category should be continuous for seaside and creek side. It should be single/continuous line to clearly indicate the regulation boundary
- (8) If legally designated urban areas other than municipality area is included in CRZ-II category, details in the form of supporting Government notification/act/rules are to be provided in the Report
- (9) Classification accuracy and geometric accuracy of the coastal land use maps must be quantitatively ascertained based on standard protocol
- (10) Change analysis of HTL and ESAs should be made by comparing the CZMP prepared as per CRZ 1991 and the 2011 Notifications
- (11) Suggestions/recommendations received during the public consultation and action taken should be attached to the report as annexure
- (12) The committee recommended that only the boundary of the CVCA resource areas demarcated by NCSCM need to be provided in the CZMP
- (13) The Integrated Management Plan (IMP) will be prepared separately by NCSCM in consonance with the state government and the Community in conserving the resource areas. When submitted and approved by MoEF&CC, this will become part of the CZMP. It was suggested by the Committee that the IMPs may be prepared within a time frame of 1 year from the date of approval of CZMP
- (14) The role of community in resource management in the CVCA shall be within the governing laws of the State/ Central Government
- (15) All layers used in the preparation of draft CZMP maps shall be given to NCSCM as soft copy (shape file format) for overlaying Hazard Line and boundaries of CVCA (If applicable)
- (16) The revised CZMP maps along with the report and annexures will be submitted to the Committee **on or before 13th July 2018** for further submission to MoEF&CC by 15th July 2018
- (17) The data sheets provided to the States may be duly filled in and returned to NCSCM with a week.

I. Karnataka

The Government of Karnataka represented by Shri. Ramachandra, Principal Secretary Environment and Dr. E. Vijay Kumar, Director, Department of Ecology and Environment presented the background and details of CZMP for



the coast of Karnataka. This was followed by presentation of the CZMP maps by NCSCM, which had undertaken the task of preparing the CZMPs for Government of Karnataka. The list of members present along with the filled in questionnaire is at Annex-3.

There were no specific recommendations, other than the general recommendations provided above.

II. Maharashtra

The Government of Maharashtra represented by Dr. B.N. Patil, Director, Department of Environment presented the background and details of CZMP for the coast of Karnataka. The list of participants from Government of Maharashtra and the Institute for Remote Sensing (IRS), Anna University, Chennai, the agency appointed by the Government of Maharashtra for preparation of the CZMPs along with the filled in questionnaire is at Annex-4. The Committee was informed that CZMPs for four coastal districts have been submitted to MoEF&CC, Government of India and the remaining maps that are being prepared by another agency, the National Centre for Earth Science Studies (NCESS), Thiruvananthapuram except Sindhudurg, is yet to be received by the Government of Maharashtra.

Maps prepared by IRS, Anna University, Chennai for the coastal districts of a) Greater Mumbai; b) Mumbai Sub-Urban; c) Raigad and d) Ratnagiri were scrutinized in detail by the Committee. Individual maps in hard and soft copy were analyzed. The following are the important observations of the Committee:

- (a) Area of Saltpans /aquaculture ponds should be shown as CRZ IB category instead of marking as intertidal zone
- (b) HTL, where found to end abruptly, should be closed in consultation with NCSCM without affecting the CRZ regulations/management plans
- (c) It is necessary to incorporate existing roads/ STP/ MSW Dumping sites/ authorized structures etc. on the CZMPs
- (d) Bunds shall be clearly demarcated in the CZMP
- (e) As a part of the Public Hearing, representation to change the CRZ categories for Gorai-Manori area was suggested to the Committee. The Committee opined that this was not under the purview of the Committee



- (f) Common meeting of NCESS, IRS and NCSCM shall be conducted to finalize the Maharashtra CZMP and maintain uniformity in maps
- (g) CZMP maps for Sindhudurg were presented to the Committee, however since NCESS was not represented, the clarifications sought by the Committee was not provided

III. Odisha

The Government of Odisha was represented by Dr. K. Murugesan, Director, Department of Environment, Dr. Debasish Roy, Senior Scientist, Forest and Environment Department and Dr. P. Kumar, Scientist, ORSAC. Dr. Roy presented the background and details of CZMP for the coast of Odisha. The CZMP maps have been prepared by Odisha Space Application Centre (ORSAC) and Dr. P. Kumar presented the maps. The list of participants from Government of Odisha along with the filled in questionnaire is at Annex-5.

The Committee was informed that the Coastal Land use maps were prepared in 2014 by the Odisha State Remote Sensing Centre (ORSAC). The High Tide Line and Low Tide Line were authenticated by SAC, Ahmedabad. The HTL and ESAs were updated using the maps provided by NCSCM. Further, the Committee appreciated that public consultations were conducted by the State Government while preparing the CZMP maps.

The following are the important observations of the Committee:

- (a) Land use classification errors need to be rectified in all maps. Due to this, categorization of CZMP are to be modified.
- (b) De-notification of Forest Areas should be shown on the map as well as details should be given in the report

IV. Puducherry

The Government of Puducherry was represented by Smt. R. Smitha, Director, Department of Science Technology and Environment (DSTE). The list of participants from Government of Puducherry and the Institute for Remote Sensing (IRS), Anna University, Chennai, the agency appointed by the Government of Puducherry for preparation of the CZMPs, along with the filled in questionnaire is at Annex-6. Shri. K. Kalamegam, Junior Engineer, DSTE presented the background and the draft CZMP maps of Puducherry to the Committee along with Scientists from IRS, Anna University, Chennai. The



Committee noted that Government of Puducherry is located at four locations bordering other coastal States along the coast of India as follows:

1. Puducherry: Bordering Tamil Nadu
2. Karaikal: Bordering Tamil Nadu
3. Mahe: Bordering Kerala
4. Yanam: Bordering Andhra Pradesh

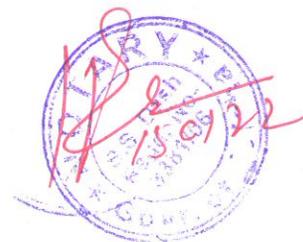
Due to this geographical distribution, the Committee opined that the respective State boundaries must be clearly demarcated on the maps. There were no specific recommendations, other than the general recommendations provided above and also requirement to prepare land use map to define CZMP.

V. West Bengal

The Government of West Bengal was represented by Mr. Sandipan Mukherjee, Chief Environmental Officer and Member Secretary, West Bengal State Coastal Zone Management Authority (WB-SCZMA), who presented the background and details of CZMP for the coast of West Bengal. The list of participants from Department of Environment, Government of West Bengal and the Institute of Environmental Studies & Wetland Management (IESWM), along with the filled in questionnaire is attached at Annex-7.

The following are the important observations of the Committee:

- (a) The coastal land use and CZMP maps were prepared according to the Manual on Demarcation of High Tide Line and Low Tide Line and Preparation of CZMP of the Coast of India”
- (b) Two separate maps as required have been prepared
- (c) There is an issue of defining the CZMP categories in the Sundarban, West Bengal, as the area also has been designated as a Biosphere reserve. According to the Notification, 2011, the BSR areas are to be categorized as CRZ-I. However, it has been noticed that as per the definition of identifying coastal regulation zone in the same notification, i.e. areas between HTL and LTL and 500m from HTL and the 100m from estuary or width of the creek, this area will be outside CRZ. The Committee is of the opinion that in this case, the basic definition of CRZ to be used, as this area is substantially terrestrial with many towns, villages etc., having population of more than 43 lakhs.



- (d) The international boundaries should be drawn as per the SOI.
- (e) The Hazard Line is yet to be received from SOI for West Bengal. The NCSCM is requested to expedite
- (f) It has been noticed that the archeological sites identified by ASI and the Horse Shoe Crab habitats identified by ZSI, Nesting Ground of Birds have not been shown. NCSCM has to ensure that these are included
- (g) The map should be based on Open Series Maps Grid format of SOI
- (h) The LTL has been seen demarcated landward of mudflats in certain maps. Normally LTL is on the creek ward side the mudflats. This may be verified and corrected.

The meeting ended with thanks to the Chairman and all the Members of the Committee.



OFFICE OF THE DIVISIONAL FOREST OFFICER: PURI WILDLIFE
DIVISION: CHAKRA TIRTHA ROAD, PURI

Memo No. 3390 /3F-69/2018
Dated, Puri, the 21st July 2018

To,

The Director Environment -cum-
Special Secretary to Govt.
Forest & Environment Department Govt. of Odisha.

Sub: -

Coastal Zone Management Plan (CZMP), of Odisha

Ref:-

Your Office Memo No. 4345 dt. 21.04.2018 addressed to Collector, Puri.

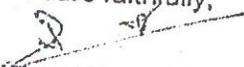
Sir,

Apropos to our telephonic discussion and personal discussion with Collector, Puri -cum- Chairman, District Coastal Zone Management Committee of Puri district, meeting of DCZMC of Puri District was held on 27.06.2018 under the chairmanship of collector Puri. The list of members present in the meeting is Annexed along this.

The member convener placed all the 27 CRZ Maps in 1: 25,000 Scale meant for Puri District. Thorough discussion was made on the maps prepared by ORSAC and authenticated by National center for sustainable Coastal Management, Chennai. After discussion unanimous decision was taken raising some objection and placing some suggestion before the authority for consideration.

Accordingly one proceeding has been prepared and approved duly by the chairman DCZMP, Puri. The same is enclosed for your kind perusal & needful action.

Yours faithfully,


Divisional Forest Officer,
Puri Wildlife Division, Puri.

Memo No. 3391 / Dated. 21-7-18

Copy forwarded to the District Collector-cum- chairman DCZMP, Puri for information and necessary action.


Divisional Forest Officer
Puri Wildlife Division

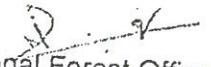
Memo No. 3392 / Dated. 21-7-18

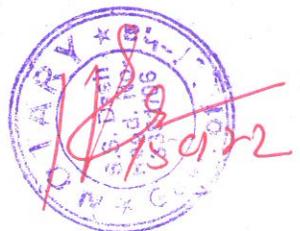
Copy forwarded to All the members of DCZMP, Puri for information and necessary action.


Divisional Forest Officer
Puri Wildlife Division

Memo No. 3393 / Dated. 21-7-18

Copy forwarded to the Principal Chief conservator of Forests, Wildlife & Chief Wildlife Warden, Odisha, Bhubaneswar for information and necessary action.


Divisional Forest Officer
Puri Wildlife Division



Proceeding of District Coastal Zone Monitoring Committee
Meeting on 27.06.2018

The meeting of District Coastal Zone monitoring Committee, Puri was held on 27.06.2018 under the chairmanship of the District Collector Puri. The members present in the meeting is listed as Annexure-I.

At the outset, the Divisional Forest Officer Puri (WL) Division-cum-Member Convener DCZM Committee welcomed the chair and the members present.

The Member Convener appraised the Committee that the Odisha Space Application Center (ORSAC) Bhubaneswar has prepared 27 CRZ maps in 1:25000 scale for Puri district coastal zones classifying as CRZ I,II,III,IV, demarcating high tide line (HTL) and low tide line (LTL), ecological sensitive areas provided by MOEF & CC and authenticated by National centre for sustainable costal management, Chennai. All the maps were displayed and suggestions were invited from all members and furnished below

Suggestion on map No-26 (sheet no- E45B/13/SW)

1. Sipasarubali beach area west to Mangala river towards Satpada for 3 Kms should be kept under CRZ -II instead of CRZ-IA as Samuka Tourism Project is going to be established there.
2. Western bank of Mangala river should be CRZ-II like its eastern bank as Puri town is expanding.

Suggestion on map No-13 (sheet no- E45B/06/NE)

- There is lot of tourism potential especially eco-tourism in the area and eco-tourism facilities in miniature form have been developed in villages like Satapada, Alupatna, Gangadharpur, Sipakuda, Mirjapur, Gabakuda etc. through which lot of tourists get into Chilika lagoon to enjoy the rare Irrawaddy Dolphins as well as varieties of migratory birds and the scenic beauty of lake Chilika. The landward side along the outer channel area of Chilika lagoon i.e. from Satapada to Gabakunda over a length of about 12 Kms has been indicated / mapped as CRZ-III and as per the prescriptions of the Notification, no development work can be taken up upto 200 mt from the HTL which is designated as No Development Zone (NDZ). It is suggested that the stretch of land mass from Satapada to Gabakunda, along the tidal influenced inland water body (Chilika Lagoon) may be considered to be included / marked as CRZ-II for future development of tourism infrastructure.

17/7/18



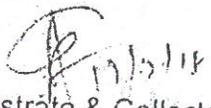
Suggestion on map No-10 (sheet no- E45B/02/SE)

- Ramalenka under Krushnaprasad block-One prawn hatchery is already constructed. But due to objection by the local villagers, the water supply from the sea cannot take place. Hence, Ramalenka to Seashore road (existing within forest land) may be declared as CRZ-II

General view

- (a) Cadastral (village) maps in 1:3960 or the nearest scale shall be used as the base map.
- (b) The features like fishing villages, common properties of the fisherman communities, ice plant, fishing platform or areas of infrastructure facilities for local communities such as dispensaries, roads, schools etc. shall be indicated in the cadastral maps.
- (c) 200 meter line from seaward side to be demarcated near the development areas in the field.
- (d) Authorized structures constructed towards seaward side viz. Light house, Panthanivas, BNR guest house etc to be geo tagged and indicated on map.
- (e) CDP (Compressive Development Plan) of Puri town should be part of the CZM Plan.

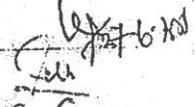
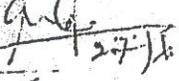
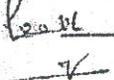
At the end, Divisional Forest Officer cum- member convener of the monitoring Committee Puri extended vote of thanks to the chair & participated members.


District Magistrate & Collector,
Cum-Chairman,
District Coastal Zone Monitoring Committee,
Puri.



Meeting of the District Coastal Zone Monitoring Committee,
Puri Dated. 27.06.2018 at 5.30 P.M.

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Sl No.	Name & Designation	Contact No.	Email ID	Signature
[1]	[2]	[3]		[4]
1.	H. Anil Agrawal, IAS Collector, Puri			
2.	Dr. U. Ch. Majhi	9437052322		
3.	Subhendra Mishra	9861015567	subhendra@gmail.com	
4.	Subashis Mansingh	9437107881	shubashis@gmail.com	
5.	Sudesh Kumar DFO, Puri	9437106441	subdes@gmail.com	
6.	Purna Ch. Goudhara	9861057212	I sec. Assst. Puri	
7.	Hareha Bhandari DFO, Puri	9437086662		
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