

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPALE BENCH, NEW DELHI

ORIGINAL APPLICATION NO.657/2024

NEWS ITEM PUBLISHED IN HINDU DT.04.05.24 TITLED
"SWELL WAVES LIKELY TO STRIKE COASTAL AREAS
COVER WEEKEND"

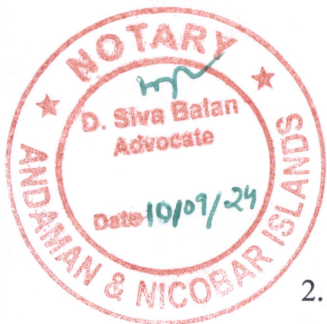
REPLY ON BEHALF OF RESPONDENT NO.16/ANDAMAN &
NICOBAR ISLANDS

1. That the present reply/report is filed by Respondent No.16/Andaman & Nicobar Islands through Shri Senthil Kumar Sampath S/o V. Sampath, aged 49 years, Member Secretary, Nodal Officer CRZ, A & N Islands having office at Office of the PCCF,ANI, Haddo, Port Blair.

BRIEF FACTS

1. The Hon'ble NGT in Original Application No.657/2024 In re: News item published in Newspaper The Hindu dated 04.05.2024 titled " Swell waves likely to strike coastal areas over weekend" in its Order dated 01.07.2024 has directed the Respondents to file the response before the Tribunal.
2. The Andaman & Nicobar Coastal Zone Management Authority, through its Member Secretary, Nodal Officer CRZ, Andaman and Nicobar Islands Administration, has been impleaded as Respondent No 16.

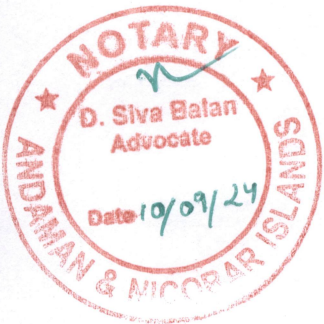




3. The Ld Tribunal in its order dated 01.07.2024 has observed that the news item raises substantial issue relating to compliance of the environmental norms, especially compliance of the CRZ Notification, 2019 and also that the Tribunal in OA No. 249/2023, News item on India's Sinking Islands appeared in the Hindu 19.03.2023 and connected matter is examining the issue of rising sea level and the issues involved in the present OA is connected/incidental to the said issue.

REPLY

4. That the Andaman & Nicobar Coastal Zone Management Authority (A&NCZMA) in O.A.795 of 2023 and O.A.249 of 2023 had filed a detailed report on the status of finalization of ICRZ/IIM Plans which are at various stages of preparation/implementation. It is also submitted that the A & N Island Administration and A & N Coastal Zone Management Authority is conscious of the ecological sensitivity of Andaman & Nicobar Islands and taking every steps to maintain the ecological and environmental balance with a holistic approach to the development.
5. That in the year 2019, the MoEF&CC in supersession of Island Protection Zone Notification 2011 issued Island Coastal Regulation Zone Notification vide Notification No. S.O. 1242 (E) dated 8th March, 2019 declared the coastal stretches of the eight bigger oceanic islands of A&N Islands namely South Andaman, Middle Andaman, North Andaman, Baratang, Little Andaman, Great Nicobar, Havelock (Swaraj Dweep) and Car Nicobar and the water area up to territorial water limits of the country, as the Island Coastal Regulation Zone. These islands have been further grouped as Goup-I (Islands with



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geographical areas > 1000 sqkm) and Goup-II (Islands with geographical areas > 100 sqkm but < 1000 sqkm). Apart from the above mentioned eight islands, other 06 islands namely Rutland, Kamorta, Katchal, Little Nicobar, Interview and Teressa Island having area of more than 100 sqkm falls under Group-II shall also be managed through ICRZ plans.

6. That as per Para 5 of the ICRZ Notification 2019 the Andaman and Nicobar administration shall revise or update their respective island coastal regulation zone plan (ICRZP) framed under IPZ Notification, 2011, as per provisions of this Notification and submit to the Ministry of Environment, Forest and Climate Change for approval at the earliest whereas as per Para 6 of the notification, other small islands shall be managed through the respective Integrated Island Management Plan (IIMP). For all such small islands, the Union Territory administration has to formulate IIMP as per guidelines contained in Annexure-IV and submit to the MoEF&CC for approval at the earliest. Until and unless the IIMP are framed, provisions of 2019 notification shall not come into force and the IIMPs as per the provisions of IPZ notification 2011 shall continued to be followed.

7. Accordingly, A&N Administration had started revision/updation/preparation of ICZMPs (ICRZ & IIM Plan) of 30 Islands of Andaman and Nicobar by executing contract agreement with National Centre for Sustainable Coastal Management (NCSCM), Chennai vide detailed as under:

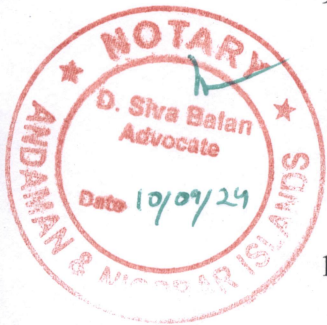
i. Agreement dated 22.05.2020 executed for revision/updation of ICZMPs for fourteen islands namely Great Nicobar, Little Andaman, South Andaman, Shaheed Dweep, Smith Island, Flat



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Bay, Middle Andaman, Baratang, Long Island, Swaraj Dweep, Rutland, Car Nicobar, Kamorta, Aves island.

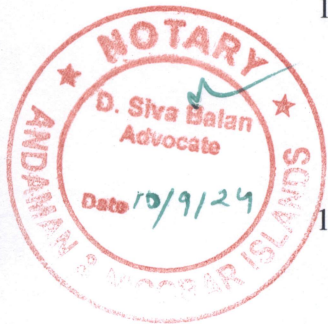
- ii. Agreement dated 24.09.2021 executed for preparation of ICZMPs for 10 islands namely North Andaman, Teressa, North Passage, Stewart, East Island, Strait Island, Nancowrie, Narcondum, Pilowmillow, Curlew Island.
 - iii. Agreement dated 01.12.2022 executed for preparation of ICZMPs for 5 islands namely Chowra, Katchal, Little Nicobar, Interview and Tilong Chong.
 - iv. Agreement dated 09.05.2023 executed for preparation of IIMP for Netaji Subash Chandra Bose Dweep.
8. That out of the 30 ICZMPs to be prepared, the ICRZ Plans are for 14 islands and IIMPs for 16 islands for which contract agreements has been executed with NCSCM.
9. That the ICRZ Plans of 02 Islands namely Great Nicobar & Little Andaman has been approved by MoEF&CC vide F.No.12-3/2021-IA.III dated 01.06.2021& vide F.No.12-3/2021-IA.III (E-153007) dated 12.09.2022.
10. That the draft ICZMPs of 10 Islands which includes ICRZ Plans of 07 Nos. of islands namely Swaraj Dweep, Baratang, Middle Andaman, North Andaman, Car Nicobar, Rutland & Kamorta islands and draft IIMP of 03 Nos. of islands namely Flat Bay, Smith, Long Island was placed before the Technical Scrutiny Committee (TSC) for examination on 01.03.2024. Out of the 10 islands, the revised draft ICRZ plan for 03 islands and revised draft IIMP for 03 islands received from NCSCM after incorporating the additional information sought by



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TSC have been re-submitted to NCSCM for again placing before the TSC for final recommendation. The revised draft ICRZ plan for remaining 04 islands namely Swaraj Dweep, Baratang, Middle Andaman, North Andaman are awaited from NCSCM.

11. That the draft ICZMPs of 02 islands which includes ICRZ Plan of 01 island namely South Andaman and IIM Plan of 01 island namely Shaheed Dweep has been sent to the NCSCM for placing before the Technical Scrutiny Committee (TSC).
12. That the pre-draft ICZMPs of 06 Islands which includes ICRZ Plans of 02 islands namely Teressa Island and Interview Island, and IIM Plans for 04 islands namely Narcondum Island, Nancowrie Island, Pillomillow Island and Chowra Island have been received from NCSCM, Chennai and the same have been forwarded to concerned stakeholder department for submission of comments.
13. The draft ICZMPs of 08 islands which includes ICRZ Plans of 02 islands namely Katchal, Little Nicobar, and IIM Plans for 06 islands namely North Passage, Stewart Island, East Island, Curlew Island, Tillong Chong Island and Strait Island is awaited from NCSCM, Chennai.
14. The public hearing on the draft IIMP of 01 island namely Netaji Subash Chandra Bose Dweep was held on 18.07.2024 and same is under process for further submission to NCSCM for placing before the TSC.
15. The draft ICZMP of one island i.e. the IIMP of Aves Island is yet to be finalized due to SLP No 25446 of 2019 (Andaman and Nicobar Administration & Ors –vs- Aves Island Coconut Plantation Co. Society ltd & Anr). The Andaman & Nicobar has filed an additional affidavit before the Hon'ble Supreme Court on 14.03.2024 to seek leave from

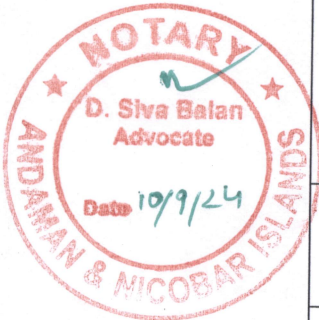


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the Hon'ble Apex Court with respect to preparation of IIMP of Aves Island.

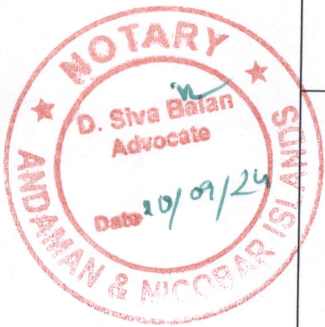
16. The status of preparation of ICZMP (ICRZ and IIMP) are summed up as follows:

| ICRZ- 14 Islands | | | |
|------------------|--|---------------|--|
| S.No | Status | No of Islands | Name of the islands |
| 1. | ICRZ plan approved | 02 | Great Nicobar and Little Andaman |
| 2. | ICRZ plan reviewed /examined by the Technical Scrutiny Committee (TCS) | 04 | Swaraj Dweep, Baratang, Middle Andaman, North Andaman, |
| 3. | ICRZ plan sent to NCSCM for placing before Technical Scrutiny Committee (TCS) for final recommendation | 03 | Car Nicobar, Rutland & Kamorta islands |
| 3. | ICRZ plan sent to NCSCM for placing before Technical Scrutiny Committee (TCS) | 01 | South Andaman |
| 4. | Draft of ICRZ plan awaited from NCSCM | 02 | Katchal, Little Nicobar, |
| 5. | Pre-draft received from NCSCM and the same forwarded to stakeholder | 02 | Teressa Island and Interview Island |



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| | department for submission of comments | | |
| IIMPs- 16 Islands | | | |
| 1. | IIMP sent to NCSCM for placing before Technical Scrutiny Committee (TCS) for final recommendation | 03 | Flat Bay, Smith, Long Island |
| 2. | IIMP sent to NCSCM for placing before Technical Scrutiny Committee (TCS) | 01 | Shaheed Dweep |
| 3. | Draft of IIMP awaited from NCSCM | 06 | North Passage, Stewart Island, East Island, Curlew Island, Tillong Chong Island and Strait Island |
| 4. | Pre-draft received from NCSCM and the same forwarded to stakeholder department for submission of comments | 04 | Narcondum Island, Nancowrie Island, Pillomillow Island and Chowra Island |
| 5. | The public hearing on the draft IIMP and same under process for further submission to NCSCM for placing before the TSC | 01 | Netaji Subash Chandra Bose Dweep |



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|----|---|----|-------------|
| 6. | Draft IIMP received but yet to be finalized due to SLP No 25446 of 2019 | 01 | Aves Island |
|----|---|----|-------------|

17. The Andaman & Nicobar Administration is constantly pursuing with NCSCM for expediting the finalization of ICRZ/IIMP plans which are at various stages and upon receipt of final IIMP/ICRZ Plans from NCSCM the Administration shall process it expeditiously to obtain the approval of the NCZMA.
18. That the Andaman & Nicobar Islands Administration will abide by whatever direction/order passed by this Hon'ble Tribunal.
19. That the Andaman & Nicobar Islands administration will file any further reply/report as and when directed by this Hon'ble Tribunal.

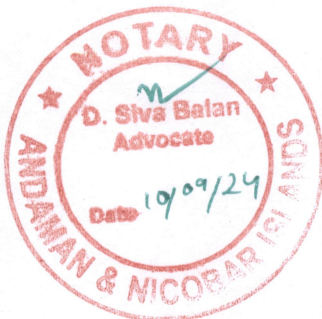
FOR ANDMAN & NICOBAR ISLANDS
THROUGH

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ADVOCATE

STANDING COUNSEL (UOI)

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Articled before me after the contents were read over and explained in simple.....

D. Siva Balan
Advocate
NOTARY PUBLIC
A&N Administration
Port Blair