

## **Minutes of the 27<sup>th</sup> Meeting of the National Coastal Zone Management Authority (NCZMA) held on 25.06.2013 in Ministry of Environment and Forests, New Delhi**

The 27<sup>th</sup> Meeting of the National Coastal Zone Management Authority (NCZMA) was held on 25.06.2013 at 10.00 A.M. under the chairmanship of Dr.V.Rajagopalan, Secretary (E&F). At the outset, the Chairman welcomed the Members and requested the Member Secretary, NCZMA to take up the agenda items one by one.

### **Agenda item No. 1. Confirmation of the Minutes of the previous Meeting held on 27.11.2012.**

Joint Secretary, (MS) MoEF / Member Secretary, NCZMA, observed that as no comments/suggestions have been received on the Minutes of the 26<sup>th</sup> Meeting held on 27.11.2012, the minutes may be taken as approved. This was agreed to.

### **Agenda item No. 2. Action taken on the Minutes of the previous Meeting.**

The 26<sup>th</sup> Meeting of the National Coastal Zone Management Authority (NCZMA) was held on 27<sup>th</sup> November, 2012 under the chairmanship of Shri T. Chatterjee, Secretary (E&F). JS briefed about the action taken on the minutes of the 26<sup>th</sup> meeting.

#### ***2.1 Reclassification of CRZ areas on the ground of 'error evident on record' as recommended by MCZMA & matter related with the order of Hon'ble High Court of Bombay in Writ Petition No. 953/ 2012 filed by Shri Sai Sagar Consultant, Vs UOI regarding reclassification.***

2.1.1 Authority noted that all the proposals for reclassification are from Maharashtra and the ground work for preparation of CZMPs in the State especially in Mumbai region and Raigad District is in an advanced stage of completion. Hence, NCZMA felt that considering the individual proposals as 'error evident on record' at this stage is not advisable. The MCZMA was advised to expedite the preparation of new CZMPs. It was also decided that for a holistic view, all proposals under error evident on record should be considered by MCZMA while preparing the new CZMPs and same practice should be followed by other SCZMAs as well.

2.1.2 Accordingly, SCZMAs were addressed to expedite submission of CZMPs. The MCZMA and Puducherry CZMA requested for extension of validity of approved CZMPs by one year stating that in the absence of valid CZMPs, the permissions for developmental projects cannot be considered since the classification of coastal areas is essential to decide the applicability of CRZ regulations.

2.1.3 NCZMA was appraised during the meeting that with a view to eliminate the above hurdles, the request for the extension of the validity of the approved CZMPs was considered in line with the decision of NCZMA in respect of A & Nicobar Islands CZMA and it was decided to extend the validity of approved CZMPs for all States/UTs, for a further period of one year subject to the condition that all the States/Union territories shall submit the draft CZMP by 30<sup>th</sup> September, 2013 for consideration and the recommendation of NCZMA for the approval of the Ministry. From 1<sup>st</sup> February 2014 onwards, States/Union Territories shall

consider the projects/development activities within CRZ areas as per the new CZMPs only. If any state or union territory fails to submit their draft CZMP by 30th September, 2013, the State/Union territory shall not consider projects and activities within CRZ areas until the approval of new CZMPs is granted. The draft amendment in this regard has been sent for legal vetting before issue of the Notification. The NCZMA agreed with the above decisions of MoEF.

## ***2.2 Consideration of proposals for authorization of Institutes /agencies for demarcation of HTL/LTL.***

2.2.1 It was decided that a committee with NCSCM, SAC, Ahmadabad and NHO, Dehradun be constituted to formulate the guidelines / norms to identify the institutes for demarcation of HTL/LTL. The Committee had prepared certain norms and the same were circulated to the Members.

2.2.2 Chairman, suggested that there shall not be any discrepancy in the demarcation and findings by the different agencies. NCSCM can organize a meeting with the authorized agencies so as to evolve guidelines / methodology for demarcation of HTL/LTL so as to make the demarcation procedure uniform. Issues related to cost and time schedules can also be decided in the same meeting. Members suggested that there should be complete clarity with respect to charges levied and services provided by the 7 authorized agencies.

2.2.3 Regarding scale of the map it was noted that present satellite imagery is suitable for generating maps of 1:25000 but for preparation of 1:4000 maps, ground level survey is required. There is a need for standardization of methodology for ground level field surveys. Use of time series satellite imagery is also required for the demarcation of HTL/LTL. It was decided to involve Ministry of Earth Sciences in the matter and constitute a committee under the chairmanship of Dr. Shailesh Nayak, Secretary, MoES with seven authorized agencies as members and Director, NCSCM as Member Convenor to standardize the methodology for demarcation of HTL/LTL so as to make the demarcation procedure uniform. Ministry shall write a letter to Dr. Shailesh Nayak, Secretary, MoES in this regard.

## ***2.3 Request from Andaman & Nicobar Islands for extension of validity of existing CZMPs for a further period of two years & inclusion of two more islands under ICRZ category.***

2.3.1 Considering the impact of Tsunami on the coastline of A&N and as a special case, the Authority decided to recommend extension of one year period for submission of IIMPs/ICRZPs by A&N Administration. However, the A&N Administration shall submit an Action plan with definitive milestones by January, 2013 for achieving the preparation of new IIMPs/ICRZPs by January, 2014. The authority also decided to recommend the inclusion of Long and Neil islands in the ICRZ category.

2.3.2 The draft amendment to the IPZ Notification, 2011 on the above has been sent for legal vetting before issue of the Notification.

## **Agenda item No. 3. Progress made by SCZMA's in preparation of CZMPs as per CRZ Notification, 2011.**

3.1 The response received from CZMAs is placed at Annexure-I. It is noted that in States viz. Andhra Pradesh , A& N, Kerala, Daman & Diu, Goa, the work of preparation of CZMPs is yet to start. Karnataka has completed the preparation of CZMPs in all coastal districts. Tamil Nadu has completed the preparation in 10 districts and work is in progress in 5 districts.

**Agenda item No. 4 Progress made by SCZMAs in identification of violation cases.**

4.1 The response received from CZMAs is placed at Annexure-II. It is noted that Tamil Nadu is yet to identify the violations. It has directed the District collectors, Corporation of Chennai and Chennai Municipal Development Authority (CMDA) to identify the violations.

4.2 It was decided that all the State/UT CZMAs shall provide detailed reports on the type/quantum of violations and actions taken by them. Since identification of violations is the prime responsibility of SCZMAs specific details of action taken against the violators may be provided by the States. Thereafter, wherever required, NCZMA may undertake a detailed review with the concerned states.

**Agenda item No. 5 Representation of Property Developers Association (PDA) Mumbai forwarded by MCZMA regarding norms for redevelopment of old and dilapidated buildings.**

5.1 Under the CRZ Notification, 2011, norms that prevailed as on 6<sup>th</sup> January, 2011 - Development Control Regulation, 1991 amended up to 6<sup>th</sup> January, 2011 are applicable for redevelopment of old and dilapidated buildings. The Property Developers Association (PDA) stated that the DCR has been amended in 21<sup>st</sup> May, 2012 for redevelopment of old and dilapidated buildings and as per the amendment the tenants are eligible to get 300 sqft as against the previous norm of 225 sqft. Since the redevelopment of old and dilapidated chawls is very unique to Mumbai, PDA requested for amendment to CRZ Notification, 2011 permitting DCR amendment made on 21.05.2011.

5.2 Member Secretary, MCZMA explained the details of the amendment of the DCR dated 21.05.2011. He informed that the representation of the Property Developers Association has not been recommended by MCZMA and would like to examine the request.

5.3 The authority decided that the MCZMA may examine the request of PDA and send its recommendations along with the details of the FSI prevailing, implication of the amendment on the FSI etc. It was also decided to constitute a committee comprising of Chairman (MCZMA) and Member Secretary (MCZMA) along with one expert member from MCZMA to examine the issue. Inter-alia, this committee may keep in view any relevant Court judgments.

**Agenda item No. 6 Issues relating to “error apparent on record”.**

6.1 The background of the issue was elaborated. A number of proposals were received for reclassification of CRZ areas/ deletion of plots from CRZ purview. It was also decided to freeze the Coastal Zone Management Plans as approved in 1996 and the pending

reclassification proposals should be returned to respective SCZMAs with a suggestion that while preparing the CZMPs under the new CRZ Notification, 2011, the concerned issues could be addressed. It was also decided that it might be necessary to consider cases where there is error apparent on record. Accordingly, all the pending proposals including the above were returned to the respective State Coastal Zone Management Authorities. An OM in this regard was issued on 1<sup>st</sup> July, 2011. Further, an office order on procedures to be followed in reclassification on the grounds of “Error apparent on the face of the Record” was issued on 08.08.2011.

6.2 All the SCZMAs, including MCZMA were addressed to expedite submission of CZMPs. However, the MCZMA and Puducherry CZMA requested for extension of validity of approved CZMPs by one year. MoEF agreed and decided to extend the validity of CZMPs prepared in 1996 till 31<sup>st</sup> January, 2014.

6.3 In view of the delay in submission of CZMPs, the proponents requested for consideration of proposal as ‘error apparent on face of the record’. Accordingly, Member Secretary, MCZMA who attended the meeting as special invitee was requested to make presentation on one of the proposals. He made a brief presentation on a proposal of Thane district. It was observed by NCZMA that the imageries used for the justification of the reclassification do not include the imageries of period between 1991 to 1996 which were used for the preparation of CZMPs in the year 1996.

6.4 The authority noted that MCZMA has only forwarded all the cases to MoEF for further appropriate decision on merit without clear and specific recommendations. Also, the proposal is not as per the OM dated 08.08.2011.

6.5 It was, therefore, decided that MCZMA shall examine the cases and submit the proposal to NCZMA based on maps using the same basic imagery which was used for the preparation of CZMPs in the year 1996. Thereafter, the cases may be sent for the consideration of NCZMA with clear and specific recommendations of MCZMA and in line with MoEF’s OM dated 08.08.2011.

6.6 It was informed to the authority that M/s Sri Sai Sagar Consultants approached High Court of Bombay that based on the demarcation done by two authorized agencies, the site falls beyond 500 m from HTL. NCZMA had noted earlier that the site apparently falls outside CRZ as per the demarcation, but had, however, suggested the MCZMA to submit comprehensive proposal for the area instead of individual proposals. Later on, the proposal was not considered in view of the decision of NCZMA to consider all such reclassifications under CRZ Notification, 2011. The Hon’ble High Court vide order dated 25.03.2013 ordered the MCGM to consider the plot location out of CRZ .

#### **Agenda item No. 7   Extent of CRZ on the landward side pending finalization of hazard line.**

7.1 Under the CRZ Notification, 2011, the land area falling between the hazard line and 500mts from HTL on the landward side, in case of seafront and between the hazard line and 100mts line in case of tidally influenced water bodies is also declared as CRZ area. The hazard line is being mapped through SoI all along the coastline of the country taking into

account, tides, waves, sea level rise and shoreline changes. Presently, the regulation is only up to 500 m from the HTL for Sea front and 100 m or width of the creek whichever is less in case of tidally influenced water bodies. After the demarcation of hazard line, no developmental activities other than those permissible under the CRZ Notification, 2011 shall be permitted in the areas between the hazard line and 500 mts or 100 mts or width of the creek on the landward side. The dwelling units of the local communities including that of the fishermen community will not be relocated if the dwelling units are located on the seaward side of the hazard line. The State Government will provide necessary safeguards from natural disasters to such dwelling units of local communities.

7.2. Dr. Harapanahalli, NPD, SICOM informed that the SoI is in the process of demarcation of hazard line. The results will be evident from December 2013 and the process is likely to be completed by December 2015.

7.3. Members expressed the view that till the hazard line is demarcated, the norms of setback lines for sea front and tidal influenced water bodies as specified under CRZ Notification 2011 may continue to be followed. However, considering that the hazard line when demarcated could fall in some stretches beyond the applicable set-back line on the landward side, it was felt that the matter requires further consideration.

#### **Agenda item No. 8– Any other item with the permission of chair**

8.1 Prof Ramesh, NCSCM informed that the Shore line assessment report has been submitted to the Government of Maharashtra and the feedback is awaited. MS, MCZMA informed that the matter is to be discussed in the ensuing MCZMA meeting and the feedback will be provided.

8.2 Shri. Surendira Prasad suggested that MoEF can consider levying of fee on authorization of Institutes for carrying out the demarcation of HTL/LTL. It was noted that there is no provision under the regulation for levying of charge. However, it was decided that the issue may be addressed while suggesting the guidelines by the committee to be convened by NCSCM.

8.3 The authority observed that some of the states have either still not hosted their websites or have hyperlinked the CZMA site with other existing websites of the State departments/organizations. The authority therefore decided to address all the coastal states to host their own dedicated websites and update them regularly

The meeting ended with a vote of thanks from the Chair.

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### List of participants

#### **Minutes of the 27<sup>th</sup> Meeting of the National Coastal Zone Management Authority (NCZMA) held on 25.06.2013 in Ministry of Environment and Forests, New Delhi**

##### **Members of NCZMA**

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|-----|--|------------------|
| 1.  | Dr. V.Rajagopalan, Secretary ,<br>MoEF, GOI  | Chairman         |
| 2.  | Shri. K.M.Rajan, Kattayavuki, Kosady,<br>Madukla, Kottayan, Kerala   | Member           |
| 3.  | Dr. R.Ramesh, Director, NCSCM,<br>Anna University Campus, Chennai  | Member           |
| 4.  | Shri. Surendira Prasad, Chennai  | Member           |
| 5.  | Dr. A.K.Chaubey, National Institute of Oceanography,<br>Dona Paula, Goa (Representative of Director)             | Member           |
| 6.  | Dr. A.S Rajawat, Space Applications Centre, ISRO,<br>Ahmedabad (Representative)                                  | Member           |
| 7.  | Shri. Y.B. Kaushik, Scientist, Central Ground Water Authority,<br>New Delhi (Representative of Member)           | Member           |
| 8.  | Shri. D.Venkatesan, Assistant Director General,<br>Ministry of Tourism, GoI. (Representative of Joint Secretary) | Member           |
| 9.  | Shri Maninder Singh, Joint Secretary, MoEF   | Member Secretary |
| 10. | Dr. Harapanahalli, National Project Director, SICOM  | Special Invitee  |

##### **Ministry of Environment and Forests (for the purpose of assistance to Chairman)**

11. Shri Lalit Kapur, Director
12. Shri E.Thirunavukkarasu, Dy. Director, MoEF
13. Shri Amardeep Raju, Dy. Director, MoEF

##### **State Coastal Zone Management Authorities (as a special invitee)**

14. Shri. Ajay Fulmali, Member Secretary, Maharashtra Coastal Zone Management Authority.

**PROGRESS MADE BY SCZMA'S IN PREPARATION OF CZMPS AS PER  
CRZ NOTIFICATION, 2011.**

Sl.No	States/UTs CZMA	Status of preparation of CZMPs
1	Andhra Pradesh	Work is in progress
2	A & N Islands	Modalities and operational logistics are being worked out with CESS.
3	Daman & Diu	Yet to start.
4	Gujarat	Yet to start. According to GCZMA, authorised agencies are occupied.
5	Goa	Yet to start.
6	Karnataka	CZMP completed in all the three districts ( Dakshina Kannada, Udupi and Uttara Kannada by NHO Dehradun. Opinion of various agencies and public received on the Maps and to be examined by KCZMA.
7	Kerala	As per information provided by KCZMA, work has been started and is at various stages of completion.
8	Lakshadweep	IIMP completed for 5 islands( Agatti, Chetlat, Amini, Kiltan and Bitra) Draft IIMP published in two local news papers and in websites inviting comments / suggestions from public and stakeholders. The preparation of IIMP is also monitored by a five member Committee constituted by Lakshadweep administration as per the direction of Hon'ble Supreme Court. CESS has been entrusted with the work
9	Maharashtra	Draft CZMP prepared by IRS, Chennai for Mumbai and Raigad received. CESS is entrusted to prepare CZMP for Thane and Sindhudurg districts while IRS is preparing for Ratnagiri district.
10	Odisha	Work started
11	Puducherry	Yet to start. Quotation have been invited by Town and Country Planning Department.
12	West Bengal	Satellite images procured and field work started. Institute of Environmental Studies and Wetland Management has been entrusted with the work.
13	Tamil Nadu	Out of 13 coastal districts, CZMPs completed in 10 districts. Work is in progress in 3 (Thiruvallur, Chennai and Kancheepuram ) districts. IRS, Chennai has been entrusted with the work

**PROGRESS MADE BY SCZMAS IN IDENTIFICATION OF VIOLATION CASES.**

Sl.No	States/UTs CZMA	Number of violation Identified
1	Andhra Pradesh	126
2	A & N Islands	104
3	Daman & Diu	84
4	Gujarat	14
5	Goa	198
6	Karnataka	69
7	Kerala	45
8	Lakshadweep	2
9	Maharashtra	435
10	Odisha	19
11	Puducherry	3
12	West Bengal	151
13	Tamil Nadu	District collectors, Corporation of Chennai, CMDA were addressed to identify the violations
Total		1250