

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE BENCH, PUNE

APPEAL NO. 13 / 2024

Banda Nagaraj Kumar

... Appellant

v.

City and Industrial Development

Corporation & Ors.

... Respondents

Sr. No.	Annexure	Particulars	Page No.
1.		Reply Affidavit by R3 MCZMA	
2.	1	MCZMA MoM dated 23 rd May, 2023	
3.	2	Local level CRZ Map prepared by Institute of Remote Sensing, Anna University, Chennai, October 2023	
4.	3	MCZMA MoM dated 2 nd November, 2023	
5.	4 (Colly)	MoEF&CC Gazette Notification dated 24 th November, 2022 and 29 th November, 2022	

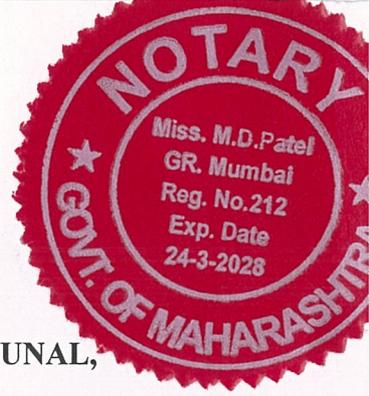
Pune

Date : 23-04-2024

Aniruddha S Kulkarni

Advocate for MCZMA,

Environment and Climate Change Department



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
APPEAL NO. 13 / 2024

Banda Nagaraj Kumar ... Appellant

versus

City and Industrial Development
Corporation & Ors.

... Respondents

REPLY AFFIDAVIT BY RESPONDENT NO. 3,
MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

I, Abhay Madhukar Pimparkar, Director, Environment and Climate Change
Department, Government of Maharashtra and Member Secretary of
Respondent No. 3 do hereby state on solemn affirmation as under –

I am well conversant with the facts of the present case and I am competent to
swear this Affidavit based upon the records available with this office.

1. It is submitted that at the very outset this respondent denies each
averment made in the present appeal which is contrary to and
inconsistent with the averments made and facts states in the present
reply. It is submitted that nothing stated in the appeal may deemed to
have been admitted by this respondent unless and until the same has
been admitted by the respondent.

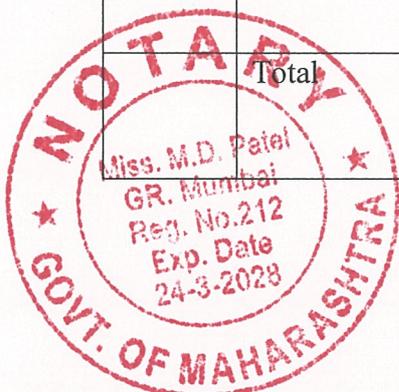
2. The present case challenges the MCZMA recommendation from CRZ point of view granted to Tirupati Tirumala Devasathanam for their proposed construction of Tirupati Venkateshwara Swami Temple at plot no. 3, sector 12, Ulwe Node, Tal. Panvel, District Raigad.
3. At the outset it is submitted that this appeal in its present form is not maintainable. It is seeking reliefs which are plural and is contrary to the provisions of Rule 14 of NGT (Practice and Procedure) Rules, 2011. Rule 14 provides that an appeal filed before the Tribunal shall be based upon a single cause of action and may seek more than one relief only in the event that such reliefs are consequential to one another in relation to that single cause of action.
4. There are multiple causes of action as the Appellant is challenging the MCZMA recommendation, seeking restoration of the alleged degraded / reclaimed area which was previously used for the purpose of casting yard for Mumbai Trans Harbour Link project. Further, it is also praying restoration of free flow of intertidal water from Thane creek to the plot no. 13 in sector 12, Ulwe Node, Panvel. All these issues are giving rise to separate cause of action for which separate remedies have been clubbed together in this appeal which cannot be allowed.



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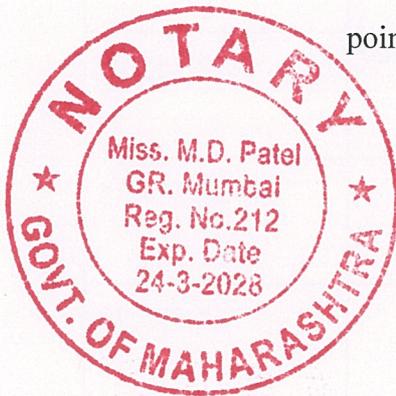
5. Moreover, for praying restoration of any degraded / destructed area, separate original application has to be filed. Present Appeal has been filed even under sec. 15 of the NGT Act, 2010, which is not maintainable alongwith an appeal under sec. 16.
6. Initially, the PP through CIDCO submitted their application for grant of MCZMA recommendation vide their letter dated 17th May, 2023. The said application was considered by MCZMA in its 167th (Day 2) meeting dated 23rd May, 2023. It was observed that total plot area of project 40,000 m² falls partly in CRZ IA, CRZ II and Non CRZ area.
7. PP has submitted the CRZ map in 1:4000 scale of the project site prepared by Institute of Remote Sensing, Chennai as per approved CZMP under CRZ Notification, 2011.

Sr. No.	CRZ classification	Area (Sq.Mtrs.)
1	CRZ IA (50 m mangrove buffer zone area)	2,748.18
2	CRZ II	25,656.58
3	Outside CRZ area	11,595.70
	Total	40,000.46



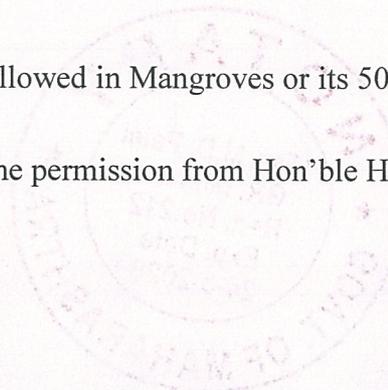
2 (M)

8. MCZMA noted that currently, approved CZMP under CRZ Notification, 2011 is approved and in force. New CZMPs under CRZ Notification, 2019 were not yet approved. (CZMPs under CRZ Notification, 2019 of Raigad District is approved in August, 2023)
9. As per the CZMP map submitted by PP, out of total area of 40,000.46 Sq.Mtrs., the plot area situated outside CRZ area is 11,595.70 Sq.Mtrs. The Authority observed that the PP need to restrict the proposed construction in Non CRZ area, as per approved CZMP, 2011. Expert Members suggested that there shall not be impact on CRZ area, from construction activities proposed in Non CRZ area.
10. After deliberation, MCZMA decided to recommend the proposal for construction in non CRZ area to concern Planning Authority from CRZ point of view subject to following conditions :



- 1) CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2011.
- 2) No construction is allowed in Mangroves or its 50 meters buffer zone area, without the permission from Hon'ble High Court.

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- 3) No construction in CRZ II area is allowed till finalisation of CZMP under CRZ Notification, 2019.
- 4) Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.
- 5) There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area.
- 6) All other required permission from different statutory authorities should be obtained.

Copy of MCZMA Minutes of Meeting dated 23-05-2023 is attached as

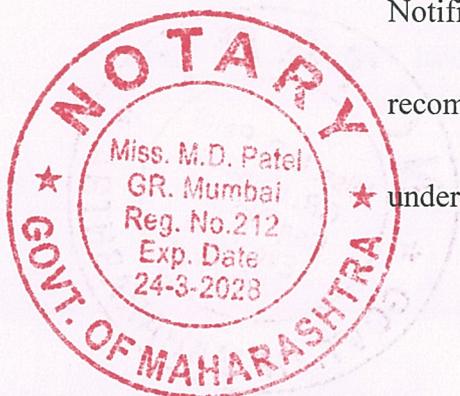
Annexure 1.

11. As far as the allegation that why did MCZMA gave recommendation if the proposed activity is falling in non CRZ area, it is submitted that, the project site is one continuous land parcel which is partly in CRZ and partly outside CRZ area. Considering the said CRZ status, even though the construction of temple was proposed outside CRZ portion of land, the MCZMA on conservative side & considering of environmental consideration, recommended the proposal subject to certain environmental safeguards.

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12. As far the allegation that how MCZMA imposed the condition that no construction in CRZ II area is allowed till finalisation of CZMP under CRZ Notification, 2019, it is submitted that the MoEF&CC, published the new CRZ Notification, 2019 vide S. G.R. 37(E) dated 18th January, 2019 in supersession of CRZ Notification, 2011. As per the para 6 of the CRZ Notification, 2019, “ *All Coastal States and Union Territory administrations shall revise or update their respective coastal zone management plan (CZMP) framed under CRZ Notification, 2011 number 19(E) dated 6th January, 2011 as per provisions of this notification.....*” Accordingly, draft CZMPs of the coastal district of the Maharashtra was prepared through National Centre for Sustainable Coastal Management (NCSCM), Chennai which is Central Govt., authorized agency. At the relevant time, the draft CZMPs under CRZ Notification, 2019 were under advanced stages of approval by the MoEF&CC, and soon was to be implemented. Hence, the MCZMA took cognizance of the said draft CZMP under CRZ Notification, 2019. However, the MCZMA rightly applied the approved CZMP under CRZ Notification, 2011 which was in force at the relevant time and recommended the project within the framework of the approved CZMP under CRZ Notification, 2011. Taking cognizance of the CRZ



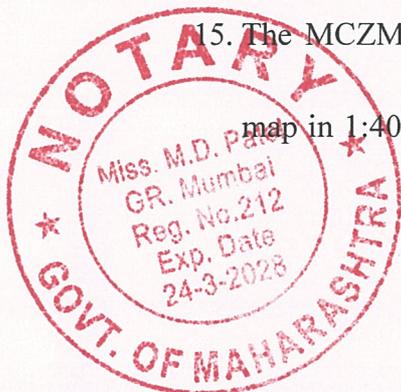
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Notification, 2019 which has already been published in 2019 and its draft CZMP for understating its future implications, is a precatory step and rightly addressed by putting stringent condition that till finalization of the CZMP under CRZ Notification, 2019, no construction in CRZ II area is allowed.

13. The Ministry of Environment, Forest and Climate Change, approved the CZMPs of the Raigad District in August, 2023, under CRZ Notification, 2019. As per the said CZMP, in case of seafront, the CRZ limit from the High Tide Line is 500 meter and in case of tidally influenced water bodies like creek, bay etc., is maximum 50 meter. On virtue of the approval of the CZMP, the CRZ Notification, 2019 became implementable for regulation of permissible activities in CRZ area within the framework of approved CZMP, 2019.

14. Later, PP through CIDCO submitted proposal on 30th October, 2023 as per CRZ Notification, 2019 and approved CZMP, 2019. The said proposal was considered by the MCZMA in their 170th Meeting dated 2nd November, 2023.

15. The MCZMA in its 170th meeting noted the submission of the CRZ map in 1:4000 scale superimposed with project layout prepared by the



IRS, Chennai (Central Govt. Agency), in accordance with approved CZMP, 2019. IRS Chennai in their report of October 2023, as per the CRZ notification 2019, out of total area of 40,000.46 m², 2,748.18 m² falls in CRZ – IA (50 m mangrove buffer zone), 7,729.28 m² falls in CRZ II and the remaining area of 29,523 m² is out of CRZ area as per CRZ notification, 2019.

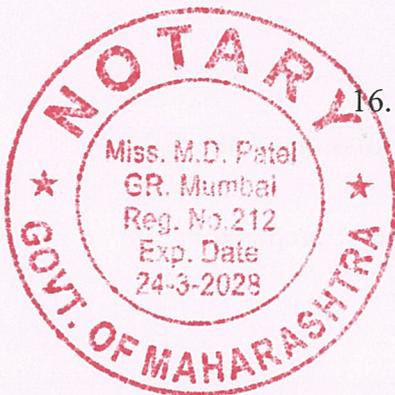
Proposed area of project site in various CRZ

Project Site Boundary		
Sr. No.	CRZ – Classification	Area in Sq.M.
1	CRZ – IA (50 m mangrove buffer zone)	2,748.18
2	CRZ – II	7,729.28
3	Outside CRZ	29,523.00
	Total	40,000.46

As per the said report, the proposed main temple, constructions, drain facilities and road completely falls outside CRZ as per approved CRZ notification, 2019.

Copy of the above said IRS report is attached as Annexure 2

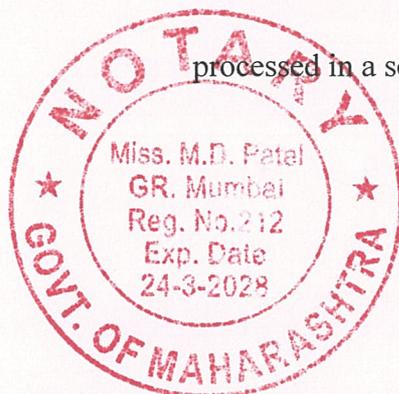
16. Taking into consideration, the approved CZMP, 2019 and superimposition of the project layout on CRZ mapping 1:4000 scale by the IRS, Chennai, MCZMA decided to grant the impugned CRZ



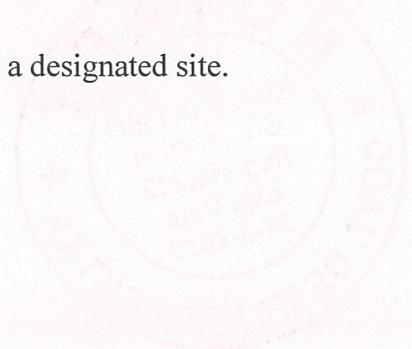
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recommendation for the proposal for construction of the temple in Non CRZ area of the site. Only, Compound wall for fencing and landscaping garden is allowed in 50 m mangrove buffer zone. Accordingly, the MCZMA vide letter dated 20th November, 2023 recommended the proposal from CRZ point of view subject to compliance of certain conditions. Specific conditions mentioned are as follows:

- i. CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2019.
- ii. CIDCO to ensure that mangrove cutting is not allowed.
- iii. PP to obtain the Mangrove Cell NOC for the said activity within 50 m mangrove buffer zone.
- iv. No construction is allowed in mangroves or its 50 m buffer zone area, without Hon'ble High Court's permission.
- v. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.



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vi. There shall not be impact on CRZ area, from any activities proposed to be carried out in non CRZ area.

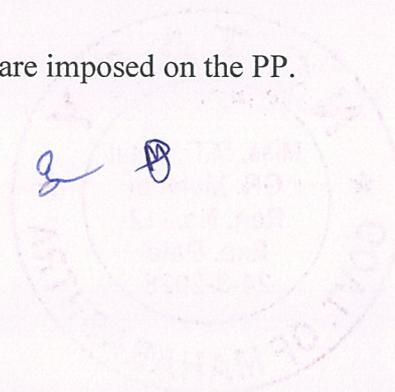
vii. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by urban local body.

Copy of MCZMA 170th Meeting dated 2nd November, 2023 and recommendation letter is attached as Annexure 3

17. The Appellant has raised many grounds for challenging the impugned clearance. The grounds which are related to MCZMA are being answered below.

18. Vide ground G it is alleged that vide the impugned CRZ clearance, respondent authorities have illegally opened up eco-sensitive CRZ land for development, it is submitted that MCZMA's mandate is as per the CRZ Notifications, various Office Memos and other directions issued till date by the MoEF&CC. CZMP prepared and approved by IRS, Chennai, MoEF authorised agency has been taken into consideration.

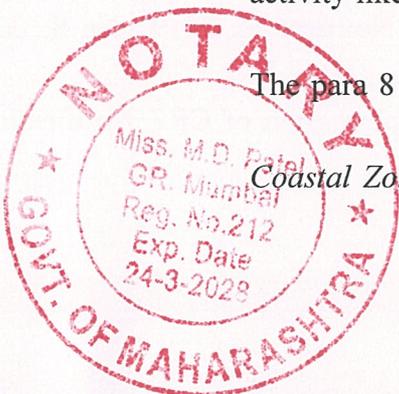
Moreover, MCZMA's recommendation is subject to compliance of the various conditions which are imposed on the PP.



19. In ground J it is alleged that construction of temple project is not listed as a permissible activity under CRZ Notification, 2011 and 2019, but MCZMA permitted the project to be constructed on the 11,595.70 m² of land which fell beyond the scope of CRZ land. In response it is submitted that the CRZ Notification, 2019 published by MoEF&CC, under para 5 (“Regulation of permissible activities”), enlisted the developmental activities which are to be regulated in different categories of CRZ in accordance the said Notification and within the framework of the approved CZMP. It is submitted here that all development activities, per se by name is not mentioned in the said para 5 of the CRZ Notification, 2019. In the instant case, the project activity of the construction of temple is situated outside CRZ area and thus, the activity is outside the ambit of the CRZ Notification, 2019. Hence, its permissibility issue is out of question. MCZMA observed that the project site is one continuous parcel of land which is partly situated in CRZ area and partly in Non CRZ area. Main activity of the temple complex is proposed outside CRZ area and only, ancillary activity like compound wall and landscape is situated within CRZ area.

The para 8 of the CRZ notification, 2019, stipulates as “ *The concern*

Coastal Zone Management Authority shall examine the documents, in



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clause (i) above, in accordance with the approved Coastal Zone Management Plan and in compliance with this notification...”

Considering this, being on conservative side, the MCZMA allowed the proposal from CRZ Point of view within the framework of approved CZMP and subject to certain conditions.

20. In ground K it is alleged that MCZMA in their 167th Meeting recommended the project under CRZ Notification, 2011 as CZMP maps prepared under 2011 Notification were approved as on date and CZMP maps under 2019 notification were still pending, MCZMA specified that “no construction in CRZ II area is allowed till finalisation of CZMP under CRZ Notification, 2019.”

21. Further in ground L it is alleged that such condition is entirely illegal, malafide and untenable in law as such a condition directly contradicts the very first condition of the recommendation of MCZMA that “CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2011.” In

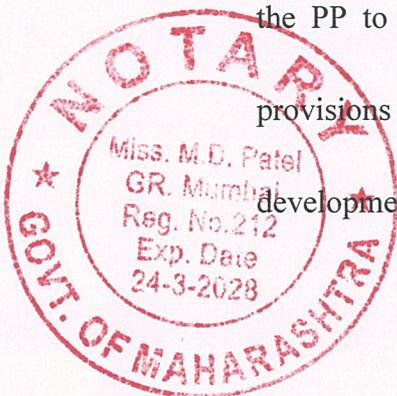
response to both the grounds K & L it is to reiterate that the MoEF&CC, published the new CRZ Notification, 2019 vide S. G.R. 37(E) dated 18th January, 2019 in supersession of CRZ Notification,



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2011. Under CRZ Notification, 2019, Draft CZMPs of the coastal district of the Maharashtra was prepared through National Centre for Sustainable Coastal Management (NCSCM), Chennai which is Central Govt. authorized agency. At the relevant time, the draft CZMPs under CRZ Notification, 2019 were under advanced stages of the approval by the MoEF&CC, and soon was to be implemented. Hence, the MCZMA took cognizance of the said draft CZMP under CRZ Notification, 2019. However, the MCZMA rightly applied the approved CZMP under CRZ Notification, 2011 which was in force at the relevant time and recommended the project within the framework of the approved CZMP under CRZ Notification, 2011. Taking cognizance of the CRZ Notification, 2019 which has already published in 2019 and its draft CZMP for understating its future implications is a precautionary step and rightly addressed by stipulating stringent condition that, till finalization of the CZMP under CRZ Notification, 2019, no construction in CRZ II area is allowed.

22. In ground M, it is alleged that, MCZMA evidently provides a buffer to the PP to permit it to make use of the more development friendly provisions of CRZ Notification, 2019, under which additional development work would be permissible in CRZ II areas. It is



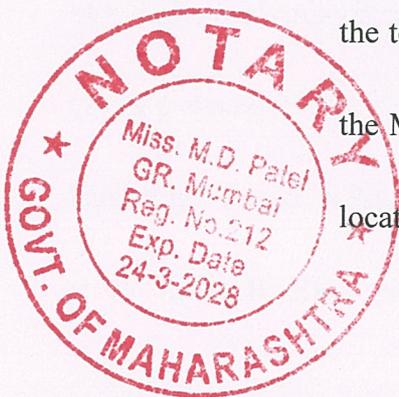
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submitted that in the 167th meeting dated 23-05-2023, the MCZMA rightly and justly deliberated the matter in view of the valid CZMP under CRZ Notification, 2011 and allowed the proposal from CRZ point of view. The averment made by applicant with respect to draft CZMP, 2019 under CRZ Notification, 2019, is mere figment of imagination and hold no ground. The MCZMA acted in accordance with applicable CRZ Notification, 2011 and CZMP under it.

23. In ground N, it is alleged that MCZMA could not lawfully factor in the 2019 Notification while considering the proposal for the temple project and recommending its construction under the CRZ Notification, 2011 since the CZMP maps for Raigad district under the 2019 notification were not approved at the time when the MCZMA was considering the proposal on 23-05-2023. In response, it is to state here that this averment has been addressed in above-mentioned para 12 and 23.

24. In ground O, that during the 23-05-2023 meeting, MCZMA did not consider the fact that the plot leased out for the temple project is part of the temporarily landfilled casting yard, in response it is submitted that, the MCZMA deliberated the proposal from CRZ Point of view and its locations with respect to CRZ in view of the CRZ map in 1:4000 scale



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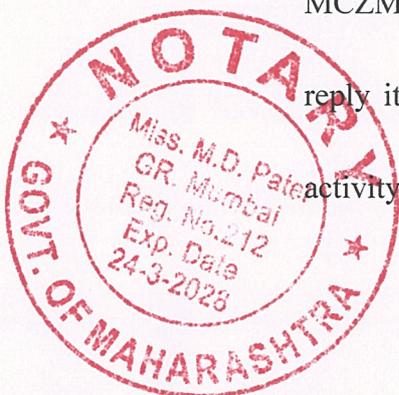
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prepared by IRS, Chennai in accordance with approved CZMP in force at the relevant time.

25. In ground P, it is alleged that the terms of the MCZMA recommendation are self-contradictory. In response to it is submitted, that MCZMA recommendation is consistent and clear. MCZMA taking the cognizance of the CRZ map in 1:4000 scale superimposing the project layout and in accordance with CRZ Notification, 2019 recommended the project from CRZ Point of view. Main activity of the project is temple complex, which is proposed outside CRZ area and, only ancillary activities like Compound wall and landscape are allowed and are situated within CRZ IA area (50 m mangrove buffer zone area). It is mandatory for the PP to obtain the prior High Court permission as per Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006 for activities falling in 50 m mangrove buffer zone.

26. In ground Q and R it is alleged that such construction in mangrove buffer zone is prohibited under the CRZ Notifications of 2011 and 2019 and that no enabling provision of the CRZ Notification permits MCZMA to permit such unauthorised construction in CRZ areas. In

reply it is submitted that landscape and compound wall are ancillary activity proposed for main construction activity of temple complex.

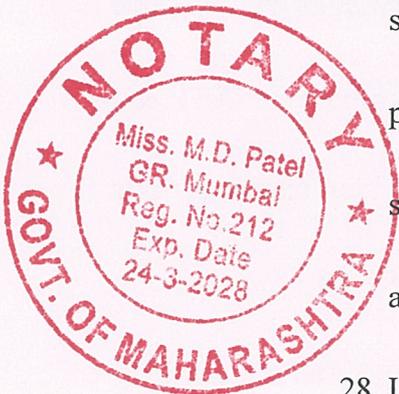


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The said activities may not be explicitly mentioned in the para 5.1.1. CRZ IA of the CRZ Notification, 2019, however, the said para allows certain developmental activities like laying of pipelines, transmission of line, conveyance system, road on stilt etc, within CRZ IA (50 m mangrove buffer zone area). Further, as per the Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006, construction of compound wall for protection of mangroves is allowed. Hence, considering the spirit of the Notification, the MCZMA observed that the compound wall and landscape for the temple complex can be allowed within 50 m mangrove buffer zone. It is with a condition that *“No construction is allowed in mangroves or its 50 m buffer zone area, without Hon'ble High Court's permission”*

27. In ground S it is alleged that MCZMA had not verified whether the said plot has been physically demarcated at the said site, in reply it is submitted that the MCZMA considered the CRZ map in 1:4000 scale prepared by IRS, Chennai who prepared the map visiting/ surveying the site under reference. The IRS, Chennai is a responsible central Govt authorized agency entrusted for preparation of the CRZ map.

28. In ground W, it is alleged that MCZMA proceeded to issue the impugned CRZ clearance without any additional mitigation methods or



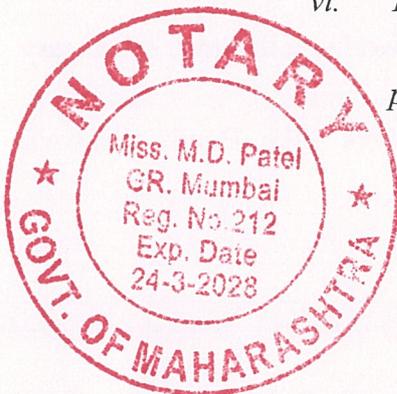
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conditions, in response it is submitted that, the MCZMA has recommended the proposal with safeguards of specific conditions which are mandatory and binding on the PP to comply with. The said conditions are put keeping in view the environmental considerations.

Conditions are re-iterated as below:

- i. *CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2019.*
- ii. *CIDCO to ensure that mangrove cutting is not allowed.*
- iii. *PP to obtain the Mangrove Cell NOC for the said activity within 50 m mangrove buffer zone.*
- iv. *No construction is allowed in mangroves or its 50 m buffer zone area, without Hon'ble High Court's permission.*
- v. *Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.*
- vi. *There shall not be impact on CRZ area, from any activities proposed to be carried out in non CRZ area.*

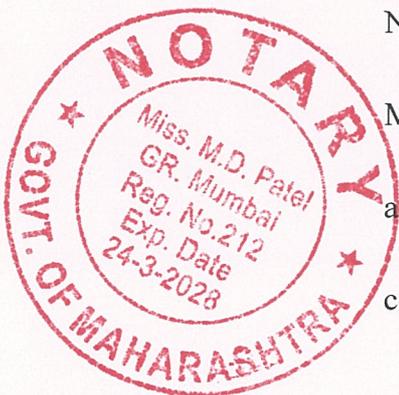


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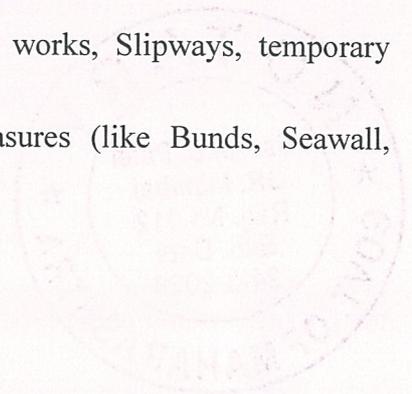
vii. *All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by urban local body.*

29. In ground Y it is alleged that the impugned clearance is in breach of regulation 7(iii) r/w 8(ii)(b) of the 2019 Notification, which mandates that any project that involves CRZ II and / or CRZ III land and traverses through CRZ I or CRZ IV area shall be considered only by the Ministry based on the recommendations of the concerned CZMA. It is further alleged that the impugned clearance has been granted without the involvement of the Ministry, in response it is submitted that, the MCZMA recommended the proposal from CRZ point of view under CRZ Notification, 2019, as per which, the main temple complex is proposed in Non CRZ area and only activities which are ancillary like landscape and compound wall are allowed within 50 m mangrove buffer zone area. The MoEF&CC, has published the amended CRZ Notification dated 24th November, 2022 and further issued Office Memorandum dated 29th November, 2022, as per which, Certain activities like, Stand along jetties, Salt works, Slipways, temporary constructions and Erosion control measures (like Bunds, Seawall,



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submerged reef, Sand nourishment etc) located in CRZ I and CRZ IV required clearance from CZMA (i. e. no need of approval from the MoEF&CC). Vide the said OM, the MoEF&CC has carved out an exception for certain activities mentioned above falling in CRZ I areas to be permitted at MCZMA level.

MCZMA observed that the compound wall and landscape for the temple complex situated in CRZ I area can be allowed at MCZMA level, however, with a condition that “*No construction is allowed in mangroves or its 50 m buffer zone area, without Hon'ble High Court's permission*”

It is binding on the PP to obtain prior High Court permission for activities like landscape and compound proposed within 50 m mangrove buffer zone.

Copies of the amendment dated 24th November, 2022 to CRZ Notification and Office Memorandum (OM) dated 29th November, 2022 of the MoEF&CC are attached jointly as **Annexure 4**

30. In ground Z, it is alleged that impugned clearance is in breach of regulation 7(iii) r/w 8(ii)(b) of the 2019 Notification read with MoEF OM dated 29-11-2022, in response it is submitted that the said



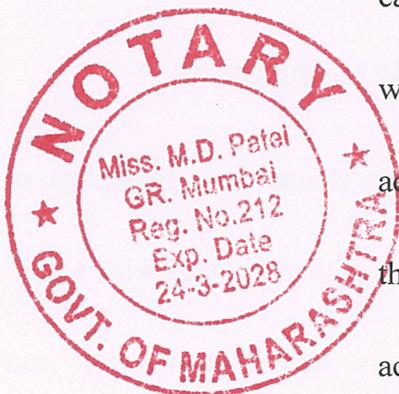
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clearance is in conformity with the provisions of the CRZ Notification, 2019 and approved CZMP under it. It is again to re-iterate that the main project activity i.e. temple is proposed outside CRZ area. Only, compound wall for protection and landscaping are proposed within 50 m mangrove buffer zone area. The said activities are seen permissible in the backdrop of above mentioned para 5.1.1. CRZ IA of the CRZ Notification, 2019 and allowed at MCZMA level in view of the above mentioned OM dated 29th November, 2022 of MoEF&CC. Hence, the para 7(iii) r/w8(iii)(b) of CRZ Notification, 2019 is not applicable to the project.

31. To summarise the reply of the MCZMA, it is stated –

- a) The CRZ Notification, 2019 published by MoEF&CC, under para 5 (“Regulation of permissible activities”), enlisted the developmental activities which are to be regulated in different categories of CRZ in accordance the said Notification and within the framework of the approved CZMP. All development activities, per se by name is not mentioned in the said para 5 of the CRZ Notification, 2019. In the instant case, the project activity of the construction of temple is situated outside CRZ



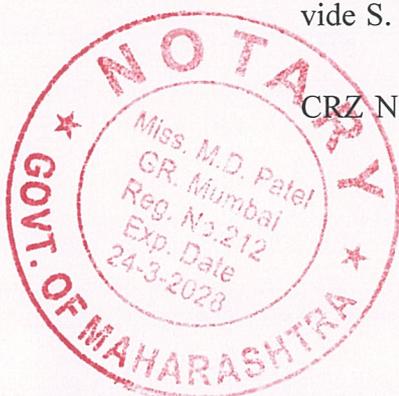
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area and thus, the activity is outside the ambit of the CRZ Notification, 2019. Hence, its permissibility issue is out of question. MCZMA observed that the project site is one continuous parcel of land which is partly situated in CRZ area and partly in Non CRZ area. Main activity of the temple complex is proposed outside CRZ area and only, ancillary activity like compound wall and landscape is situated within CRZ area. The para 8 of the CRZ notification, 2019, stipulates as “ The concern Coastal Zone Management Authority shall examine the documents, in clause (i) above, in accordance with the approved Coastal Zone Management Plan and in compliance with this notification...”

b) Considering this, being on conservative side, the MCZMA allowed the proposal from CRZ Point of view within the framework of approved CZMP and subject to certain conditions.

c) The MoEF&CC, published the new CRZ Notification, 2019 vide S. G.R. 37(E) dated 18th January, 2019 in supersession of CRZ Notification, 2011. Under CRZ Notification, 2019, Draft

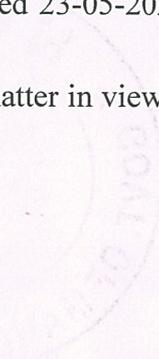


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CZMPs of the coastal district of the Maharashtra was prepared through National Centre for Sustainable Coastal Management (NCSCM), Chennai which is Central Govt. authorized agency. At the relevant time, the draft CZMPs under CRZ Notification, 2019 were under advanced stages of the approval by the MoEF&CC, and soon was to be implemented. Hence, the MCZMA took cognizance of the said draft CZMP under CRZ Notification, 2019. However, the MCZMA rightly applied the approved CZMP under CRZ Notification, 2011 which was in force at the relevant time and recommended the project within the framework of the approved CZMP under CRZ Notification, 2011. Taking cognizance of the CRZ Notification, 2019 which has already published in 2019 and its draft CZMP for understating its future implications is a precautionary step and rightly addressed by stipulating stringent condition that, till finalization of the CZMP under CRZ Notification, 2019, no construction in CRZ II area is allowed.

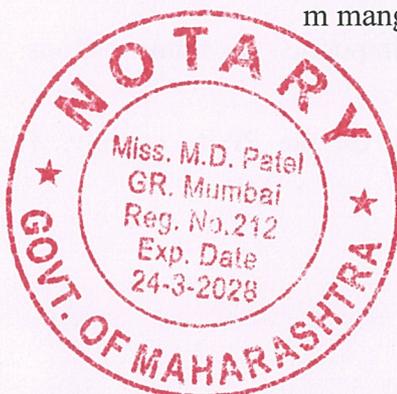
- d) It is submitted that in the 167th meeting dated 23-05-2023, the MCZMA rightly and justly deliberated the matter in view of the





valid CZMP under CRZ Notification, 2011 and allowed the proposal from CRZ point of view. The averment made by applicant with respect to draft CZMP, 2019 under CRZ Notification, 2019, is mere figment of imagination and hold no ground. The MCZMA acted in accordance with applicable CRZ Notification, 2011 and CZMP under it.

- e) MCZMA recommendation is consistent and clear all throughout. MCZMA taking the cognizance of the CRZ map in 1:4000 scale superimposing the project layout and in accordance with CRZ Notification, 2019 recommended the project from CRZ Point of view. Main activity of the project is temple complex, which is proposed outside CRZ area and, only ancillary activities like Compound wall and landscape are allowed and are situated within CRZ IA area (50 m mangrove buffer zone area). It is mandatory for the PP to obtain the prior High Court permission as per Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006 for activities falling in 50 m mangrove buffer zone.



2 B

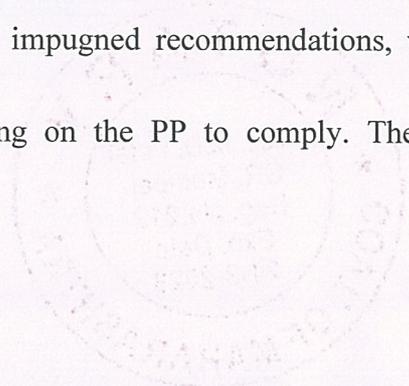
f) Landscape and compound wall are ancillary activities proposed for main construction activity of temple complex. The said activities may not be explicitly mentioned in the para 5.1.1. CRZ IA of the CRZ Notification, 2019, however, the said para allows certain developmental activities like laying of pipelines, transmission of line, conveyance system, road on stilt etc, within CRZ IA (50 m mangrove buffer zone area).

g) Further, as per the Hon'ble High Court order dated 17th September, 2018 in PIL 87/2006, construction of compound wall for protection of mangroves is allowed. Hence, considering the spirit of the Notification, the MCZMA observed that the compound wall and landscape for the temple complex can be allowed within 50 m mangrove buffer zone. It is with a condition that "*No construction is allowed in mangroves or its 50 m buffer zone area, without Hon'ble High Court's permission*".



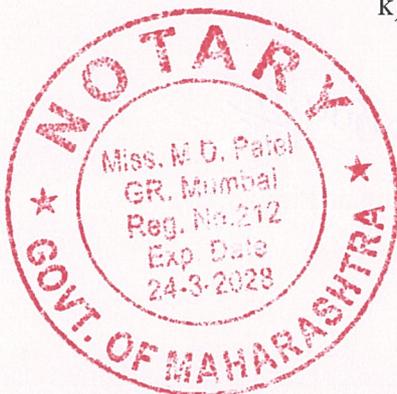
h) MCZMA has recommended the proposal with safeguards of specific conditions in the impugned recommendations, which are mandatory and binding on the PP to comply. The said

2



conditions are put keeping in view the environmental considerations.

- i) The MoEF&CC, has published the Office Memorandum dated 29th November, 2022, Certain activities like, Stand along jetties, Salt works, Slipways, temporary constructions and Erosion control measures (like Bunds, Seawall, submerged reef, Sand nourishment etc) located in CRZ I and CRZ IV required clearance from CZMA (i. e. no need of approval from the MoEF&CC). Vide the said OM, the MoEF&CC has carved out an exception for certain activities mentioned above falling in CRZ I areas to be permitted at MCZMA level.
- j) MCZMA observed that the compound wall and landscape for the temple complex situated in CRZ I area can be allowed at MCZMA level, however, with a condition that "*No construction is allowed in mangroves or its 50 m buffer zone area, without Hon'ble High Court's permission*".
- k) It is binding on the PP to obtain prior High Court permission for activities like landscape and compound proposed within 50 m mangrove buffer zone.



2 (M)

1) The main project activity i.e. temple is proposed outside CRZ area. Only, compound wall for protection and landscaping are proposed within 50 m mangrove buffer zone area. The said activities are seen permissible in the backdrop para 5.1.1. CRZ-IA of the CRZ Notification, 2019 and allowed at MCZMA level in view of the above mentioned OM dated 29th November, 2022 of MoEF&CC. Hence, the para 7(iii)r/w8(iii)(b) of CRZ Notification, 2019 is not applicable to the project.

32. Based on the above reply it is prayed that the present appeal is liable to be rejected and may accordingly be rejected.

33. In light of the above averments, this respondent craves leave to file any additional reply as and when required. It is respectfully prayed that Environment Department shall abide by any orders and directions issued by the Hon'ble Tribunal.

Whatever is stated above is true and correct to the best of my knowledge, ability and belief and I affirm it to be true.



Place: Mumbai

(Abhay Madhukar Pimparkar)

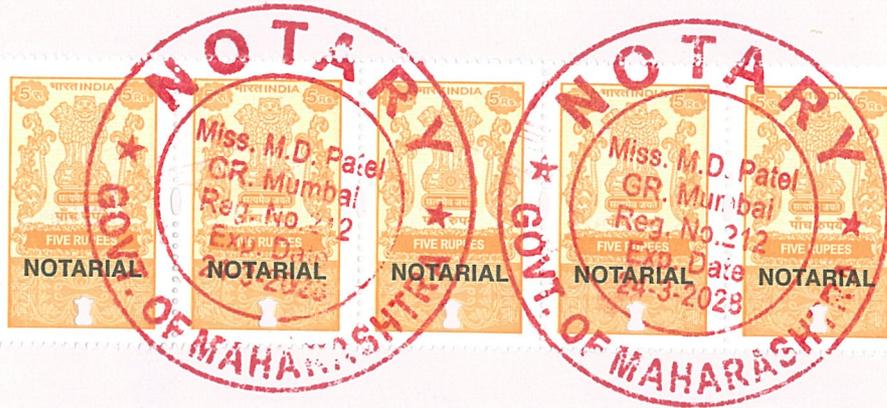
Deponent

① 2

Director, Env&CC Department and
Member Secretary, MCZMA

Date: 23-4-2024

(M)



VERIFICATION

I, Abhay Madhukar Pimparkar, Age 49 years, Director, Environment and Member Secretary of the Maharashtra Coastal Zone Management Authority, having my office address at 15th Floor, New Administrative Building, Mantralaya Mumbai, do hereby verify & declare that statements made in the aforesaid Paras are true and correct to the best of my knowledge and information and I believe the same to be true and that nothing material has been concealed therefrom.

Verified at Mumbai on this 23rd day of April, 2024

(M)

Abhay Madhukar Pimparkar

(Abhay Madhukar Pimparkar)
Director, Environment &CC and
MS, MCZMA

Deponent

BEFORE ME

M. D. Patel
23-4-2024
Sl. No. 195
Bk. No. 1

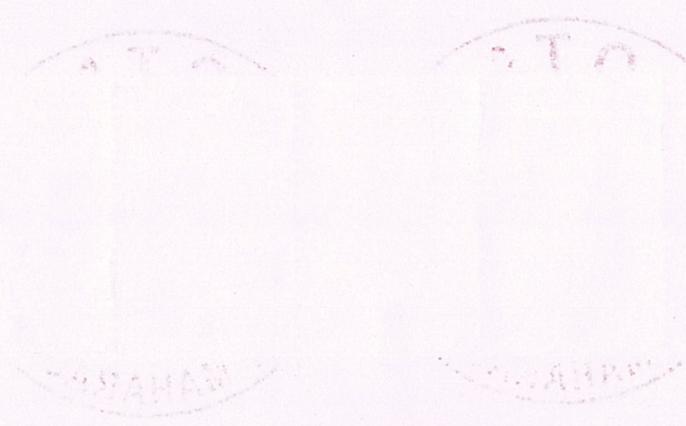
MISS M. D. PATEL
ADVOCATE & NOTARY
Kohiar House,
4, Dhuswadi, Dhobitalao,
MUMBAI - 400 002.

Identified by

Modave

Vishal Modave

Under Secretary.



BEFORE ME
M. D. PATEL
ADVOCATE & NOTARY
Kohim Road
Mumbai - 400 002

Minutes of 167th (Day 2) meeting of the Maharashtra Coastal Zone Management Authority held on 23rd May, 2023

The 167th (Day 2) meeting of the Maharashtra Coastal Zone Management Authority (MCZMA) was held under the Chairmanship of Principal Secretary (Environment and Climate Change). In view of present pandemic situation of COVID-19, it was decided to appraise the proposals by using information technology facilities. Hence, the proposals were appraised through Videoconferencing technology on Cisco WebEx platform on 23rd May, 2023. List of members present in the meeting is at Annexure-I.

ITEM: Proposed construction of Tirupati Venkateswara Temple at plot No. 3, Sector 12, Ulwe Node, Tal: Panvel, District Raigad by Tirumala Tirupati Devasthanam (TTD)

INTRODUCTION:

The representative from Tirumala Tirupati Devasthanam (TTD) and CIDCO officials presented the proposal before the Authority.

The Tirumala Tirupati Devasthanam (TTD) has proposed construction of Tirupati Venkateswara Temple at plot No. 3, Sector 12, Ulwe Node, Tal: Panvel, District Raigad

The plot area of project is 40,000 Sqm. As per submission, the project site falls partly in CRZ IA, CRZ II, and Non CRZ area.

The PP has submitted the CRZ map in 1:4000 scale of the project site prepared by IRS, Chennai as per approved CZMP under CRZ Notification, 2011.

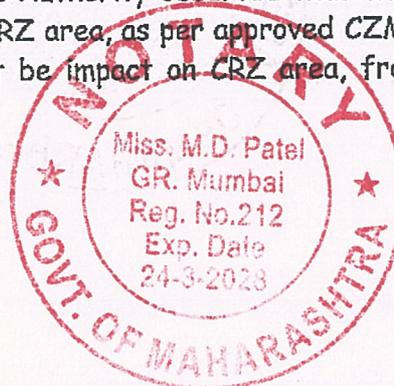
Sr No.	CRZ classification	Area (Sqm)
1	CRZ IA (50 m mangrove buffer zone area)	2748.18
2	CRZ II	25656.58
3	Outside CRZ area	11595.70
	Total	40000.46

DELIBERATIONS:

The Authority noted that currently, approved CZMPs under CRZ Notification, 2011 is approved and in force. New CZMPs under CRZ Notification, 2019 are not yet approved.

The Authority noted that the PP has submitted the CRZ map in 1:4000 scale of the project site prepared by IRS, Chennai as per approved CZMP under CRZ Notification, 2011. As per the said map, out of total area 40000.46 Sqm, the plot area situated outside CRZ area is 11595.70 Sqm. The Authority observed that the PP need to restrict the proposed construction in Non CRZ area, as per approved CZMP, 2011. Expert Members suggested that there shall not be impact on CRZ area, from construction activities proposed in Non CRZ area.


Member Secretary




Chairman

Minutes of 167th (Day 2) meeting of the Maharashtra Coastal Zone Management Authority held on 23rd May, 2023

DECISION:

The Authority after deliberation decided to recommend the proposal for construction in Non CRZ area to concern planning Authority from CRZ point of view subject to compliance of following conditions:

1. CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2011.
2. No construction is allowed in Mangroves or its 50 m buffer zone area, without Hon'ble High Court permission.
3. No construction in CRZ II area is allowed till finalization of CZMP under CRZ Notification, 2019.
4. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.
5. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area
6. All other required permission from different statutory authorities should be obtained

-----Meeting ended with vote of thanks to chair-----

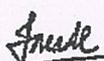
Annexure I

List of members/officials present in the online meeting:

1. Mr. Bhushan Gagrani, ACS, UDD, Member, MCZMA
2. Mr. Adarsh Reddy, Addl Charge, PCCF, Mangrove Cell
3. Dr. Mahesh Shindikar, College of Engineering, Pune, Expert Member, MCZMA
4. Mr. Mirashe, Representative from the Industry Dept, Member MCZMA
5. Mr. Maruti Kudale, Ex Director, CWPRS, Expert Member, MCZM
6. Mr. Abhay Pimparkar, Director, Environment & CC and Member Secretary, MCZMA




Member Secretary

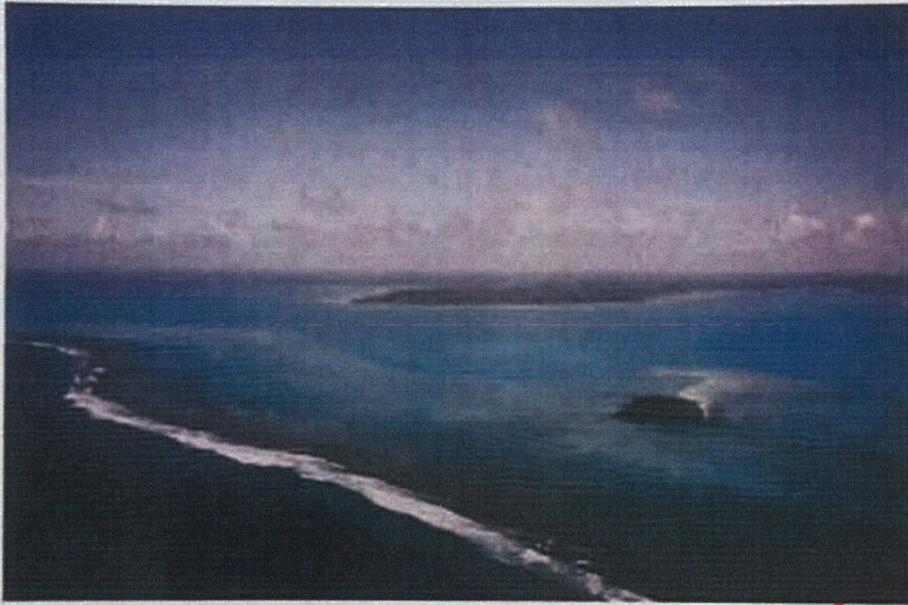

Chairman

REF NO. AU/IRS/SJ/332-2023-REV DT. 06.10.2023 (07.03.2023)

Preparation of Local Level CRZ Map for the Project Site and Proposed Construction at Village Gavhan, Taluka Pangel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

SPONSORED BY

The Executive Officer
Tirumala Tirupathi Devasthanam
Road No. 25, Jain Society, Floor G, Plot 67 Jayant
United Jain Students Home Road, Sion, Mumbai

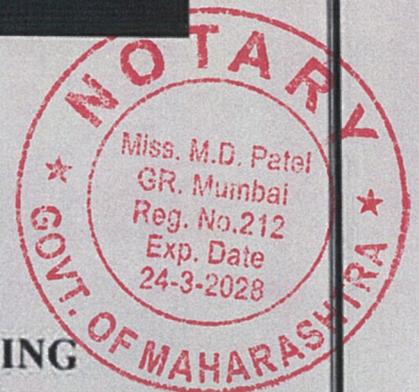


Prepared By



INSTITUTE OF REMOTE SENSING
ANNA UNIVERSITY, CHENNAI-25

October 2023



**Preparation of Local Level CRZ Map for the
Project Site and Proposed Construction at
Village Gavhan, Taluka Pangel, District Raigad,
Maharashtra by Superimposing on Approved
CZMP as per CRZ Notification 2019**

SPONSORED BY

The Executive Officer
Tirumala Tirupathi Devasthanam
Road No. 25, Jain Society, Floor G, Plot 67 Jayant
United Jain Students Home Road, Sion, Mumbai

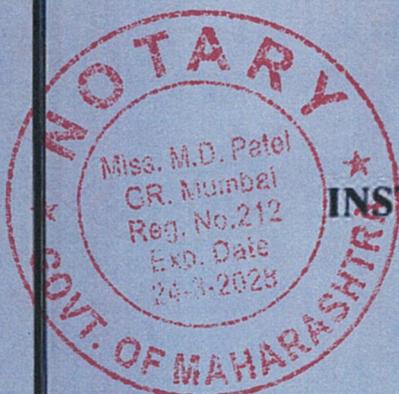


Prepared By



INSTITUTE OF REMOTE SENSING
ANNA UNIVERSITY, CHENNAI-25

October 2023



Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

PROJECT DATA SHEET

Title: Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

Project No : REF NO. AU/IRS/SJ/332-2023-REV DT. 06.10.2023 (07.03.2023)

Coordinator : Dr. S. Jayalakshmi, Professor

Done for : **The Executive Officer**
Tirumala Tirupathi Devasthanam
Road No. 25, Jain Society, Floor G, Plot 67 Jayant
United Jain Students Home Road, Sion, Mumbai

Mapping Team : Mr. J. Prem Kumar, IRS, AU

Report Preparation : Dr. S. Jayalakshmi, Associate Professor

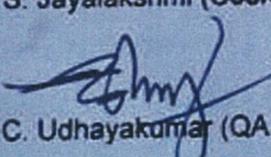
Quality Check : Dr. K. Srinivasa Raju, Professor
Dr. C. Udhayakumar, Professor
Dr. R. Kanmani Shanmuga Priya, Assistant Professor

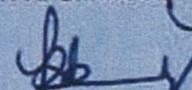


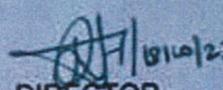
The quality Assessment Committee for consultancy projects has scrutinized the local level CRZ map and corresponding text report of the above project on 28.02.2023. The principal consultant of the project has presented the approach adopted, findings of the study to the committee. The committee has evaluated the CRZ Map and the report for different parameters against the standards prescribed for the mapping. The positional accuracy, attribute accuracy, completeness, semantic accuracy of the output were assessed and found satisfactory. The committee recommends the approval of the map and associated report.


Dr. S. Jayalakshmi (Coordinator)


Dr. K. Srinivasa Raju (QA member)


Dr. C. Udhayakumar (QA member)


Dr. R. Kanmani Shanmuga Priya (QA member)


DIRECTOR

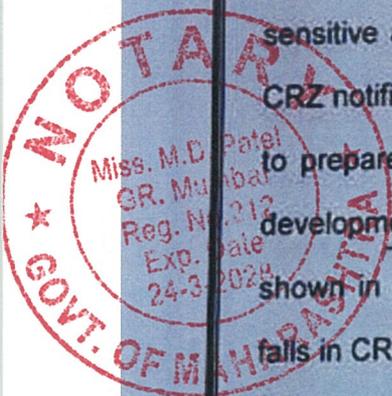
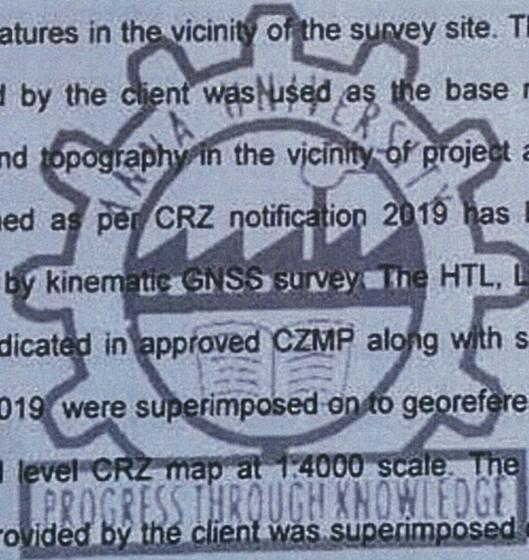
Director
Institute of Remote Sensing
Anna University,
Chennai - 600 025.

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

ABSTRACT

On the request of The Executive Officer, Tirumala Tirupathi Devasthanam, Road No. 25, Jain Society, Floor G, Plot 67 Jayant United Jain Students Home Road, Sion, Mumbai, a survey was carried out to prepare the local level CRZ map for the project site at village Gavhan, taluka Panvel, district Raigad, Maharashtra by superimposing on approved CZMP as per CRZ Notification 2019 (Map.No. MH.74). The satellite imagery of the study area was interpreted for geomorphic features in the vicinity of the survey site. The cadastral map of the area provided by the client was used as the base map. Based on the geomorphology and topography in the vicinity of project area, HTL indicated on CZMP published as per CRZ notification 2019 has been identified and traced in the field by kinematic GNSS survey. The HTL, LTL and ecologically sensitive areas indicated in approved CZMP along with setback lines as per CRZ notification 2019 were superimposed on to georeferenced cadastral map to prepare a local level CRZ map at 1:4000 scale. The layout of proposed development as provided by the client was superimposed on the CRZ map as shown in Annexure II. Out of the total area of 40000.46Sq.m, 2748.18Sq.m falls in CRZ - IA (50m Mangrove Buffer Zone), 7729.28Sq.m falls in CRZ II and the remaining area of 29523Sq.m is out of CRZ as per CRZ notification 2019. The generated HTL co-ordinates in WGS 84 system, CRZ map in 1:4000, approved CZMP 2019, and satellite imagery of the project site are presented in Annexure I, Annexure II, Annexure III and Annexure IV respectively.



Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

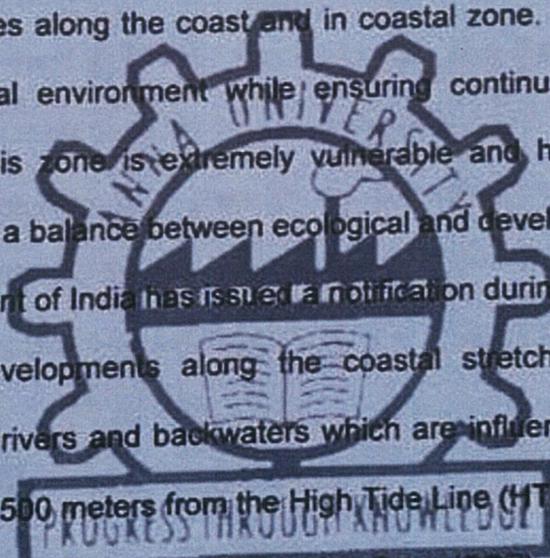
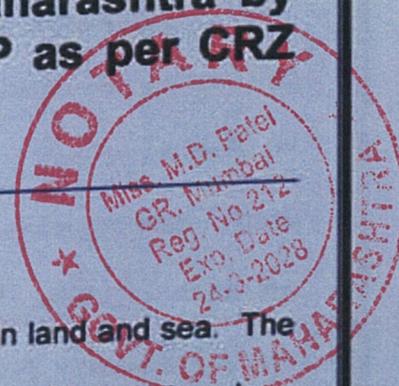
Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

1. INTRODUCTION

The coastal zone is the area of interaction between land and sea. The coastal Zone of Maharashtra has a very high concentration of population along with ecologically sensitive areas like mangroves. There is a spurt of developmental activities arising from huge residential colonies, new industries and tourism centres along the coast and in coastal zone. There is a need to protect the coastal environment while ensuring continuing production and development. This zone is extremely vulnerable and has to be managed judiciously striking a balance between ecological and developmental needs.

Government of India has issued a notification during February 1991 for regulating the developments along the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action. The land between 500 meters from the High Tide Line (HTL) and the Low Tide Line (LTL) is identified as Coastal Regulation Zone (CRZ).

The Ministry of Environment, Forest & Climate Change has provided guidelines for demarcation of High Tide Line in the CRZ Notification, 2019. As per the guidelines, Cadastral (village) maps in 1:3960 or the nearest scale shall be used as the base maps. HTL and LTL will be demarcated in the cadastral map based on detailed physical verification using coastal geomorphological signatures or features in accordance with the CZM Maps



Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

approved by the Central Government. 500 meter, 200 meter and 50 meter lines shall be demarcated with respect to the HTL.

In order to facilitate classification of Coastal Regulation Zones Government of India has approved few agencies/institutions across the Country vide Lr. No. J17011/8/92-1A III, dated 10.05.1999 of Ministry of Environment, Forest & Climate Change. Institute of Remote Sensing, Anna University being one of them, has been carrying out HTL and LTL mapping following the guidelines issued by Ministry of Environment, Forest & Climate Change, Government of India.

2. BACKGROUND OF THE STUDY

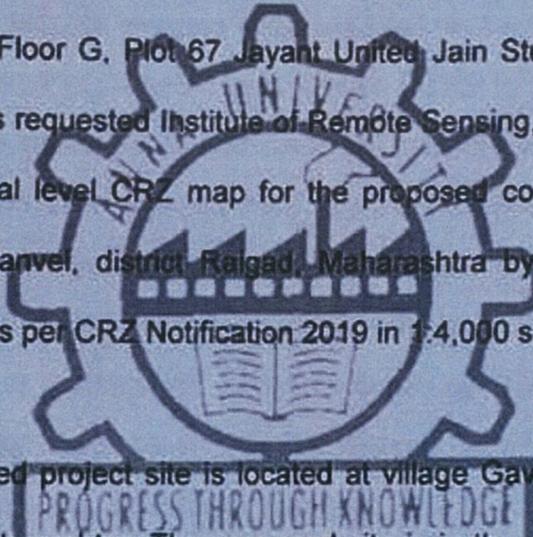
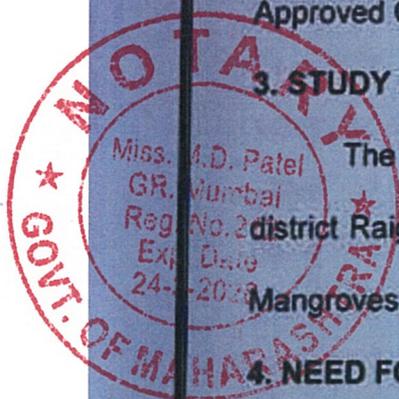
The Executive Officer, Tirumala Tirupathi Devasthanam, Road No. 25, Jain Society, Floor G, Plot 67 Jayant United Jain Students Home Road, Sion, Mumbai, has requested Institute of Remote Sensing, Anna University for preparation of local level CRZ map for the proposed construction at village Gavhan, taluka Panvel, district Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019 in 1:4,000 scale.

3. STUDY AREA

The proposed project site is located at village Gavhan, taluka Panvel, district Raigad, Maharashtra. The proposed site is in the vicinity of creek and Mangroves.

4. NEED FOR THE STUDY

The proposed land of Tirumala Tirupathi Devasthanam, Road No. 25, Jain Society, Floor G, Plot 67 Jayant United Jain Students Home Road, Sion, Mumbai, needs to be assessed whether the site and the proposed activities are falls under regulations of CRZ Notification, 2019. Keeping in view



Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

of the requirements of notification, Institute of Remote Sensing, Anna University under took the project with following agreed scope of work:

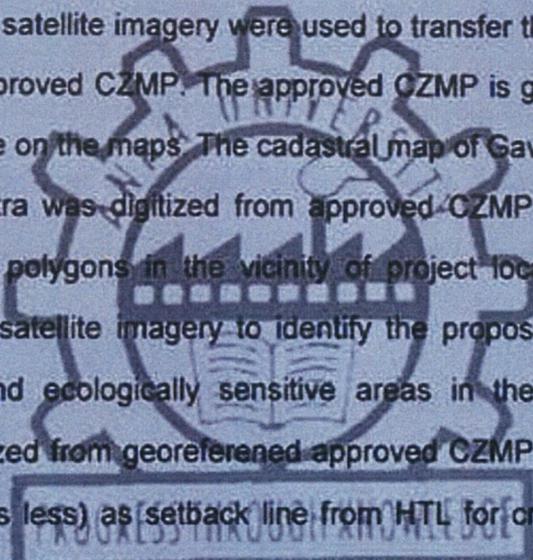
- Superimposition of the project site and proposed activity on the approved CZMP by conducting field survey using DGPS survey.
- Preparation of local level CRZ map by superimposing HTL, LTL and Ecologically sensitive areas on cadastral map of 1:4000 scale.

5. METHODOLOGY ADOPTED

The cadastral map of project location provided by the client has been used for preparation of local level CRZ map. The geomorphic characteristic of the coastal zone has been analyzed from the medium resolution satellite data. Coastal geomorphologic features and existence of permanent vegetation identified from the satellite imagery were used to transfer the HTL demarcated by NCSCM on approved CZMP. The approved CZMP is georeferenced using graticules available on the maps. The cadastral map of Gavhan village, Raigad district, Maharashtra was digitized from approved CZMP to create a vector dataset of survey polygons in the vicinity of project location. The same is superimposed on satellite imagery to identify the proposed project location. The HTL, LTL and ecologically sensitive areas in the vicinity of project locations are digitized from georeferenced approved CZMP. 50m / width of the creek (whichever is less) as setback line from HTL for creek was generated using GIS buffering tool as per CRZ Notification 2019. The zones between LTL, HTL and setback lines are delineated to corresponding CRZ as per CRZ Notification 2019.

6. OUTPUT

The HTL was extracted from approved CZMP 2019 (Map No. MH-74) in the vicinity of creek which is nearby the proposed site. The generated HTL coordinates in WGS 84 system, CRZ map in 1:4000, approved CZMP 2019, and



satellite imagery of the project site are presented in Annexure I, Annexure II, Annexure III and Annexure IV respectively. The site coordinates are shown in Table 1.

Table 1 Coordinates of Project Site

Label	Latitude	Longitude
A	18° 58' 2.151" N	73° 0' 35.368" E
B	18° 58' 2.550" N	73° 0' 40.144" E
C	18° 57' 58.067" N	73° 0' 42.568" E
D	18° 57' 52.934" N	73° 0' 44.406" E
E	18° 57' 53.655" N	73° 0' 38.752" E
F	18° 57' 59.294" N	73° 0' 36.444" E

7. CONCLUSION:

The salient conclusions of the study titled "Preparation of local level CRZ map for the project site at village Gavhan, taluka Panvel, district Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019, (Map.No. MH.74)" are as follows:

- The CRZ statement of the proposed construction at village Gavhan, taluka Panvel, district Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019 is shown in Table 2



Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

Table.2 Proposed Area of project site in Various CRZ

Project Site Boundary		
Sl.No.	CRZ - Classification	Area in Sq.m
1	CRZ - IA (50m Mangrove Buffer Zone)	2748.18
2	CRZ - II	7729.28
3	Outside CRZ	29523.00
Total		40000.46

Proposed Garden		
Sl.No.	CRZ - Classification	Area in Sq.m
1	CRZ - II	3469.81
2	Outside CRZ	4858.06
Total		8327.87

Proposed R.G. Area		
Sl.No.	CRZ - Classification	Area in Sq.m
1	CRZ - IA (50m Mangrove Buffer Zone)	2700.36
2	CRZ - II	1960.87
3	Outside CRZ	152.76
Total		4813.99

- 2748.18 Sq.m area of proposed project site and 2700.36Sq.m area of proposed R.G area fall in CRZ - IA (50m Mangrove Buffer Zone) as per approved CRZ notification 2019.
- The proposed main temple, constructions, drain, facilities and road completely falls outside CRZ) as per approved CRZ notification 2019.

S. M. M. M.
PRINCIPAL CONSULTANT



[Signature]
DIRECTOR, IRS
Director
Institute of Remote Sensing

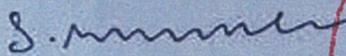
Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

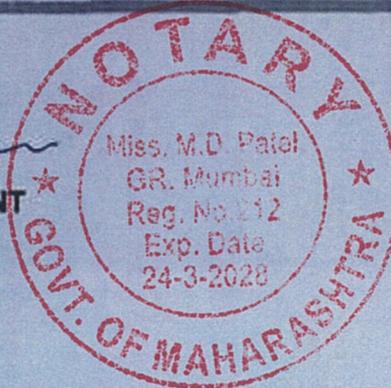
ANNEXURE I

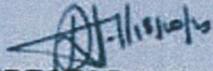
Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

COORDINATES OF HTL POINTS (WGS 1984)

HTL Point	Latitude	Longitude
1	18° 58' 12.238" N	73° 0' 18.962" E
2	18° 58' 12.681" N	73° 0' 27.868" E
3	18° 58' 7.102" N	73° 0' 30.698" E
4	18° 58' 11.067" N	73° 0' 34.809" E
5	18° 57' 56.868" N	73° 0' 31.824" E
6	18° 57' 58.451" N	73° 0' 36.096" E
7	18° 57' 52.315" N	73° 0' 38.073" E
8	18° 57' 48.924" N	73° 0' 39.965" E
9	18° 57' 45.812" N	73° 0' 41.427" E


PRINCIPAL CONSULTANT




DIRECTOR, IRS
Director
Institute of Remote Sensing
Anna University,
Chennai - 600 025.

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

ANNEXURE III

PROJECT SITE SUPERIMPOSED ON APPROVED CZMP 2019

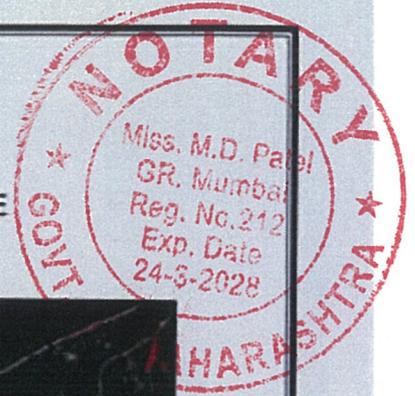


Source: Approved CZMP Map No. MH 74

Preparation of Local Level CRZ Map for the Proposed Construction at Village Gavhan, Taluka Panvel, District Raigad, Maharashtra by Superimposing on Approved CZMP as per CRZ Notification 2019

ANNEXURE IV

SATELLITE IMAGERY OF PROJECT SITE



Source: Google Earth



**Minutes of the 170th Meeting of Maharashtra Coastal Zone Management
Authority held on 02nd November, 2023**

Item No.29: Proposed construction of Tirupati Ventakeswara Swami Temple at plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad by Tirumala Tirupati Devasthanam

INTRODUCTION:

The Consultant presented the proposal before the Authority. The proposal is for construction of Tirupati Ventakeswara Swami Temple on land bearing plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad. The plot area of project is 40,000 Sqm.

Earlier, the MCZMA in its 167th meeting held on 23.5.2022 deliberated the proposal, considering the CRZ Notification, 2011 and approved CZMP, 2011. In the said meeting,

The PP has submitted the CRZ map in 1:4000 scale of the project site prepared by IRS, Chennai as per approved CZMP under CRZ Notification, 2011.

Sr No.	CRZ classification	Area (Sqm)
1	CRZ IA (50 m mangrove buffer zone area)	2748.18
2	CRZ II	25656.58
3	Outside CRZ area	11595.70
	Total	40000.46

MCZMA in its earlier 167th meeting observed that the PP need to restrict the proposed construction in Non CRZ area, as per approved CZMP, 2011. Expert Members suggested that there shall not be impact on CRZ area, from construction activities proposed in Non CRZ area.

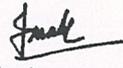
As per decision taken in the said meeting, the MCZMA vide letter dated 26.05.2023 recommended the proposal for construction in Non CRZ area to concern planning Authority from CRZ point of view subject to certain conditions

DELIBERATIONS:

Now, the PP has submitted the proposal as per CRZ Notification, 2019 and approved CZMP, 2019. CZMPs under CRZ Notification, 2019 of the Raigad Districts are approved by MoEF&CC, New Delhi and hence, CRZ Notification, 2019 is applicable.


Member Secretary




Chairperson

**Minutes of the 170th Meeting of Maharashtra Coastal Zone Management
Authority held on 02nd November, 2023**

Total plot area is 40000.46 sqm, Development on the said plot includes Main Temple, Archaka Quarters, Pushkarni, Kalyanakatta, Alankara-Vahana-Ratha Mandapam, Pilgrim Amenities, Office Building, Staff Quarters, Kalyana Mandapam etc. Total construction area is 11299.37 sqm.

The Consultant during the meeting presented that entire development is proposed in non CRZ area as per approved CZMP 2019.

PP has submitted CRZ map in 1:4000 scale prepared by IRS, Chennai (MoEF&CC authorised agency) as per CRZ Notification, 2019. As per approved CZMP 2019, the site falls partly under CRZ-IA (2748.18 sqm), CRZ-II (7729.28 sqm) and partly outside CRZ (29523.00 sqm)

During the meeting, the consultant presented that construction of temple is proposed beyond CRZ area as per approved CZMP, 2019. However, Only Garden/landscaping and Compound wall is proposed within 50 mangrove buffer zone area. No mangrove cutting is involved in the project. Consultant presented that compound wall will help in fencing / protection of mangroves. The Authority instructed the PP to obtain the Mangrove Cell NoC for the said activity within 50 m mangrove buffer zone.

DECISION:

In the light of above, the Authority after deliberations decided to recommend the proposal from CRZ point of view on Non CRZ portion subject to compliance of following conditions:

1. CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2019
2. CIDCO to ensure that mangrove cutting is not allowed.
3. PP to obtain the Mangrove Cell NoC for the said activity within 50 m mangrove buffer zone.
4. No construction is allowed in Mangroves or its 50 m buffer zone area, without Hon'ble High Court permission.
5. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.
6. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area
7. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.


Member Secretary

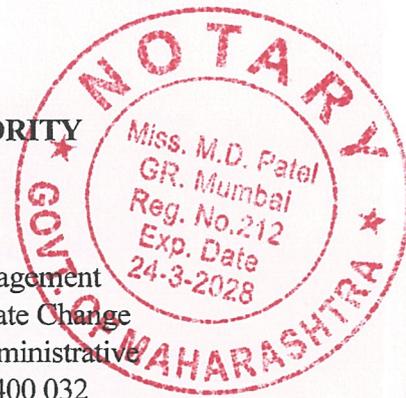



Chairperson

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 2202 9388
E-mail : dir1.mev-mh@nic.in
Website: <https://mczma.gov.in/>

No. CRZ2022/CR263/TC4
Office of the -
Maharashtra Coastal Zone Management
Authority, Environment & Climate Change
Department, 15th Floor, New Administrative
Building, Mantralaya, Mumbai- 400 032
Date: 20th November, 2023



To,
Tirumala Tirupati Devasthanam,
Flat no. 402, KCR Apartment,
Balaji Colony, Tirupati – 517501

Subject: Proposed construction of Tirupati Ventakeswara Swami Temple at plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad by Tirumala Tirupati Devasthanam

The Maharashtra Coastal Zone Management Authority in its 170th meeting held on 02nd November, 2023 deliberated the proposal of construction of Tirupati Ventakeswara Swami Temple at plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad.

2. The Authority noted that the proposal is for construction of Tirupati Ventakeswara Swami Temple on land bearing plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad. The plot area of project is 40,000 Sqm. Earlier, the MCZMA in its 167th meeting held on 23.5.2022 deliberated the proposal, considering the CRZ Notification, 2011 and approved CZMP, 2011. In the said meeting, The PP has submitted the CRZ map in 1:4000 scale of the project site prepared by IRS, Chennai as per approved CZMP under CRZ Notification, 2011.

Sr No.	CRZ classification	Area (Sqm)
1	CRZ IA (50 m mangrove buffer zone area)	2748.18
2	CRZ II	25656.58
3	Outside CRZ area	11595.70
	Total	40000.46

3. The Authority noted that the MCZMA in its earlier 167th meeting observed that the PP need to restrict the proposed construction in Non CRZ area, as per approved CZMP, 2011. Expert Members suggested that there shall not be impact on CRZ area, from construction activities proposed in Non CRZ area. As per decision taken in the said meeting, the MCZMA vide letter dated 26.05.2023 recommended the proposal for construction in Non CRZ area to concern planning Authority from CRZ point of view subject to certain conditions

4. The Authority noted that now, the PP has submitted the proposal as per CRZ Notification, 2019 and approved CZMP, 2019. CZMPs under CRZ Notification, 2019 of the Raigad Districts are approved by MoEF&CC, New Delhi and hence, CRZ Notification, 2019 is applicable. Total plot area is 40000.46 sqm, Development on the said plot includes Main Temple, Archaka Quarters, Pushkarni, Kalyanakatta, Alankara-Vahana-Ratha Mandapam, Pilgrim Amenities, Office Building, Staff Quarters, Kalyana Mandapam etc. Total construction area is 11299.37 sqm.

5. The Consultant during the meeting presented that entire development is proposed in non CRZ area as per approved CZMP 2019. PP has submitted CRZ map in 1:4000 scale prepared by IRS, Chennai (MoEF&CC authorised agency) as per CRZ Notification, 2019. As per approved

CZMP 2019, the site falls partly under CRZ-IA (2748.18 sqm), CRZ-II (7729.28 sqm) and partly outside CRZ (29523.00 sqm)

6. The Authority noted that during the meeting, the consultant presented that construction of temple is proposed beyond CRZ area as per approved CZMP, 2019. However, Only Garden/landscaping and Compound wall is proposed within 50 mangrove buffer zone area. No mangrove cutting is involved in the project. Consultant presented that compound wall will help in fencing / protection of mangroves. The Authority instructed the PP to obtain the Mangrove Cell NoC for the said activity within 50 m mangrove buffer zone.

7. In the light of above, the Authority after deliberations decided to recommend the proposal from CRZ point of view on Non CRZ portion subject to compliance of following conditions:

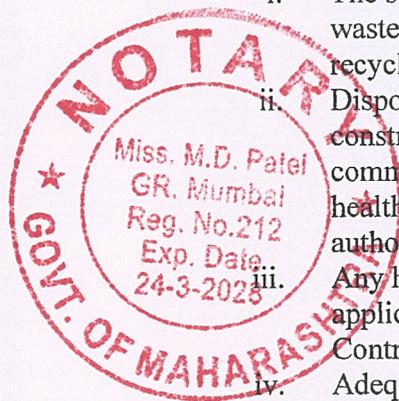
Specific Conditions:

- i. CIDCO to ensure that construction is proposed in Non CRZ area strictly as per approved CZMP under CRZ Notification, 2019
- ii. CIDCO to ensure that mangrove cutting is not allowed.
- iii. PP to obtain the Mangrove Cell NoC for the said activity within 50 m mangrove buffer zone.
- iv. No construction is allowed in Mangroves or its 50 m buffer zone area, without Hon'ble High Court permission.
- v. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.
- vi. There shall not be impact on CRZ area, from any activities proposed to be carried out in Non CRZ area
- vii. All other required permission from different statutory authorities should be obtained before starting construction at the site shall be ensured by Urban Local Body.

General Conditions:

a) Construction Phase:

- i. The solid waste generated should be properly collected and segregated. Dry/inert solid waste should be disposed of to the approved sites for land filling after recovering recyclable material.
- ii. Disposal of muck, Construction spoils, including bituminous material during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in the approved sites with the approval of competent authority.
- iii. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.
- iv. Adequate drinking water and sanitary facilities should be provided for construction workers at the site. Provision should be made for mobile toilets. The safe disposal of wastewater and solid wastes generated during the construction phase should be ensured.
- v. Arrangement shall be made that waste water and storm water do not get mixed.
- vi. Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices.
- vii. Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor-based control.
- viii. The Energy Conservation Building code shall be strictly adhered to.
- ix. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.



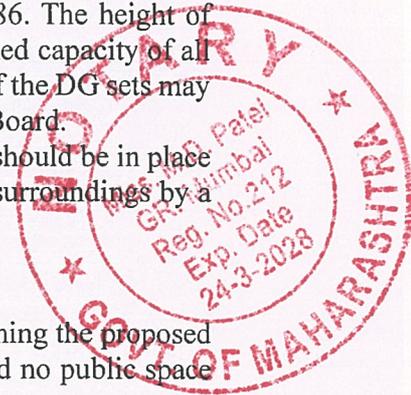
- x. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.
- xi. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.
- xii. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.
- xiii. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings by a separate environment cell /designated person.

b) Operation Phase:

- i. Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.

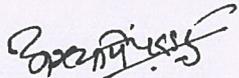
c) General MCZMA Conditions:

- i. In case of any change in project profile, the project would require fresh appraisal by the MCZMA.
- ii. The MCZMA or any other competent authority, concerned planning authority may stipulate any additional conditions subsequently, if deemed necessary.
- iii. PP to submit an indemnity bond indemnifying the MCZMA from any legal consequences.
- iv. The clearance accorded to the project under CRZ notification shall be valid for a period of ten years from the date of issue of such clearance: Provided that the period of validity of the CRZ clearance may be extended by a maximum period of one year, if an applicable is made by the applicant within the period of validity of the CRZ Clearance along with the recommendations of the Coastal Zone Management Authority concerned.
- v. The recommendation from CRZ point of view is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this recommendation does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
- vi. PP has to strictly abide by the conditions stipulated by the MCZMA.
- vii. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining MCZMA clearance.
- viii. No further Expansion or modifications, other than mentioned in the CRZ Notification, 2011 / 2019 and its amendments, shall be carried out without prior approval of the MCZMA. In case of deviations or alterations in the project proposal from those submitted to MCZMA for clearance, a fresh reference shall be made to the MCZMA as applicable to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
- ix. This MCZMA clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this MCZMA clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on



- merit.
- x. MCZMA reserves the right to cancel / revoke CRZ permission in case of any violation of CRZ Notification, 2011 /2019 issued by the MoEF&CC, New Delhi amended from time to time without prejudice to any liability on MCZMA.
 - xi. The MCZMA clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent in the case filed against him, if any or action initiated under EP Act.
 - xii. This MCZMA Clearance is issued purely from an CRZ point of view without prejudice to any court cases and all other applicable permissions / NoCs.
 - xiii. In case of submission of false document and non-compliance of stipulated conditions, MCZMA will revoke or suspend the MCZMA Clearance without any intimation and initiate appropriate legal action under Environment Protection Act, 1986.
 - xiv. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (protection) Act, 1986 and rules there under, hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public liability Insurance Act, 1991 and its amendments.
 - xv. Any appeal against this MCZMA clearance shall lie with the National Green Tribunal (Western Zone Bench, Pune) New Administrative building, 1st floor, D wind, Opposite Council Hall, Pune, if prepared, within 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

8. Agenda item & minutes of the meeting is available on the website of MCZMA i.e. <http://mczma.gov.in>.


(Abhay Pimparkar)

Director, Environment & MS, MCZMA

Copy for information to:

1. **PS (Environment) & Chairperson, (MCZMA), Environment & CC Department, Room No. 217 (Annex), Mantralaya, Mumbai - 32.**
2. **Director (IA-III), Coastal Zone Regulation, Government of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran bhavan, Jor Bagh Road, New Delhi - 110 003**
3. **Member Secretary, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Road No. 8, Sion Cir, opp. PVR Theater, Mumbai - 22**
4. **Managing Director, CIDCO, CIDCO Bhavan, CBD Belapur, Navi Mumbai - 400614**
5. **Municipal Commissioner, Navi Mumbai Municipal Corporation, Belapur, CBD, Navi Mumbai**
6. **District Collector, Raigad, Near Police Line, Hirakot Lake, lele Chowk, Alibag, Dist. Raigad**
7. **Select File-TC 4**



Minutes of the 170th Meeting of Maharashtra Coastal Zone Management Authority held on 02nd November, 2023

Item No.29: Proposed construction of Tirupati Ventakeswara Swami Temple at plot no. 3, Sector 12, Ulwe Node, Tal. Panvel, Dist. Raigad by Tirumala Tirupati Devasthanam

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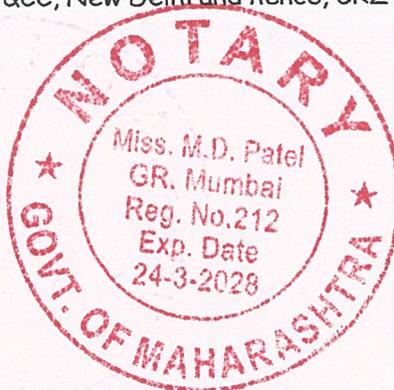
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Member Secretary




Chairperson

**Minutes of the 170th Meeting of Maharashtra Coastal Zone Management
Authority held on 02nd November, 2023**

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Member Secretary




Chairperson



भारत का राजपत्र

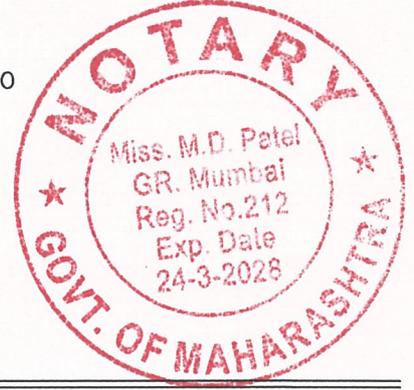
The Gazette of India

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CG-DL-E-25112022-240560

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY



सं. 5266]
No. 5266]

नई दिल्ली, बृहस्पतिवार, नवम्बर 24, 2022/अग्रहायण 3, 1944
NEW DELHI, THURSDAY, NOVEMBER 24, 2022/AGRAHAYANA 3, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय अधिसूचना

नई दिल्ली, 24 नवम्बर, 2022

का.आ. 5495(अ).—केन्द्रीय सरकार, भारत के राजपत्र, असाधारण, भाग 2, खंड-3, उपखंड (ii) में संख्या सा.का.नि. 37(अ), तारीख 18 जनवरी, 2019 द्वारा प्रकाशित अधिसूचना (इसमें इसके पश्चात् तटीय विनियमन जोन अधिसूचना, 2019 कहा गया है) द्वारा कतिपय तटीय क्षेत्रों को तटीय विनियमन जोन के रूप में घोषित किया था और उक्त क्षेत्र में उद्योगों को स्थापित करने और विस्तार करने, प्रचालन और प्रसंस्करण पर प्रतिबंध अधिरोपित किए गए थे;

और, केंद्रीय सरकार को विभिन्न हितधारकों अर्थात् राज्य सरकारों और हाइड्रोकार्बन महानिदेशालय के माध्यम से पेट्रोलियम और प्राकृतिक गैस मंत्रालय से तटीय विनियमन जोन अधिसूचना, 2019 में कतिपय संशोधनों को करने के लिए अभ्यावेदन प्राप्त हुए हैं जिनमें अन्य बातों के साथ-साथ, सीआरजेड-I और आईसीआरजेड-IV क्षेत्रों में अवस्थित छोटी अवसंरचना परियोजनाओं के लिए राज्य तटीय जोन प्रबंधन प्राधिकरण या राज्य सरकारों को तटीय विनियमन जोन मंजूरी प्रदान करने के लिए शक्तियों को प्रत्यायोजित करने, सीआरजेड-Iए क्षेत्रों को छोड़कर उसमें अन्वेषणात्मक ड्रिलिंग और संबद्ध सुविधाओं की छूट देने, यथा संशोधित तटीय विनियमन जोन अधिसूचना, 2011 में पहले से उपलब्ध अस्थायी वीच (समुद्र तट) झोपड़ियों के उपबंध को शामिल करने और उक्त उपबंध को सभी तटीय राज्यों में विस्तारित करने, तारीख 9 जून, 2011 और 8 नवंबर, 2011 के कार्यालय ज्ञापन के माध्यम से पहले से उपलब्ध तटीय विनियमन जोन अधिसूचना, 2019 के उपबंधों के अधीन पारम्परिक समुदायों द्वारा रेत रोधनों के हटाने को अनुमत करना और खंड 10.2 (iii) में तथ्यात्मक संशोधन करना शामिल है;

और, राष्ट्रीय तटीय जोन प्रबंधन प्राधिकरण ने 23 मार्च, 2021 को अपनी 42वीं बैठक में तटीय विनियमन जोन अधिसूचना, 2019 में संशोधन करने की सिफारिश की है;

और, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (2) के खण्ड (v) और खंड (xiv) तथा उप-धारा (3) के साथ पठित उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करके और पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) की अपेक्षानुसार एक प्रारूप अधिसूचना संख्या का.आ. 4547(अ), तारीख 1 नवंबर, 2021 द्वारा भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में प्रकाशित की गई थी, जिसमें उक्त अधिसूचना अन्तर्विष्ट राजपत्र की प्रतियां जनता को उपलब्ध कराए जाने की तारीख से 60 दिनों की अवधि के भीतर, उससे प्रभावित होने वाले सभी व्यक्तियों से आपत्तियां और सुझाव आमंत्रित किए गए थे;

और, उक्त अधिसूचना की प्रतियां 1 नवंबर, 2021 को जनता के लिए उपलब्ध कराई गई थी;

और, केंद्रीय सरकार द्वारा ऊपर उल्लिखित प्रारूप अधिसूचना के प्रत्युत्तर में प्राप्त आपत्तियों और सुझावों की परीक्षा करने के लिए एक विशेषज्ञ समिति का गठन किया गया है;

और, उक्त विशेषज्ञ समिति की सिफारिशें और ऊपर उल्लिखित प्रारूप अधिसूचना के प्रत्युत्तर में प्राप्त सभी आपत्तियों और सुझावों पर केंद्रीय सरकार द्वारा सम्यक रूप से विचार कर लिया गया है;

अतः अब केंद्रीय सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सा.का.नि. 37(अ), तारीख 18 जनवरी, 2019 द्वारा प्रकाशित उक्त तटीय विनियमन जोन अधिसूचना, 2019 में निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अधिसूचना में,-

(क) पैरा 5 में, उप-पैरा 5.1.2 में, खंड (xix) के पश्चात् निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

“(xx) गैर-मानसून महीनों के दौरान पूर्णतः अस्थायी और मौसमी संरचनाओं (अर्थात् झोपडियों) को साधारणतया स्थापित किया जाएगा:

परंतु, इन संरचनाओं में उपलब्ध सुविधाएं, मानसून के महीनों के दौरान प्रचालन में नहीं रहेंगी.”;

(ख) पैरा 7 में, उप-पैरा (ii) के स्थान पर निम्नलिखित उप-पैरा रखा जाएगा, अर्थात् :-

“(ii) सीआरजेड-I और सीआरजेड-IV क्षेत्रों में निम्नलिखित अपवादों को छोड़कर, संचालित सभी विकासात्मक कार्यकलापों या परियोजनाओं, जो इस अधिसूचना के अनुसार विनियमित या अनुज्ञेय हैं, के संबंध में संबंधित तटीय जोन प्रबंधन प्राधिकरण की अनुशंसा के आधार पर केंद्रीय सरकार द्वारा तटीय विनियमन जोन मंजूरी के लिए कार्रवाई की जाएगी, अर्थात् :-

स्टैंड-एलोन जेट्टी, सॉल्ट वर्क्स, स्लिपवेज़, अस्थायी संरचनाएं और अपरदन नियंत्रण उपाय (जैसे मेट्टे, सी-वॉल, ग्राइडनस, ब्रेकवाटर्स, जलमग्न चट्टानें, सैंड नरिशमेंट आदि)

जिन पर संबंधित तटीय जोन प्रबंधन प्राधिकरण द्वारा कार्रवाई की जाएगी।”

(ग) पैरा 8 में -

i. उप-पैरा (i) में, खंड (ड.) के स्थान पर निम्नलिखित खंड रखा जाएगा, अर्थात्:-

“(ड.) केंद्रीय सरकार द्वारा अभिज्ञात एजेंसियों द्वारा संबंधित तटीय क्षेत्र के लिए राष्ट्रीय संधारणीय तटीय प्रबंधन केंद्र द्वारा यथा-विनिर्दिष्ट, एचटीएल, एलटीएल और पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों के सीमांकन का प्रयोग करते हुए 1:4000 स्केल में तटीय विनियमन जोन मानचित्र तैयार किया गया है”;

ii. उप-पैरा (ii) में, खंड (क), (ख) और (ग) के लिए निम्नलिखित खंड रखे जाएंगे, अर्थात्:-

(क) पर्यावरण समाघात निर्धारण अधिनियम अधिसूचना, 2006 संख्या का. आ. 1533 (अ), तारीख 14 सितम्बर, 2006 के अधीन आने वाली परियोजनाओं और कार्यकलापों के लिए तटीय जोन प्रबंधन प्राधिकरण अपनी सिफारिशों को क्रमशः श्रेणी “क” और श्रेणी “ख” की परियोजनाओं हेतु केंद्रीय सरकार या राज्य पर्यावरण समाघात निर्धारण प्राधिकरण को अग्रपिप्त करेगा ताकि पर्यावरण समाघात निर्धारण अधिसूचना, 2006 के अधीन एक संयुक्त मंजूरी प्रदान की जा सके।



- (ख) तटीय जोन प्रबंधन प्राधिकरण, इस अधिसूचना के पैरा 7 के उप-पैरा (ii) में सूचीबद्ध परियोजनाओं या कार्यकलापों को छोड़कर, उन परियोजनाओं या कार्यकलापों के लिए केंद्रीय सरकार को अपनी सिफारिशों अग्रेषित करेगा जो पर्यावरण समाघात निर्धारण अधिसूचना, 2006 में शामिल नहीं हैं, किंतु यह अधिसूचना उन पर लागू होती है और वे सीआरजेड-I या सीआरजेड-IV क्षेत्रों में स्थित हैं।
- (ग) उन परियोजनाओं या कार्यकलापों जो पर्यावरण समाघात निर्धारण अधिसूचना, 2006 में शामिल नहीं हैं, किंतु जिन पर यह अधिसूचना लागू होती है तथा वे सीआरजेड-II या सीआरजेड-III क्षेत्रों में स्थित हैं या उन परियोजनाओं या कार्यकलापों, जो इस अधिसूचना के पैरा 7 के उप-पैरा (ii) में सूचीबद्ध हैं, के संबंध में संबंधित तटीय जोन प्रबंधन प्राधिकरण द्वारा परियोजना प्रस्तावक से पूर्ण प्रस्ताव प्राप्त होने से साठ दिनों के भीतर मंजूरी के लिए विचार किया जाएगा।

टिप्पण : परमाणु ऊर्जा विभाग या राष्ट्रीय रक्षा अथवा रणनीतिक अथवा सुरक्षा महत्ता से संबंधी परियोजनाओं से संबंधित सभी निर्माण कार्यकलापों के संबंध में केन्द्रीय सरकार द्वारा संबंधित तटीय जोन प्रबंधन प्राधिकरण की सिफारिश के आधार पर तटीय विनियमन जोन अनापत्ति अथवा सम्मिश्र मंजूरी प्रदान करने के लिए कार्रवाई की जाएगी और इसमें वे परियोजनाएं शामिल नहीं होंगी जो सीआरजेड-II अथवा सीआरजेड-III में स्थित हैं अथवा पैरा 7 के उप पैरा (ii) में सूचीबद्ध हैं और जिन्हें केवल तटीय विनियमन जोन मंजूरी की आवश्यकता है।

(घ) पैरा 10 में, -

(i) उप पैरा 10.2 में, खंड (iii) के स्थान पर निम्नलिखित खंड को रखा जाएगा अर्थात् :-

“(iii) का.आ. 1242(अ) तारीख 8 मार्च, 2019 द्वारा अधिसूचित एकीकृत द्वीप प्रबंधन योजनाएं, लक्षद्वीप और अंडमान और निकोबार में छोटे द्वीपसमूहों पर यथा अनुप्रयोज्य ऐसे सभी द्वीपों के लिए संबंधित राज्यों या संघ राज्य क्षेत्रों द्वारा तैयार की जाएगी और केन्द्रीय सरकार को प्रस्तुत की जाएगी और एकीकृत द्वीप प्रबंधन योजनाओं के तैयार होने तक इस अधिसूचना के उपबंध लागू नहीं होंगे और तटीय विनियमन जोन अधिसूचना, 2011 संख्या का. आ. 19 (अ), तारीख 6 जनवरी, 2011 के उपबंधों के अनुसार, तटीय जोन प्रबंधन योजना लागू होती रहेगी।”;

(ii) उप पैरा 10.3 के पश्चात निम्नलिखित उप पैरा को अंतःस्थापित किया जाएगा, अर्थात् :-

“10.4 तटीय विनियमन जोन क्षेत्रों में रेत रोधनों को हटाया जाना – पारंपरिक तटीय क्षेत्र के समुदायों द्वारा अंतरज्वारीय क्षेत्र के भीतर केवल गैर मशीनीकृत हस्त चालित प्रणाली से रेत रोधनों को हटाया जाएगा। राज्य सरकार और संघ राज्य प्रशासन हस्त चालित ढंग से रेत को हटाने के लिए अनुमत किए गए स्थानीय समुदायों के व्यक्तियों का रजिस्ट्रीकरण किए जाने की शर्तों के अधीन विशिष्ट मात्रा सहित किसी विशेष क्षेत्र में विनिर्दिष्ट समयावधि में रेत को इस तरह से हटाने के लिए अनुमति प्रदान कर सकती है और उसे वार्षिक आधार पर नवीकृत करेगी।”

[फा.सं. 19-112/2013-आईए-III (पार्ट)]

डॉ. सुजीत कुमार बाजपेयी, संयुक्त सचिव



टिप्पण: मूल अधिसूचना भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उप खंड (ii) में का.आ. 37(अ) तारीख 18 जनवरी, 2019 द्वारा प्रकाशित की गई थी और अंतिम बार का.आ. 4886(अ) तारीख 26 नवंबर, 2021 द्वारा संशोधित किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 24th November, 2022

S.O. 5495(E).—Whereas the Central Government by the notification published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), number G.S.R. 37(E), dated the 18th January 2019 (hereinafter referred to as the Coastal Regulation Zone notification, 2019), 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, the Central Government have received representations from different stakeholders *viz.* the State Governments and Ministry of Petroleum and Natural Gas through Director General of Hydrocarbon for making certain amendments in Coastal Regulation Zone notification, 2019, *inter-alia*, for delegating the powers of giving Coastal Regulation Zone clearance to the State Coastal Zone Management Authorities or State Governments for small infrastructure projects located in CRZ-I and CRZ-IV areas, exempting exploratory drilling and associated facilities thereto except CRZ-IA areas, including the provision of temporary beach shacks as already available in Coastal Regulation Zone notification, 2011 as amended and expanding the said provision to all coastal states, allowing removal of sand bars by traditional communities under the provisions of the Coastal Regulation Zone notification, 2019 as already available through Office Memorandum dated the 9th June, 2011 and the 8th November, 2011 and making factual correction in clause 10.2 (iii);

And whereas, the National Coastal Zone Management Authority in its 42nd meeting held on the 23rd March, 2021 has recommended making amendments to the Coastal Regulation Zone notification, 2019;

And, whereas, a draft notification, required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in exercise of the powers conferred by sub-section (1), read with clause (v) and clause (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O.4547(E), dated the 1st November, 2021 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 the 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 the 1st November, 2021;

And whereas, the Central Government has constituted an Expert Committee to examine the objections and suggestions received in response to the above-mentioned draft notification;

And whereas, the recommendations of the said Expert Committee and all objections and suggestions received in response to the above-mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendment in the said Coastal Regulation Zone notification, 2019, published *vide* G.S.R. 37(E), dated the 18th January 2019, namely: -

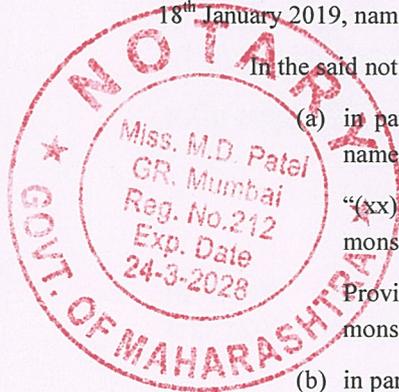
In the said notification, —

(a) in paragraph 5, in sub-paragraph 5.1.2, after clause (xix), the following clause shall be inserted namely:-

“(xx) Purely temporary and seasonal structures (e.g. shacks) customarily put up during non-monsoon months:

Provided that the facilities available in these structures shall remain non-operational during monsoon months.”;

(b) in paragraph 7, for sub-paragraph (ii) the following sub-paragraph shall be substituted, namely: —



“(ii) All development activities or projects in CRZ-I and CRZ-IV areas, which are regulated or permissible as per this notification, shall be dealt with by the Central Government for Coastal Regulation Zone clearance, based on the recommendation of the concerned Coastal Zone Management Authority with the following exceptions, namely: —

Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.)

which shall be dealt by concerned Coastal Zone Management Authority.”;

(c) in paragraph 8, —

(i) in sub-paragraph (i), for clause (e), the following clause shall be substituted, namely: —

“(e) Coastal Regulation Zone map in 1:4000 scale, drawn up by the agencies identified by the Central Government using the demarcation of the HTL, LTL and ecologically sensitive areas as specified by National Centre for Sustainable Coastal Management for the concerned coastal area.”;

(ii) in sub-paragraph (ii), for clauses (a), (b) and (c), the following clauses shall be substituted, namely: —

“(a) For the projects or activities also attracting the Environment Impact Assessment Notification, 2006 number S.O. 1533(E), dated 14th September, 2006, the Coastal Zone Management Authority shall forward its recommendations to the Central Government or State Environment Impact Assessment Authority for Category “A” and Category “B” projects respectively, to enable a composite clearance under the Environment Impact Assessment Notification, 2006.

(b) Coastal Zone Management Authority shall forward its recommendations to the Central Government for the projects or activities not covered in the Environment Impact Assessment Notification, 2006, but attracting this Notification and located in CRZ-I or CRZ-IV areas, except in respect of those projects or activities listed in sub-paragraph (ii) of paragraph 7 of this notification.

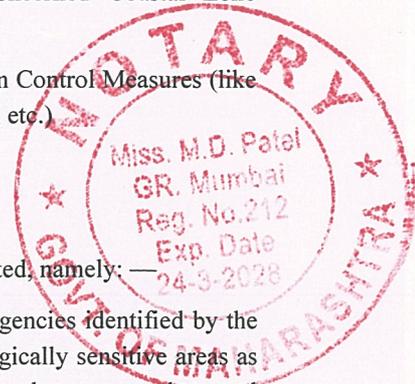
(c) Projects or activities not covered in the Environment Impact Assessment Notification, 2006, but attracting this Notification and located in CRZ-II or CRZ-III areas or those projects or activities listed in sub-paragraph (ii) of paragraph 7 of this notification, shall be considered for clearance by the concerned Coastal Zone Management Authority within sixty days of the receipt of the complete proposal from the proponent.

Note: All construction activities related to projects of the Department of Atomic Energy or related to National Defence or Strategic or Security importance shall be dealt with by the Central Government for Coastal Regulation Zone clearance or composite clearance, as the case may be, based on the recommendation of the concerned Coastal Zone Management Authority, except those located in CRZ-II or CRZ-III or listed in sub-paragraph (ii) of paragraph 7 and requiring only Coastal Regulation Zone clearance.”;

(d) in paragraph 10, —

(i) in sub-paragraph 10.2, for clause (iii), the following clause shall be substituted, namely:-

“(iii) Integrated Island Management Plans, as applicable to smaller islands in Lakshadweep and Andaman and Nicobar by notification *vide* number S.O.1242 (E), dated the 8th March, 2019, shall be formulated by respective State Governments or the Union territory Administration for all such islands and submitted to the Central Government and till the Integrated Island Management Plans are framed, provisions of this notification shall not apply and the Coastal Zone Management Plan as per provisions of Coastal Regulation Zone notification, 2011 number S.O.19(E), dated the 6th January, 2011, shall continue to apply.”;



(ii) after sub-paragraph 10.3, the following sub-paragraph shall be inserted, namely:—

“10.4. **Removal of sand bars in Coastal Regulation Zone.**— The sand bars in the intertidal areas shall be removed by traditional coastal communities only through a non-mechanised manual method. The State Governments and Union territory Administration may permit such removal of sand in the specified time period in a particular area along with a specific quantity subject to conditions such as registration of local community persons permitted to remove the sand manually and shall be renewed on yearly basis.”.

[F.No. 19-112/2013-IA III(pt)]

Dr. SUJIT KUMAR BAJPAYEE, Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), *vide* number G.S.R. 37(E), dated the 18th January, 2019 and last amended, *vide* S.O. 4886(E), dated the 26th November, 2021.



460

F.No. IA3-12/1/2022-IA.III

Government of India

Ministry of Environment, Forest and Climate Change

IA-III Section (CRZ)

Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi - 110003

Dated: 29th November, 2022



OFFICE MEMORANDUM

Subject: Procedure for Clearance of Permissible Activities as per the CRZ Notification, 2019 / ICRZ Notification, 2019 -regarding.

The Ministry issued the Coastal Regulation Zone (CRZ) Notification, 2019 on 18th January, 2019 and the Island Coastal Regulation Zone (ICRZ) Notification, 2019 on 8th March, 2019 in supersession of the CRZ Notification, 2011 and the IPZ Notification, 2011 respectively. The Ministry specified the procedure for CRZ clearance as per the CRZ/ IPZ Notification, 2011 *vide* Office Memorandum dated 26th April, 2022. The Ministry has also rolled out a fully computerised PARIVESH portal for application, appraisal and approval of projects requiring various clearances at the State and Central level. Therefore, in order to remove redundancy and bring in greater clarity in delegation of powers as per the provisions of the CRZ / ICRZ Notification, 2019, the following procedure shall be followed henceforth for appraisal and approval of projects requiring CRZ or combined Environmental Clearance (EC) and CRZ clearances under the said notifications.

2. The procedure for clearance of permissible activities as per the CRZ Notification, 2019 and ICRZ Notification, 2019 shall be as under:-

(i). The project proponents shall apply on PARIVESH portal (<https://parivesh.nic.in/>) along with the following set of documents for seeking prior clearance under the CRZ / ICRZ Notification, 2019 to the concerned State or the Union Territory Coastal Zone Management Authority (CZMA):-

- a. Project summary details as per Annexure-V to the notification.
- b. Rapid Environment Impact Assessment (EIA) Report including marine and terrestrial component, as applicable, except for building construction projects or housing schemes.
- c. Comprehensive EIA with cumulative studies for projects, (except for building construction projects or housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006) if located in low and medium eroding stretches, as per the CZMP to this notification.
- d. Risk Assessment Report and Disaster Management Plan, except for building construction projects or housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, 2006.
- e. CRZ map in 1:4000 scale, drawn up by any of the agencies identified by the Ministry using the demarcation of the HTL or LTL, as carried out by NCSCM.
- f. Project layout superimposed on the CRZ map duly indicating the project boundaries and the CRZ category of the project location as per the approved CZMP under this notification.
- g. The CRZ map normally covering 7 km radius around the project site also indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas.

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h. "Consent to Establish" or No Objection Certificate from the concerned State Pollution Control Board or Union territory Pollution Control Committee for the projects involving treated discharge of industrial effluents and sewage, and in case prior consent of Pollution Control Board or Pollution Control Committee is not obtained, the same shall be ensured by the proponent before the start of the construction activity of the project, following the clearance under this notification.

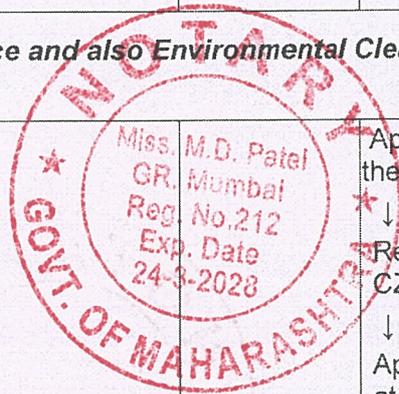
(ii). The concerned State / Union Territory Coastal Zone Management Authority (CZMA) shall examine the above documents in accordance with the approved Coastal Zone Management Plan (CZMP) / Island Coastal Regulation Zone (ICRZ) Plans or Integrated Islands Management Plan (IIMP) in accordance with the procedure laid down and make recommendations as per the provisions of CRZ Notification, 2019 / ICRZ Notification, 2019, clearly specifying the permissibility, section / clause of the notification permitting the project / activity, to the concerned authority as under :-

S. No	Scenario as per the CRZ Notification, 2019	Clearance	Approving Authority	Procedure
Projects requiring only CRZ clearance				
1	<p>(a). All development activities or projects in CRZ-I and CRZ-IV areas except those mentioned at S. No. 2(a) below.</p> <p>(b). All construction activities related to projects of Department of Atomic Energy or National Defence or Strategic or Security importance, except those mentioned at S. No. 2(a) and 2 (b) below.</p> <p>(c). Projects in CRZ -II and III, which also traverse through CRZ-I or CRZ-IV or both.</p> <p>(d). Construction of sewage treatment plants in CRZ-I for the purpose of treating the sewage from the municipal area of Greater Mumbai.</p>	Standalone CRZ	Ministry	<p>Application at CZMA by the PP;</p> <p>↓</p> <p>Recommendation of CZMA;</p> <p>↓</p> <p>Application in the Ministry;</p> <p>↓</p> <p>Recommendation of EAC (CRZ);</p> <p>↓</p> <p>Clearance by the Ministry</p>
2	<p>(a). Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) located in CRZ-I and CRZ - IV.</p> <p>(b) Permissible and regulated activities which fall purely in CRZ-II and CRZ-III areas.</p>	Standalone CRZ	CZMA	<p>Application at CZMA by the PP;</p> <p>↓</p> <p>Clearance by the CZMA</p>



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	(c) All construction activities related to projects of Department of Atomic Energy or National Defence or Strategic or Security importance mentioned at S.No. 2(a) and 2 (b).			
3	Building and construction projects located in CRZ area, which is not attracting the provisions of the EIA Notification, 2006.	Standalone CRZ	State/UT Planning Authority	Application at CZMA by the PP; ↓ Recommendation of CZMA; ↓ Approval by Concerned State's or UT's Planning Authorities
4	Self-dwelling units up to a total built up area of 300 sq.mts.	Standalone CRZ	Local Authority	Application at concerned Local Authority by the PP; ↓ Approval by the Local Authority
Projects requiring CRZ clearance and also Environmental Clearance (EC) as per the EIA Notification, 2006				
5	(a) Any project located in CRZ area that requires EC under Category 'A'. (b) All construction activities related to projects of Department of Atomic Energy or National Defence or Strategic or Security importance that requires EC under Category 'B'.	Combined EC & CRZ	Ministry	Application at CZMA by the PP; ↓ Recommendation of CZMA; ↓ Application for EC+CRZ at concerned Sector of the IA Division of Ministry; ↓ Comments of CRZ Sector in the Ministry; ↓ Recommendation of Sectoral EAC for EC + CRZ; ↓ Clearance (Combined) by Ministry (EC+CRZ)
6	Any project located in CRZ area that requires EC under Category 'B', except construction activities related to projects of Department of Atomic Energy or National Defence or Strategic or Security importance.	Combined EC & CRZ	SEIAA	Application at CZMA by the PP; ↓ Recommendation of CZMA; ↓ Application in the concerned SEIAA; ↓



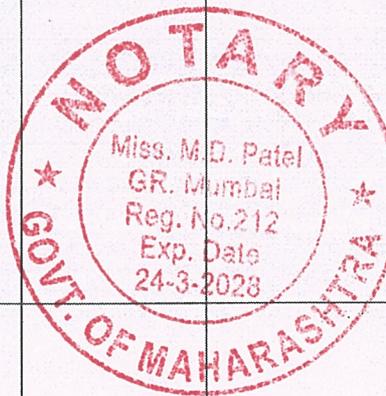
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				Recommendation of SEAC for EC&CRZ; ↓ Clearance by SEIAA (EC&CRZ)
<i>Special dispensation given to the Island areas, Municipal limits of Greater Mumbai and Critical Vulnerable Coastal Areas, not falling in the above categories shall be as specified in the Notification.</i>				
(Refer clause 4, 5, 7, 8 and 10 of the CRZ Notification, 2019)				

S. No	Scenario as per the ICRZ Notification, 2019	Clearance	Approving Authority	Procedure
Projects requiring only ICRZ clearance				
1	<p>(a). All development activities or projects in ICRZ-I and ICRZ-IV areas except those mentioned at Para 2(a) below.</p> <p>(b). All construction activities related to projects of Department of Atomic Energy or National Defence or Strategic or Security importance, except those mentioned at S.No. 2(a) and 2(b) below.</p> <p>(c). Projects in ICRZ -II and III, which are also traversing through ICRZ-I or ICRZ-IV or both.</p>	Standalone ICRZ	Ministry	<p>Application at CZMA by the PP;</p> <p>↓</p> <p>Recommendation of CZMA;</p> <p>↓</p> <p>Application in the Ministry;</p> <p>↓</p> <p>Recommendation of EAC (CRZ);</p> <p>↓</p> <p>Clearance by the Ministry</p>
2	<p>(a). Stand-alone jetties, Salt works, Slipways, Temporary structures and Erosion Control Measures (like Bunds, Seawall, Groynes, Breakwaters, Submerged reef, Sand nourishment, etc.) located in ICRZ-I and ICRZ -IV.</p> <p>(b). Permissible and regulated activities which fall purely in ICRZ-II and ICRZ-III areas.</p> <p>(c). All construction activities related to projects of Department of Atomic Energy or National Defence or Strategic or Security importance mentioned at S.No. 2(a) and 2(b).</p>	Standalone ICRZ	CZMA	<p>Application at CZMA by the PP;</p> <p>↓</p> <p>Clearance by the CZMA</p>

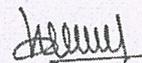
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3	Building and construction projects located in ICRZ area, which is not attracting the provisions of the EIA Notification, 2006.	Standalone ICRZ	State/UT Planning Authority	Application at CZMA by the PP; ↓ Recommendation of CZMA; ↓ Approval by Concerned UT's Planning Authorities
4	Self-dwelling units up to a total built up area of 300 sq.mts.	Standalone ICRZ	Local Authority	Application at concerned Local Authority by the PP; ↓ Approval by the Local Authority
Projects requiring ICRZ clearance and also Environmental Clearance (EC) as per the EIA Notification, 2006				
5	(a) Any project located in ICRZ area that requires EC under Category 'A' (b) All construction activities related to projects of Department of Atomic Energy or National Defence or Strategic or Security importance that requires EC under Category 'B'	Combined EC & ICRZ	Ministry	Application at CZMA by the PP; ↓ Recommendation of CZMA; ↓ Application for EC+CRZ at concerned Sector of the IA Division of Ministry; ↓ Comments of CRZ Sector in the Ministry; ↓ Recommendation of Sectoral EAC for EC + CRZ; ↓ Clearance (Combined) by Ministry (EC+CRZ)
6	Any project located in ICRZ area that requires EC under Category 'B', except all construction activities related to projects of Department of Atomic Energy or National Defence or Strategic or Security importance	Combined EC & ICRZ	SEIAA	Application at CZMA by the PP; ↓ Recommendation of CZMA; ↓ Application in the concerned SEIAA; ↓ Recommendation of SEAC for EC&CRZ; ↓ Clearance by SEIAA (EC&CRZ)
(Refer clause 4, 6, 7 and 8 of the ICRZ Notification, 2019)				



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3. The State / UT CZMA shall forward its recommendation on the permissible activities as per the CRZ Notification, 2019 / ICRZ Notification, 2019 to the concerned authorities, clearly mentioning the CRZ area in which the project is located / passing through, section / clause under which the activity is permissible, conditions if any, and along with all the statutory documents as mentioned in para 2(i) above.
4. In case, the CZMA desires to consider an activity which is not explicitly mentioned in the notification or not permissible, such recommendations shall be forwarded with detailed justification to the Ministry for consideration.
5. In case the Coastal Zone Management Authorities (CZMA) are not in existence due to delay in their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union Territory Administration, for providing comments and recommendation to the proposals in terms of the provisions of the said notification, to the concerned authority, as the case may be.
6. The Category A projects requiring comments of the CRZ Sector shall be forwarded along with all the statutory documents as mentioned in para 2(i) before consideration of the project by the Sectoral EACs. The Sectoral EAC shall appraise the project for composite EC and CRZ clearance based on the comments of the CRZ Sector and CZMA recommendations. In case, the Sectoral EAC is same for appraisal of the projects for both EC and CRZ clearance, the comments of the CRZ sector need not be required.
7. This issues with the approval of the Competent Authority.



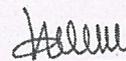
(Dr. H. Kharkwal)
Scientist 'E' (CRZ)

To

1. The Principal Secretary, Environment Department of Coastal State's / UT's.
2. The Chairman, SEIAA of Coastal State's / UT's.
3. The Chairman, SEAC of Coastal State's / UT's.
4. The Chairman, SCZMA / UTCZMA.
5. The Member Secretary, SCZMA / UTCZMA.
6. The Chairman, EAC's (MoEFCC).
7. The Director (IA-Policy) /The Director (PARIVESH / CPC), MoEFC.
8. The Member Secretary, All EAC (IA-Division), MoEFCC

Copy to:

1. PS to MEF / PS to MoS (EF&CC)
2. PPS to Secretary, EFCC
3. PPS to DGF&SS
4. PPS to AS(TK) / PPS to AS(RS) / PPS to AS (NPG)
5. Sr. PPS to JS(SKB), PPS to JS(NKS) /JS(SM) / JS(NP) /
6. All Officers of IA Division
7. Technical Director (NIC)
8. NIC / IT for uploading on Website

(Dr. H. Kharkwal)
Scientist 'E' (CRZ)