

CRZ with following amendments:

The principal notification was published in the Gazette of India vide number S.O. 114(E), dated, the 19th February, 1991 (Corrigendum number S.O 190(E) dated 18th March 1991) and subsequently amended vide: -

S.O. 595 (E) dated 18th August, 1994 (Corrigendum S.O.690 (E) dated 19th September 1994.

S.O. 73 (E) dated 31st January 1997.

S.O. 494 (E) dated 9th July 1997 (Corrigendum S.O.735 (E) dated 21st October 1997.)

S.O. 334 (E) dated 20th April 1998.

S.O. 873 (E) dated 30th September 1998.

S.O. 1122 (E) dated 29th December 1998.

S.O.998 (E) dated 30th September 1999.

S.O.730 (E) dated 4th August 2000

S.O.900 (E), dated 29th September, 2000.

S.O.329 (E) dated 12th April, 2001.

S.O.988 (E) dated 3rd October, 2001

S.O.550 (E) dated 21st May, 2002.

S.O.1100 (E) dated 19th October, 2002.

S.O.52 (E) dated 16th January, 2003

S.O.460 (E), dated 22nd April, 2003

S.O. 635(E), dated 30th May, 2003

S.O. 636(E), dated 30th May, 2003

S.O.725 (E), dated 24th June, 2003.

S.O. 838(E), dated 24th July, 2003.

S.O. nil (E), dated 25th January, 2005.

S.O.451 (E), dated 26th March, 2007.

S.O.463 (E), dated 10th March 2008.

S.O.1243 (E), dated 15th May 2009

I. COASTAL REGULATION ZONE (CRZ) Notification I9th February, 1991

S.O. 114(E), dated, the 19th February, 1991

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forests & Wildlife)

NOTIFICATION

New Delhi, the I9th February, 1991

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

1. **S.O. 114(E).**- Whereas a Notification under Section (1) and Section 3(2)(v) of the Environment (Protection) Act, 1986, inviting objections against the declaration of Coastal Stretches as Coastal Regulation Zone (CRZ) and imposing restrictions on industries operations and processes in the CRZ was published. vide S.O. No 941 (E) dated 15th December, 1 990.

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

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

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

2. Prohibited Activities:

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

- (i) setting up of new industries and expansion of existing industries, except those directly related to water front or directly needing foreshore facilities;
- (ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environmental & Forest. No. S.O. 594(F) dated 28th July, 1989, S.O. 966(E) dated 27th November, 1989 and GSR 1037(E) dated 5th December, 1,1989;
- (iii) Setting up and expansion of fish processing units including warehousing (excluding, hatchery and natural fish drying in permitted areas);
- (iv) setting up and expansion of units mechanisms for disposal of waste and effluents, except facilities required for discharging, treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for storm water drains:
- (v) discharge of untreated wastes and effluents from industries cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;
- (vi) dumping of city or town waste for the purposes of land filling or otherwise the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification;
- (vii) dumping of ash or any wastes from thermal power stations;
- (viii) land reclamation, bunding or disturbing the natural course of sea water with similar obstructions, except those required for control of coastal erosion and maintenance or clearing of waterways, channels and

ports and for prevention of sandbars and also except for tidal regulators, storm water drains and structures for prevention of salinity increase and for sweet water recharge;

(ix) mining of lands, rocks and other substrata materials except those rare mineral not available outside the CRZ areas;

(x) harvesting or drawal of ground water and construction of mechanisms therefore within 200 m of HTL: in the 200 m to 500 m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture agriculture and fisheries;

(xi) construction activities in ecologically sensitive areas as specified in Annexure-I of this Notification;

(xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea facilities for carrying sea water for cooling purposes. Oils gas and similar pipelines and facilities essential for activities permitted under this Notification; and

(xiii) dressing or altering of sand dunes hills, natural features including landscape changes for beautification, recreational and other such purpose, except as permissible under this Notification.

3. Regulation of Permissible Activities:

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

(1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.

(2) The following activities will require environmental clearance from the Ministry of Environment & Forests, Government of India, namely:-

(i) Construction activities related to Defence requirements for which foreshore facilities are essential (e.g. slipways, jetties etc.); except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ);

(ii) Operational constructions for ports and harbours and light houses requiring water frontage; jetties wharves, quays slipways etc. (Residential buildings & office buildings shall not come within the definition of operational activities except in very special cases and hence shall not normally be permitted in the CRZ);

(iii) Thermal power plants (only foreshore facilities for transport of raw materials facilities for in-take of cooling water and outfall for discharge of treated waste water cooling water); and

(iv) All other activities with investment exceeding rupees five crores.

(3)

(i) The coastal States and Union Territory Administrations shall prepare, within a period of one year from the date of this Notification. Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures-I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment & Forests;

(ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3 (2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and

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

4. Procedure for monitoring and enforcement:

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

ANNEXURE-I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone:

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

Category I (**CRZ-I**):

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

(ii) Area between the Low Tide Line and the High Tide Line.

Category-II (**CRZ-II**):

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

Category III (**CRZ-III**):

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

Category-IV (**CRZ-IV**):

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

Norms for Regulation of Activities.

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

CRZ-I

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

CRZ-II

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

CRZ-III

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

iii) construction/reconstruction of dwelling units between 200 and 500 metres of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33 per cent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors (ground floor plus One floor).

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

CRZ-IV

Andaman & Nicobar Islands:

(i) No new construction of buildings shall be permitted within 200 metres of the HTL;

ii) The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of constructions shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

(iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes:

(v) Dredging and underwater blasting in and around coral formations shall not be permitted; and

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

Lakshadweep and small Islands:

(i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects erosion and ecological sensitivity:

(ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

(iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;

(v) Dredging and underwater blasting in and around coral formations shall not be permitted; and

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

Lakshadweep and small Islands:

(i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects, erosion and ecological sensitivity;

(ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style;

(iv) Corals and sand from the beaches and coastal waters, shall not be used for construction and other purposes.

(v) Dredging and under water blasting in and around lagoons and coral formations shall not be permitted; and

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

ANNEXURE-II

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

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

(i) The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward side) from the High Tide Line and within the area between the Low Tide and High Tide Line;

(ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33. The open area shall be suitably landscaped with appropriate vegetal cover;

(iii) The construction shall be consistent with the surrounding landscape and local architectural style;

(iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);

(v) Ground water shall not be tapped within 200 m of the HTL; within the 200 metre - 500 metre zone it can be tapped only with the concurrence of the Central/State Ground Water Board;

(vi) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 metres of the High Tide Line;

(vii) The quality of treated effluents, solid wastes, emissions and noise levels etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986;

(viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent/solid waste shall be discharged on the beach:

(ix) To allow public access to the beach, atleast a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and

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

(xi) Approval of the State/Union Territory Tourism Department shall be obtained.

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

II. Corrigendum number S.O 190(E) dated 18th March 1991

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

CORRIGENDUM

New Delhi, the 18th March, 1991

S.O. 190 (E). - In partial modification of the Gazette Notification, S.O. No. 114(E) dated 20th February, 1991 the following amendments may be made :

S.no	Reference	For	READ
1	2	3	4
1.	Page 5, Para 2 (viii) line-5	... cleasing of water ways.....	clearing of water ways.....
2.	Page 6, Ann. I Para 6 (1) line 3	...line of teline on the

- | | | |
|--|---|---|
| 3. Page 6, Ann. I
Para 6(1) line-5 | Category I (CRZ - T) | Category I (CRZ-I) |
| 4. Page 7, Para 6(2) | ...subject with the..... |subject to the.... |
| 5. Page 7 para 6(2)
CRZ-III (ii) |prior approval
of MEF |prior approval
of Ministry of Environment
and Forests (MEF) |
| 6. Page 8, Lakshadweep
and small Islands,
Paras, (i) to (vi) | May be omitted as
the same has been
given earlier in the
text on pages 7-8 | |

[File No. K-15019/1/84-IA. III]

S. MAUDGAL, Adviser-IA

III. S.O. 595(E) dated 18th August, 1994.

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 18th August, 1994

S.O. 595(E).- Whereas by the notification of the Government of India in the Ministry of Environment and Forests No. S.O. 114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification) Coastal Stretches were declared Coastal Regulation Zones and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zone;

And whereas the Central Government constituted an Expert Committee under the Chairmanship of Shri B. B. Vohra to examine the issues relating tries, operations and processes in the said zone;

And whereas the said Committee submitted its report to the Central Government on 31st day of December, 1992 and the Central Government after considering the said report proposes to make certain amendments in the said notification;

And whereas vide No. S.O. 859(E), dated the 11th November, 1993, the objections/suggestions from the public were invited and duly considered and examined 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) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules 1986, the Central Government hereby makes the following amendments in the aforesaid notification:-

[Amendment to No. S.O. 114(E), dated the 19th February, 1991]

In exercise of the powers conferred by clause (a) of sub-rule (3) of rule 5 of the Environment Protection Rule, 1986, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Environment and Forests No. S.O. 114(E), dated the 19th February, 1991, namely:-

(a) in paragraph 1, for the portion beginning with the words "For purposes of this notification, the High Tide Line" and ending with the words "width of the creek, river or back water whichever is less", the following shall be substituted, namely:-

"For the purposes of this notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority so authorised by the Central Government in consultation with the Surveyor General of India.

NOTE:-

The distance from the High Tide Line shall apply to both sides in the case of rivers, creeks and back waters and may be modified on a case by case basis for reasons to be recorded while preparing the Coastal Zone Management Plans. However, this distance shall not be less than 50 metres or the width of the creek, river or back-water whichever is less. The distance upto which development along rivers, creeks and back-waters is to be regulated shall be governed by the distance upto which the tidal effect of sea is experienced in rivers, creeks or back-waters, as the case may be, and should be clearly identified in the Coastal Zone Management Plans";

(b) In Annexure II, in paragraph 7, in subparagraph (1), for item (i), the following items shall be substituted, namely:-

(i) The project proponent shall not undertake any construction within 200 metres in the land-ward side from the High Tide Line and within the area between the Low Tide and High Tide Lines:

Provided that the Central Government may, after taking into account geographical features and overall Coastal Zone Management Plans, and for reasons to be recorded in writing, permit any construction subject to such conditions and restrictions as it may deem fit;

(ia) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;

(ib) no flattening of sand dunes shall be carried out;

(ic) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;

(id) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area. The State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

EXPLANATION :

"Though no construction is allowed in the no development zone for the purposes of calculation of ESI, the area of entire plot including the portion which falls within the no development zone shall be taken into account".

[File No. K-15019/1/84-IA. III]

K. K. BAKSI, Addl. Secy.

IV. (Corrigendum S.O.690 (E) dated 19th September 1994.)

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

CORRIGENDUM

New Delhi, the 19th September, 1994

S.O. 690 (E).- In partial modification of the Gazette Notification S.O. No. 595 (E) dated the 16th August, 1994 the following corrections may be made:-

Reference	For	Read
1	2	3
Page 2, Heading	New Delhi the 18th August, 1994	New Delhi, the 16th August, 1994
Page 2, Para2, Line 6	Coastals...	Coastal.....
Page 2, Para2, Line 4	...tries operations and processes in the said zone;	to tourism and hotel facilities in the coastal zones;
Page 3, Para 3, sub para (a) line 6folowing.....following.....

[F. No. K-15019/1/84-IA. III]

N. BAGCHI, Adviser

V. S.O. 73 (E) dated 31st January 1997.

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 31st January, 1997

1. **S.O. 73(E)**.- Whereas by notification of the Government of India in the Ministry of Environment and Forests No. S.O. 114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification) Central Government declared Coastal Stretches as Coastal Regulation Zones and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zones;

And whereas the Union Territory of the Andaman and Nicobar Islands Administration had drawn attention of the Central Government to the difficulties being faced by the local people due to restrictions on withdrawal of ground water and prohibition of mining of sand in the Coastal Regulation Zone in the said territory;

And whereas these issues have been examined by the Government of India in the Ministry of Environment and Forests and obtained the views of experts in the matter;

And whereas the Central Government is of the opinion that the said notification should be amended;

And whereas sub-rule 4 of rule (5) of the Environment (Protection) Rules 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3);

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of the section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the aforesaid notification:-

2. In the said notification:-

(1) In paragraph 2, -

(a) in sub-paragraph (ix), the following proviso shall be inserted at the end, namely:-

"Provided that in the Union Territory of the Andaman and Nicobar Islands, drawal of ground water can be permitted from specific sites if no other source of water is available and when done manually through ordinary wells or hand pumps, with the approval

of Secretary, Department of Environment, Andaman and Nicobar Administration on a case to case basis, within 50 to 200 m from High Tide Line for local inhabitants for drinking purposes only".

(b) in sub-paragraph (x), the following proviso shall be inserted, namely:-

"Provided that in the Union Territory of the Andaman and Nicobar Islands, mining of sands may be permitted by the Committee which shall be constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of Chief Secretary; Department of Environment; Secretary, Department of Water Resources and Secretary Public Works Department. Committee may permit mining of sand from non-degraded areas for construction purposes from selected sites, in a regulated manner on a case to case basis, for a period upto the 31st day of March, 1998. The quantity of sand mined shall not exceed the essential requirements for completion of construction works including dwelling units, shops in respect of current year and 1997-98 annual plans. The permission of mining of sand may be given on the basis of a mining plan from such sites and in such quantity which shall not have adverse impacts on the environment."

(2) In the said notification, in Annexure-I, in heading CRZ-IV Andaman & Nicobar Islands for item (iv), the following shall be substituted, namely:-

"(iv)

(a) Corals from the beaches and coastal waters shall not be used for construction and other purposes;

(b) sand may be used from the beaches and coastal waters, only for construction purpose upto the 31st day of March, 1998 and thereafter it shall not be used for construction and other purposes."

[Z-12011/2/96-IA-III]

R. H. KHWAJA, Jt. Secy.

VI.S.O. 494 (E) dated 9th July 1997

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 9th July, 1997

1. **S. O. 494(E).**- Whereas by the notification of the Government of India in the Ministry of Environment and Forests No. S.O. 114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification) Central Government declared Coastal Stretches as Coastal Regulation Zone (CRZ) and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zone;

And whereas some State Governments have drawn attention of the Central Government to the difficulties being faced by the local people and also for construction of essential facilities in the coastal zone;

And whereas these issues have been examined by the Government of India in the Ministry of Environment and Forests and discussed with other concerned authorities:

And whereas the Central Government is of the opinion that the said notification should be amended;

And whereas sub-rule 4 of rule (5) of the Environment (Protection) Rules, 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of the said rules;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 of the said rules for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of the section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the aforesaid notification.

2. In the said notification, in paragraph 2, -

(1) In sub-paragraph (ii) the following words and proviso shall be inserted at the end, namely:-

"except transfer of hazardous substances from ships to ports, terminals and refineries and vice versa, in the port areas:

Provided that Government of India in the Ministry of Surface Transport, on a case to case basis, may permit storage of the petroleum products as specified in Annexure-III appended to this notification within the existing port limits of existing ports and harbours and in those areas of ports that have not been classified as CRZ-I subject to implementation of safety regulations including guidelines issued by Oil Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas after ensuring proper location of site and availability of necessary equipment to meet the safety norms and the exigencies arising due to any accident or spillage".

(2) in sub-paragraph (iii) the following proviso shall be inserted at the end, namely:-

"Provided that existing fish, processing units for modernisation purposes may utilise twenty five per cent additional plinth area required for additional equipment and pollution control measures only subject to existing Floor Space Index/Floor Area Ratio norms and subject to the condition that the additional plinth area shall not be towards seaward side of existing unit and also subject to the approval of State Pollution Control Board or Pollution Control Committee";

(3) for sub-paragraph (viii) the following shall be substituted, namely:-

"(viii) land reclamation, bunding or disturbing the natural course of sea water except those required for construction of ports, harbours, jetties, wharves; quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge.";

(4) in sub-paragraph (x), for the proviso the following proviso shall be substituted. namely:-

"Provided that drawal of ground water is permitted, where no other source of water is available and when done manually through ordinary wells or hand pumps, for drinking and domestic purposes, in the zone between 50 to 200 m from High Tide Line in case of seas, bays and estuaries and within 200 m or the CRZ, whichever is less, from High Tide Line in case of rivers, creeks and backwaters subject to such restrictions, as may be deemed necessary, in areas affected by sea water intrusion, that may be

imposed by an authority designated by State Government/Union Territory Administration."

3. In paragraph 3, sub-paragraph (2), for clauses (ii) and (iv) the following shall be substituted namely:-

"(ii) Operational constructions for ports and harbours and light houses and constructions for activities such as jetties, wharves, quays and slipways:

Provided that for expansion or modernisation of existing ports and harbours including fishing harbours operational constructions for ports and harbours and construction of jetties, wharves, quays, slipways, Single Point Mooring and Single Buoy Mooring and for reclamation for facilities essential for operational requirements of ports and harbours in areas within the existing port limits, except the areas classified as category CRZ-I (i), shall require environmental clearance from Government of India in the Ministry of Surface Transport, which shall take decision on these activities on the basis of Environmental Impact Assessment Report:

Provided further that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible.";

"(iv) All other activities with investment exceeding rupees five crores except those activities which are to be regulated by the concerned authorities at the State/Union Territory level in accordance with the provisions of paragraph 6, sub-paragraph (2) of Annexure I of the notification."

4. In Annexure I, in paragraph 6, in sub-paragraph (2),-

(1) under heading CRZ-I the following proviso shall be inserted at the end, namely:-

"provided that construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Biosphere reserve area, West Bengal, may be permitted, on a case to case basis, by an authority designated by the State Government";

(2) under heading CRZ-II, for item (i), the following shall be substituted, namely:-

"Buildings shall be permitted only on the landward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) or on the landward side of existing authorised structures. Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local

Town and Country Planning Regulations including the existing norms of Floor Space Index/Floor Area Ratio:

Provided that no permission for construction of buildings shall be given on landward side of any new roads (except roads proposed in the approved Coastal Zone Management Plan) which are constructed on the seaward side of an existing road";

(3) under heading CRZ-III,-

(i) in item (i) for the words "No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density." the words "No construction shall be permitted within this zone except for repairs of existing authorised structure not exceeding existing FSI, existing plinth area and existing density, and for permissible activities under the notification including facilities essential for such activities. An authority designated by the State Government/Union Territory Administration may permit construction of facilities for water supply, drainage and sewerage for requirements of local inhabitants" shall be substituted;

(ii) in item (iii) at the end, the following words shall be inserted, namely:-

"Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government/Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities."

5. After Annexure II to the said notification the following Annexure III shall be inserted namely:-

ANNEXURE-III

[See paragraph 2, sub-paragraph (ii)]

List of Petroleum Products Permitted for Storage in Port Areas

- (i) Crude Oil;
- (ii) Liquified Petroleum Gas;
- (iii) Motor Spirit;

- (iv) Kerosene;
- (v) Aviation; Fuel;
- (vi) High Speed Diesel;
- (vii) Lubricating Oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naptha;
- (xii) Furnace Oil;
- (xiii) Low Sulphur Heavy Stock."

[No. H-11011/6/97-1A-III]

R.H. KHWAJA, Jt. Secy.

Foot Notes.- The principal notification was published vide S.O. No. 114(E) dated 19th February, 1991 in Part II Section 3, Sub-section (ii) of the Gazette of India Extraordinary and subsequently amended vide:-

- (i) S.O. No. 595 (E) dated 18th August, 1994.
- (ii) (ii) S.O. No. 73 (E) dated 31st January. 1997.

VII. Corrigendum S.O.735(E) dated 21st October 1997

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

CORRIGENDUM

New Delhi, the 21st October, 1997

S. O. 735 (15).- In partial Modification of the Gazette Notification S. O. No. 494(E) dated the 9th July, 1997 the following corrections may be made:-

On page 5, in paragraph 4 (2), in the proviso, read "roads approved in the Coastal Zone Management Plan" for roads proposed in the approved Coastal Zone Management Plan".

[F.No. H-11011/6197-IA-III]

RH. KHWAJA, Jt. Secy.

VIII. S.O. 334 (E) dated 20th April 1998.

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 20th April, 1998

1. **S.O. 334 (E).**- Whereas by notification of the Government of India in the Ministry of Environment and Forests No. S.O. 114 (E) dated the 19th February, 1991 (hereinafter referred to as the said notification) Central Government declared Coastal Stretches as Coastal Regulation Zones and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zones;

And whereas, the Union Territory of the Andaman and Nicobar Islands Administration had drawn attention of the Central Government to the difficulties being faced by the local people due to restrictions on prohibition of mining of sand in the Coastal Regulation Zone in the said territory;

And whereas, the issue has been examined by the Government of India in the Ministry of Environment and Forests;

And whereas, the Central Government is of the opinion that the said notification should be amended;

And whereas sub-rule 4 of rule (5) of the Environment (Protection) Rules, 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3);

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (I) and clause (v) of sub-section (2) of the section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) and (4) of rule 5 of the Environment

(Protection) Rules, 1986, the Central Government hereby makes the following amendments in the aforesaid notification.

2. In the said notification --

(a) in paragraph 2, in sub-paragraph (ix), the following proviso shall be substituted at the end, namely:-

"Provided that in the Union Territory of the Andaman and Nicobar Islands, mining of sand may be permitted by the Committee which shall be constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of Chief Secretary; Secretary, Department of Environment; Secretary, Department of Water Resources; and Secretary, Public Works Department, Committee may permit mining of sand from non-degraded areas for construction purposes from selected sites, in a regulated manner on a case to case basis, for a period up to the 30th day of September, 1998. The quantity of the sand mined shall not exceed the essential requirements for completion of construction works including dwelling units, shops in respect of half yearly requirement of 1998-99 annual plan. The permission of mining of sand may be given on the basis of the mining plan for such sites in such quantity which shall not have adverse impacts on the environment.";

(b) in annexure I, in heading CRZ-IV Andaman and Nicobar Islands in item (iv) (b), for the words and figures "31st day of March, 1998", the words and figures "30th day of September, 1998" shall be substituted

[No. Z-12011/2/96-IA-III]

R H. KHWAJA, Jt. Secy.

Foot Note:- The principal notification was published vide S.O. No. 114(E) dated 19th February, 1991 in Part II, Section 3, Sub-section (ii) of the Gazette of India Extraordinary and subsequently amended vide:--

- (i) S.O. No. 595 (E) dated 18th August, 1994.
- (ii) S.O. No. 73 (E) dated 31st January, 1997.
- (iii) S.O. No. 494 (E) dated 9th July, 1997.

X. S.O. 873 (E) dated 30th September 1998.

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 30th of September, 1998

1. **S. O. 873(E).**- Whereas by notification of the Government of India in the Ministry of Environment and Forests number S. O. 114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared Coastal Stretches as Coastal Regulation Zone and restrictions were imposed on the setting up and expansion of industries, operations and processes etc., in the said Zone;

And whereas the Union Territory of the Andaman and Nicobar Islands Administration had drawn attention of the Central Government to the difficulties being faced by the local people due to restrictions on mining of sand in the Coastal Regulation Zone in the said territory;

And whereas, the issue has been examined by the Government of India in the Ministry of Environment and Forests;

And whereas, the Central Government is of the opinion that the said notification should be amended;

And whereas, sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3)";

2. Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

(a) In paragraph 2, in sub-paragraph (ix) in the proviso,--

(i) for the words "Public Works Department, Committee" the words "Public Works Department. The said Committee" shall be substituted;

(ii) for the figures, letters and words "30th day of September, 1998", the figures, letters and words "30th day of September, 1999" shall be substituted; and

(iii) for the words and figures "requirement of 1998-99 annual plan" the words and figures "requirements of 1998-99 and 1999-2000 annual plans" shall be substituted.

(b) In Annexure-I in heading -- CRZ-IV Andaman & Nicobar Islands, in sub-item(b) of item (iv), for the figures, letters and words "30th day of September, 1998" the figures, letters and words "30th day of September, 1999" shall be substituted.

[No. Z-12011/2/96-LA-III]

V. RAJAGOPALAN, Jt. Secy.

Foot Note:- The principal notification was published vide S. O. No. 114(E) dated 19th February, 1991 in Part II, Section 3, Sub-section (ii) of the Gazette of India Extraordinary and subsequently amended vide:--

- (i) S. O. No. 595(E) dated 18th August, 1994.
- (ii) S. O. No. 73(E) dated 31st January, 1997.
- (iii) S. O. No. 494(E) dated 9th July, 1997.
- (iv) S. O. No. 334(E) dated 20th April, 1998.

XI S.O. 1122 (E) dated 29th December 1998

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 29th December, 1998

S. O. 1122(B),--Whereas by the notification of the Government of India in the Ministry of Environment and Forests number. S.O. 114(E), dated 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared certain coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters as Coastal Regulation Zone and restrictions were imposed on the setting up and expansion of industries, operations or processes, in the said Coastal Regulation Zone;

And whereas, the Central Government, in the Ministry of Environment and Forests, has deliberated upon and decided to simplify the procedure for demarcation of the High Tide Line as laid down in the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendment in the said notification, namely:

In paragraph 1, sub-paragraph (3), for the words "For the purposes of this notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority so authorised by the Central Government in consultation with the Surveyor General of India.", the following shall be substituted, namely: --

"For the purposes of this notification, the High Tide Line means the line on the land up to which the highest water line reaches during the spring tide. The High Tide Line shall be demarcated uniformly in all parts of the country by the demarcating authority or authorities so authorised by the Central Government, in accordance with the general guidelines issued in this regard."

[No. Z-17011/8/92-IA-111]

K. ROY PAUL, Addl. Secy.

Note:- The principal notification was published in the Gazette of India vide Number S-0. 114(E) dated 19th February, 1991 and subsequently amended vide:

- (i) S.O. 595(E) dated 18th August, 1994.
- (ii) S.O. 73(E) dated 31 st January, 1997.
- (iii) S.O. 494(E) dated 9th July, 1997.
- (iv) S.O. 334(E) dated 20th Aprfl, 1998.
- (v) S.O. 873(E) dated 30th September, 1998.

XII. S.O. 629 (E) dated 5th August, 1999

THE GAZETTE OF INDIA EXTRAORDINARY

PART II -- Section 3 -- Sub-section (ii)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, 5th August, 1999

S.O. 629(E).-- The following draft notification further to amend the notification of the Government of India in the Ministry of Environment and Forests number S.O. 114(E), dated, the 19th February, 1991, which the Central Government proposes to make in exercise of the powers conferred by sections 3 and 6 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (c) of sub-rule (3) of rule 5 of the Environment (protection) Rules, 1986, is hereby published for information of all persons likely to be affected thereby and notice is hereby given that the said draft notification shall be taken into consideration after the expiry of a period of sixty days from the date on which copies of the Gazette of India containing this notification are made available to the public; Any person desirous of making any suggestion or objection in respect of the said draft notification may forward the same for consideration of the Central Government within the period so specified to the Secretary to the Government of India, Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003.

Draft Notification

Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O. 114 (E), dated, the 10 February, 1991 (hereinafter referred to as the said notification), the Central Government declared 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, it has been brought to the notice of the Central Government that difficulties are being faced by the inhabitants of the areas falling within the said Zone and there is a need for infrastructural facilities in these areas;

And, whereas, the Central Government is of the opinion that the said notification requires amendment, after its deliberations with the concerned Ministries of the Government of India and the State Government to permit oil and natural gas exploration, receipt, storage and regasification of Liquefied Natural Gas and salt harvesting by solar evaporation of sea water in the said Zone;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of subsection (2) of section 3 and section 6 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendments further to amend the said notification, namely:

In the said notification, -

(a) in paragraph 1, in sub-paragraph (3),

(i) the lines beginning with "For the purposes of this notification" and ending with

"general guidelines issued in this regard.", shall be numbered as clause (1) thereof,

(ii) after clause (1) as so numbered, for the existing Note and the entries relating thereto, the following clauses shall be substituted, namely:

(II) The distance from the High Tide Line shall apply to both sides in the case of rivers, creeks and backwaters and may be modified on a case to case basis for reasons to be recorded while preparing the Coastal Zone Management Plans. However, this distance shall not be less than 100 metres or the width of the creek, river or backwater whichever is less. The distance upto which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance upto which the tidal effect of sea is experienced in rivers, creeks or backwaters, as the case may be, and shall be clearly identified in the Coastal Zone Management Plans.

(III) The distance mentioned in clause (11) above, may be reduced to 50 metres or the width of the rivers, creeks and backwaters, whichever is less, for specified stretches, by the Central Government or any authority designated by it, for permitting construction of dwelling units for local inhabitants if, -

(i) the area is not classified as (CRZ-1), (ii) the availability of ground water is assured by the concerned authority in the State/Union territory and proper facilities for treatment and disposal of waste water and sewage are certified by the concerned local authority,

(iii) the proposed construction is not used for any commercial activity, and

(iv) at least one of the following conditions is fulfilled

(a) the area is classified as (CRZ-11), (b) the density of population, as per the 1991 census, in the Panchayat/Ward area is not less than four hundred persons per square kilometre,

(c) the built-up area in the Panchayat/Ward is already one-third or more of the total area of the Panchayat/Ward,

(d) the coastal land is a barrier island, sand bar or spit sandwiched between the sea or bay and rivers, creeks and backwaters or between rivers, creeks and backwaters provided that the average width of the barrier island, sand bar or spit is less than 1000 metres,

(e) it is an area with an elevation of more than 10 metres from the Mean Sea Level at any point within 100 metres of the inland tidal water body.

Note : The term local inhabitant used in this clause and elsewhere in the notification shall be construed as a person or his descendants who have been inhabiting in the area prior to the 10 February, 1991.

(b) in paragraph 2, in sub-paragraph (ii), for the existing proviso, the following shall be

substituted, namely:

Provided that the Central Government, may permit -

(i) facilities for storage of the petroleum products as specified in Annexure-111 appended to this notification, within die said Zone m areas not classified as (CRZ-1), subject to implementation of safety regulations including guidelines issued by the Oil Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and such permissions mav,---

(a) be accorded by the Ministry of Environment and Forests to facilities for storage that are wholly or partially outside the existing port limits of existing ports and to the dedicated storage facilities which form part of an integrated project irrespective of failing within or outside the port limits, and (b) be accorded by the Government of India in the Ministry of Environment and Forests or the Ministry of Surface Transport to facilities for storage that are within the existing port limits of existing ports.

Explanation: For the purpose of facilities for storage, the port limits as notified till the notification of the Government of India in the Ministry of Environment and Forests number S.O. 494 (E), dated, the 9* July, 1997 shall be applicable.

(ii) facilities for receipt, storage and regasification of Liquefied Natural Gas within the said Zone in areas not classified as (CRZ 1), subject to implementation of safety regulations including guidelines issued by the Oil Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests.",

(c) in paragraph 3, in sub-paragraph (2), after clause (ii), the following clause shall be inserted, namely:-

"(iia) Exploration for extraction of oil and natural gas;" (d) in Annexure 1, in paragraph 6, in sub-paragraph (2), -

(i) under the marginal heading CRZ-1, -

(a) for the words "No construction activity, except as listed under 2(xii), will be permitted between the Low Tide Line and die High Tide Line." die following shall be substituted, namely - "No construction activity, except for salt harvesting by solar evaporation of sea water and as listed under sub-paragraph (xii) of paragraph 2 of this notification shall be permitted 'between the Low Tide Line and the High Tide Line:

Provided that such salt harvesting shall not be permissible in inter-tidal areas defined and covered under clause (i) of the marginal heading Category I (CRZ-1)."

(b) in the existing proviso, after the word "Provided", the word "further" shall be inserted;
(ii) under the marginal heading CM-III,-

(a) in clause (i), the words beginning with 'An authority designated' and ending with "requirements of local inhabitants." shall be omitted; (b) after clause (i), the following sub-clauses shall be inserted, namely: -

"(ia) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, and provision of facilities for water supply, drainage, sewerage which are required for the local inhabitants, may be permitted, on a case to case basis, by the Central Government or State Government or any designated authority:

Provided that construction of units or mechanisms for domestic sewage treatment and disposal shall be permissible notwithstanding anything contained in sub-paragraph (iv) of paragraph 2 of this notification.

(ib) Construction of dwelling units for use by local inhabitants may be permitted, on a case to case basis, by the Central Government or State Government or any designated authority:

Provided that such construction shall be subject to the following conditions:-

(i) the height of an individual unit shall be restricted to 4.5 m and total plinth area shall be limited to 100 sq. m., (ii) the individual dwelling unit must be constructed by the local inhabitant for his bonafide residential purposes,

(iii) where settlements are existing in clusters, new dwellings may be allowed adjacent to the existing cluster of settlement landward of the line of existing structures provided that the total number of dwelling units shall not be more than twice the number of existing dwelling units, (iv) subject to the conditions listed at (i), (ii) and (iii) above, all other conditions as laid down in clause (iii) of the marginal heading CM-III of sub-paragraph (2) of paragraph 6 relating to construction of dwelling units shall apply.";

(c) in clause (iii), for the-words " Construction/reconstruction of dwelling units between 200 and 500 metres of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans.", the following shall be substituted, namely: -

"Construction or reconstruction of dwelling units between 200 and 500 metres of the High Tide Line for the use of local inhabitants shall be permitted.";

(d) at the end of clause (iv), the following proviso shall be inserted, namely: -

"Provide that the horizontal extension of existing dwelling units may be allowed on the ground floor on the landward side subject to the condition that the total plinth area of the dwelling unit shall not exceed 100 square metres.".

[F.No. H-11011/6/97-IA-III]

V. RAJAGOPALAN, Jt. Secy.

The principal notification was published in the Gazette of India vide number S.O. 114 (E), dated, the 10 February, 1991 and subsequently amended vide :-

(i) S.O. 595 (E) dated 18th August, 1994. (ii) S. O. 73 (E) dated 31st January, 1997. (iii) S.O. 494 (E) dated 9th July, 1997. (iv) S.O. 334(E) dated 20th April, 1998. (V) S.O. 873 (E) dated 30th September, 1998. (vi) S.O. 1122 (E) dated 20th December, 1998.

XIII. S.O.730 (E) dated 4th August 2000

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

NEW DELHI,

COASTAL ZONE NOTIFICATION, 4TH AUGUST, 2000

S.O. 730(E).- Whereas a notification of the Government of India in the Ministry of Environment and Forests number S.O. 629(E), dated, the 5th August, 1999 under subsection(1) and clause (v) Of sub-section (2) of section 3 and section 6 of the Environment (Protection) Act, 1986 (29 of 1986), inviting objections and suggestions to the amendments proposed to the notification number S.O. 114(E) dated the 19th February, 1991 (hereinafter referred to as the said notification) was published in the Gazette of India, Part II, Section 3, Sub-section (ii),

And, whereas, all suggestions and objections relating to oil and natural gas exploration, the procedure for according clearance to storages of specified petroleum products and receipt, storage and regasification of Liquefied Natural Gas and the points raised by the petitioner in the High Court of Delhi in civil writ petition No. 4198/98 have been duly considered by the Central Government;

And, whereas, the Central Government is of the opinion that it is necessary and expedient in the public interest to amend the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 and section 6 of the Environment (protection) Act; 1986 (29 of 1986), the Central Government hereby makes the following amendments further to amend the said notification, namely:-

In the said notification,-

(a) in paragraph 2, in sub-paragraph (ii), for the existing proviso, the following shall be substituted, namely:-

"Provided that, -

(i) facilities for storage of the petroleum products as specified in Annexure-III appended to this notification, may be permitted within the said Zone in areas not classified as (CRZ-I) (i), subject to implementation of safety regulations including guidelines issued by the Oil Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated,-

(a) by the Government of India in the Ministry of Environment and Forests to facilities for storage that are wholly or partially outside the existing port limits of existing ports and to the dedicated storage facilities which form part of an integrated project irrespective of falling within or outside the port limits, and

(b) by the Government of India in the Ministry of Environment and Forests or the Ministry of Surface Transport to facilities for storage that are within the existing port limits of existing ports.

Explanation: For the purpose of facilities for storage, the port limits as notified till the - notification of the Government of India in the Ministry of Environment and Forests number S.O.494(E), dated, the July, 1997 shall be applicable.

(ii) facilities for receipt, storage and regasification of Liquefied Natural Gas may be permitted by the Government of India in the Ministry of Environment and Forests within the "Zone in areas not classified as (CRZ-I) (i), subject to implementation of safety regulations including guidelines issued by the oil Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated.";

b)In paragraph 3, in sub-paragraph (2), -after clause (ii), the following clause shall be inserted, namely :-

"(ii)a. Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;"

[F.No H-11011/6/97-IA-III]

V.RAJAGOPALAN, JT. Secy.

Foot Note.-The principal notification was published in the Gazette of India vide number S.O.

114(E), dated, the 19th February, 1991 and subsequently amended vide:-

(i) S.O. 595 (E) dated 18th August, 1994

(ii) S.O. 73 (E) dated 31.. January, 1997.

(ii) S.O. 494 (E) dated 9th July, 1997.

(iii) S.O. 334 (E) dated 20th April, 1998.

(iv) S.O. 873 &) dated 30th September, 1998.

(v). S.O.1122 (E) dated 29th December, 1998.

XIV. COASTAL REGULATION ZONE: (as amended up to 4th August 2000)

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

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

New Delhi, the 19th February, 1991

(as amended up to 4th August 2000)

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

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

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side)

upto 500 metres from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and the HTL as Coastal Regulation Zone; and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes, etc. in the said Coastal Regulation Zone (CRZ). **For the purposes of this notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide. The High Tide Line shall be demarcated uniformly in all parts of the country by the demarcating authority or authorities so authorised by the Central Government, in accordance with the general guidelines issued in this regard.**

Note: -The distance from the High Tide Line **shall apply to both sides** in the case of rivers, creeks and back waters and may be modified on a case by case basis for reasons to be recorded while preparing the Coastal Zone Management Plans. However, this distance shall not be less than 100 metres or the width of the creek, river or backwater whichever is less. **The distance upto which development along rivers, creeks and back-waters is to be regulated shall be governed by the distance upto which the tidal effect of sea is experienced in rivers, creeks or back-waters, as the case may be, and should be clearly identified in the Coastal Zone management Plans.**

2. Prohibited Activities:

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

(i) setting up of new industries and expansion of existing industries, except those directly related to water front or directly needing foreshore facilities;

i. manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment and Forests No. S.O. 594(E) dated 28th July 1989, S.O. 966(E) dated 27th November, 1989 and GSR 1037(E) dated 5th December, 1989; **except transfer of hazardous substances from ships to ports, terminals and refineries and vice versa in the port areas:**

Provided that, –

(i) facilities for storage of the petroleum products as specified in Annexure-III appended to this notification, may be permitted within the said Zone in areas not classified as (CRZ-I) (i), subject to implementation of safety regulations including guidelines issued by the Oil Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of

Environment and Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated,-

(a) by the Government of India in the Ministry of Environment and Forests to facilities for storage that are wholly or partially outside the existing port limits of existing ports and to the dedicated storage facilities which form part of an integrated project irrespective of falling within or outside the port limits, and

(b) by the Government of India in the Ministry of Environment and Forests or the Ministry of Surface Transport to facilities for storage that are within the existing port limits of existing ports.

Explanation: For the purpose of facilities for storage, the port limits as notified till the notification of the Government of India in the Ministry of Environment and Forests number S.O.494 (E), dated, the 9th July, 1997 shall be applicable.

(ii) facilities for receipt, storage and regasification of Liquefied Natural Gas may be permitted by the Government of India in the Ministry of Environment and Forests within the said Zone in areas not classified as (CRZ-I) (i), subject to implementation of safety regulations including guidelines issued by the Oil Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated;

(iii) Setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);

Provided that existing fish processing units for modernisation purposes may utilise twenty five per cent additional plinth area required for additional equipment and pollution control measures only subject to existing Floor Space index/ Floor Area Ratio norms and subject to the condition that the additional plinth area shall not be towards seaward side of existing unit and also subject to the approval of State Pollution Control Board or Pollution Control Committee.

i. setting up and expansion of units/mechanism for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for storm water drains;

ii. discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the

concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;

(vi) dumping of city or town waste for the purposes of landfilling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification;

i. dumping of ash or any wastes from thermal power stations;

ii. land reclamation, bunding or disturbing the natural course of sea water except those required **for construction of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification** or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge.

iii. Mining of sands, rocks and other substrata materials, except those rare minerals not available outside the CRZ areas;

Provided that in the Union Territory of the Andaman and Nicobar islands, mining of sands may be permitted by the Committee which shall be constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of Chief Secretary; Secretary, Department of Environment; Secretary, Department of Water Resources; and Secretary, Public Works Department. Committee may permit mining of sand from non-degraded areas for construction purposes from selected sites, in a regulated manner on a case to case basis, for a period upto the 30th September, 2000. The quantity of sand mined shall not exceed the essential requirements for completion of construction works including dwelling units, shops in respect of current year and 2000-2001 annual plans. The permission for mining of sand may be given on the basis of a mining plan from such sites and in such quantity which shall not have adverse impacts on the environment.

iv. harvesting or drawal of ground water and construction of mechanisms therefor within 200 m of HTL; in the 200m to 500m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;

Provided that drawal of ground water is permitted, where no other source of water is available and when done manually through ordinary wells or hand pumps, for drinking and domestic purposes, in the zone between 50 to 200 m from High Tide Line in case of seas, bays and estuaries and within 200 m or the CRZ, whichever is less, from High Tide Line in case of rivers, creeks and backwaters subject to such restrictions as may be deemed necessary, in areas affected by sea water intrusion, that may be imposed by an authority designated by State Government/Union Territory Administration.

v. construction activities in ecologically sensitive areas as specified in Annexure-I of this Notification;

vi. any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and

vii. dressing or altering of sand dunes, hills, natural features including landscape changes for beautification, recreational and other such purpose, except as permissible under this Notification.

2. Regulation of Permissible Activities:

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

1. Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.

2. The following activities will require environmental clearance from the Ministry of Environment and Forests, Government of India, namely:

i.
Construction activities related to Defence requirements for which foreshore facilities are essential (e.g. slipways, jetties, etc.); except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital

complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ).

ii.

Operational constructions for ports and harbours and light houses and constructions for activities such as jetties, wharves, quays and slipways;

Provided that for expansion or modernisation of existing ports and harbours including fishing harbours operational constructions for ports and harbours and construction of jetties, wharves, quays, slipways, Single Point Mooring and Single Buoy Mooring and for reclamation for facilities essential for operational requirements of ports and harbours in areas within the existing port limits, except the areas classified as category CRZ-I(i), shall require environmental clearance from Government of India in the Ministry of Surface Transport, which shall take decision on these activities on the basis of Environment Impact Assessment Report.

Provided further that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible.

(ii) a Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;

iii.

Thermal Power Plants (only foreshore facilities for transport of raw materials facilities for intake of cooling water and outfall for discharge of treated waste water/cooling water); and

iv.

All other activities with investment exceeding rupees five crores **except those activities which are to be regulated by the concerned authorities at the State/Union Territory level in accordance with the provisions of paragraph 6, sub-paragraph (2) of Annexure 1 of the notification.**

(3) (i) The Coastal States and Union Territory Administrations shall prepare, within a period of one year from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures I and II of the Notification and obtain approval

(with or without modifications) of the Central Government in the Ministry of Environment & Forests;

(ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and

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

2. Procedure for monitoring and enforcement:

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

ANNEXURE - I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT

REGULATIONS

Classification of Coastal Regulation Zone:

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

Category I (CRZ-I):

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

i. Area between Low Tide Line and the high Tide Line.

Category-II (CRZ-II):

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

Category-III (CRZ-III):

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

Category-IV (CRZ-IV):

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

Norms for Regulation of Activities.

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

CRZ-I

No new construction shall be permitted within 500 metres of the High Tide Line. No construction activity, except as listed under 2(xii), will be permitted between the Low Tide Line and the High Tide Line **provided that construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the**

Sunderbans Bio-sphere reserve area, West Bengal, may be permitted, on a case to case basis, by an authority designated by the State Government.

CRZ-II

i. Buildings shall be permitted **only on the landward side of the existing road (or roads approved in the Coastal Zone Management Plan of the area) or on the landward side of existing authorised structures.** Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of **Floor Space Index/Floor Area Ratio:**

Provided that no permission for construction of buildings shall be given on landward side of any new roads (except roads approved in the Coastal Zone Management Plan) which are constructed on the seaward side of an existing road.

ii. Reconstruction of the authorised buildings to be permitted subject to the existing FSI/FAR norms and without change in the existing use.

iii. The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

i. The area upto 200 metres from the High Tide Line is to be earmarked as 'No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density, **and for permissible activities under the notification including facilities essential for such activities. An authority designated by the State Government/Union Territory Administration may permit construction of facilities for water supply, drainage and sewerage for requirements of local inhabitants.** However, the following uses may be permissible in this zone – agriculture, horticulture, gardens, pastures, parks, play fields, forestry and salt manufacture from sea water.

ii. Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of Ministry of Environment and Forests (MEF) permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

iii. Construction/reconstruction of dwelling units between 200 and 500 metres of the High TideLine permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gaothans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33 percent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors ground floor plus one floor. **Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government/Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities.**

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

CRZ-IV

Andaman & Nicobar Islands:

i. No new construction of buildings shall be permitted within 200 metres of the HTL;

ii. The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and first floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

iii. The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

(iv) (a) Corals from the beaches and coastal waters shall not be used for construction and other purposes.

(b) sand may be used from the beaches and coastal waters, only for construction purpose upto the 30th day of September 2000 and thereafter it shall not be used for construction and other purposes.

i. Dredging and underwater blasting in and around coral formations shall not be permitted; and

ii. However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III with the prior approval of Ministry of Environment and Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

Lakshadweep and small Islands:

i. For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-à-vis local conditions including hydrological aspects erosion and ecological sensitivity;

ii. The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

iii. The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style;

iv. Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;

v. Dredging and underwater blasting in and around coral formations shall not be permitted; and

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

Annexure – II

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

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

i. The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward wide) from the High Tide Line and within the area between the Low Tide and High Tide Line;

(ia) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;

(ib) no flattening of sand dunes shall be carried out;

(ic) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts.

(id) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area. The State

Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

Explanation:

Though no construction is allowed in the no development zone for the purposes of calculation of FSI, the area of entire plot including 50% of the portion which falls within the no development zone shall be taken into account.

ii. The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33. The open area shall be suitably landscaped with appropriate vegetal cover;

iii. The construction shall be consistent with the surrounding landscape and local architectural style;

iv. The overall height of construction upto highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);

v. Ground water shall not be tapped within 200m of the HTL; within the 200 metre – 500 metre zone, it can be tapped only with the concurrence of the Central/State Ground Water Board;

vi. Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 metres of the High Tide Line;

vii. The quality of treated effluents, solid wastes, emissions and noise levels, etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986;

viii. Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach;

and no effluent/solid waste shall be discharged on the beach;

ix. To allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and

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

xi. Approval of the State/Union Territory Tourism Department shall be obtained.

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

Annexure - III

[See paragraph 2, sub-paragraph (ii)]

List of Petroleum Products Permitted for Storage in Port Areas

- i. **Crude Oil;**
- ii. **Liquefied Petroleum Gas;**
- iii. **Motor Spirit;**
- iv. **Kerosene;**
- v. **Aviation Fuel;**
- vi. **High Speed Diesel;**
- vii. **Lubricating Oil;**
- viii. **Butane;**
- ix. **Propane;**
- x. **Compressed Natural Gas;**
- xi. **Naptha;**
- xii. **Furnace Oil;**
- xiii. **Low Sulphur Heavy Stock.**

The principal notification was published in the Gazette of India vide number S.O. 114(E), dated, the 19th February, 1991 (Corrigendum number S.O 190(E) dated 18th March 1991) and subsequently amended vide: -

- i. S.O. 595 (E) dated 18th August, 1994(Corrigendum S.O.690 (E) dated 19th September 1994.
- ii. S.O. 73 (E) dated 31st January 1997.
- iii. S.O. 494 (E) dated 9th July 1997.(Corrigendum S.O.735(E) dated 21st October 1997.)
- iv. S.O. 334 (E) dated 20th April 1998.
- v. S.O. 873 (E) dated 30th September 1998.
- vi. S.O. 1122 (E) dated 29th December 1998.
- vii. S.O.998 (E) dated 30th September 1999.
- viii. S.O.730 (E) dated 4th August 2000

Note: Bold Letters indicate amendments. Underline indicate further amendments.

Reference File Numbers;

1. K-15019/1/84-IA-III (Vol.II)
2. Z-12011/2/96-IA-III
3. H-11011/6/97-IA-III
4. Z-17011/8/92-IA-III

XV. S.O.329 (E) dated 12th April 2001

NOTIFICATION

New Delhi, the 12th April 2001

S.O 329 (E) – Whereas by the notification of the Government of India in the Ministry of Environment and Forests number S.O 114 (E), dated the 19th February 1991 (hereinafter referred to as the said notification), the Central Government declared Coastal Stretches as

Coastal Regulation Zone (CRZ) and restrictions were imposed on setting up and expansion of industries, operations and processes in the said zone;

And whereas objections raised by the petitioner in the High Court of Delhi in civil writ petition No 4198/98 relating to delegation of powers have been duly considered by the Central Government;

And whereas issues relating to delegation of powers have been examined by the Central Government in the Ministry of Environment and Forests;

And whereas the Central Government has also considered the requirement of projects relating to Department of Atomic Energy and pipelines, conveying systems including transmission lines and other facilities essential for activities permissible under the notification in the CRZ areas;

And whereas the Central Government deems it necessary to harmonise the existing provisions of the notification;

And whereas the Central Government is of the opinion that it is necessary and expedient in the public interest to amend the said notification;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that " Notwithstanding anything contained in the sub-rule (3), whenever it appears to the Central Government that it is in the public interest to do so, it may dispense with the requirement of the notice under clause (a) of sub-rule (3) of the said rules"

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 for amending the said notification.

Now, therefore the exercise of powers conferred by sub section (1) and clause (v) of sub section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of the Environment (Protection) Rules, 1986, the Central Government makes the following further amendments in the aforesaid notification.

2. In the said Notification, in paragraph 2,-

(1) for sub –paragraph (1), the following shall be substituted, namely

“ (1) setting up of new industries and expansion of existing industries, except (a) those directly related to water front or directly needing foreshore facilities and (b) Projects of Department of Atomic Energy,"

(2) in sub –paragraph (ii), for the existing proviso, the following shall be substituted, namely;-

“ Provided that, facilities for receipt and storage of petroleum products and Liquefied Natural Gas as specified in Annexure III appended to this notification and facilities for regasification of Liquefied Natural Gas, may be permitted within the said Zone in areas not classified as CRZ-I (I), subject to the implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated by the Government of India in the Ministry of Environment and Forests”

(3) for sub-paragraph (viii), the following shall be substituted, namely:-

“ (viii) Land reclamation, bunding or disturbing the natural course of sea water except those required for conservation or modernisation or expansion of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of waterways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge;

provided that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible”,

(4) for sub –paragraph (ix) , the following shall be substituted, namely: -

“ (ix) Mining of sands, rocks and other substrata materials, except (a) those rare minerals not available outside the CRZ areas and (b) exploration and extraction of Oil and Natural Gas’,

(5) for sub-paragraph (xi), the following shall be substituted, namely :-

“ construction activities in CRZ-I except as specified in Annexure I of this notification”

3. in paragraph 3, in sub-paragraph 2, -

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

“ (I) Construction activities related to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as slipways, jetties, wharves, quays; except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements, except in very special cases and hence shall not normally be permitted in the CRZ)”

(2) for sub- clause (ii), the following sub –clause shall be substituted , namely:-

“ (ii) Operational constructions for ports and harbours and light houses and constructions for activities such as jetties, wharves, quays and slipways, pipelines, conveying systems including transmission lines”

(3) in sub-clause (ii) existing provisos shall be omitted.

4. in Annexure –I , in paragraph 6 , in sub –paragraph (2),-

(1) Under heading CRZ I , the following shall be substituted , namely:-

“ No new construction shall be permitted in CRZ I except (a) Projects relating to Department of Atomic Energy and (b) Pipelines, conveying systems including transmission lines and (c) facilities that are essential for activities permissible under CRZ I, Between the LTL and HTL, activities are specified under paragraph 2 (xii) may be permitted. In addition, between LTL and HTL in areas, which are not ecologically sensitive and important, the following may be permitted;

(a) Exploration and extraction of Natural Gas, (b) activities as specified under proviso of sub paragraph (ii) of paragraph 2, and (c) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads , jetties , water supply , drainage , sewerage which are required for traditional inhabitants of the Sunderbans Bio-sphere reserve area of West Bengal , on a case to case basis, by the West Bengal State Coastal Zone Management Authority”

5. In Annexure III

(I) in the heading , for the words “ Port Areas” the words “ Coastal Regulation Zone except CRZ I – (I)” shall be substituted

2) after item (xiii), the following shall be inserted at the end, namely:-

“ (xiv) Liquefied Natural Gas (LNG)

6. Environmental clearances accorded by the Ministry of Surface Transport from 9th July 1997 till the publication of this notification are valid. All proposals for environmental clearance pending with the Ministry of Surface Transport stand transferred to Ministry of Environment and Forests from the date of publication of this notification;

[F.No 11-11011/6/97-IA-111]
Dr V. RAJAGOPALAN, Jt Secy

Foot Note-The principal notification was published in the Gazette of India vide number S.O. 114(E), dated, the 19th February, 1991 and subsequently amended vide: -

- (i) S.O. 595 (E) dated 18th August, 1994(Corrigendum S.O.690 (E) dated 19th September 1994.
- (ii) S.O. 73 (E) dated 31st January 1997.
- (iii) S.O. 494 (E) dated 9th July 1997.(Corrigendum S.O.735(E) dated 21st October 1997.)
- (iv) S.O. 334 (E) dated 20th April 1998.
- (v) S.O. 873 (E) dated 30th September 1998.
- (vi) S.O. 1122 (E) dated 29th December 1998.
- (vii) S.O.998 (E) dated 30th September 1999.
- (viii) S.O.730 (E) dated 4th August 2000.
- (ix) S.O. 900(E) dated 29th September 2000

XVI. S.O.114 (E): (as amended up to 3rd October 2001)

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

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

New Delhi, the 19th February, 1991

(as amended up to 3rd October 2001)

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

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

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) upto 500 metres from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and the HTL as Coastal Regulation Zone; and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes, etc. in the said Coastal Regulation Zone (CRZ). For **the** purposes of this **notification**, the High Tide Line **means the line on the land upto which the highest water line reaches during the spring tide. The High Tide Line shall be demarcated uniformly in all parts of the country by the demarcating authority or authorities so authorised by the Central Government, in accordance with the general guidelines issued in this regard.^{1,6.}**

Note: -The distance from the High Tide Line **shall¹ apply to both sides¹** in the case of rivers, creeks and back waters and may be modified on a case by case basis for reasons to be recorded while preparing the Coastal Zone Management Plans. However, this distance shall not be less than **50*** (****This provision has been struck down by the Supreme Court***) 100 metres or the width of the creek, river or backwater whichever is less.

The distance upto which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance upto which the tidal effect of sea is experienced in rivers, creeks or backwaters, as the case may be, and should be clearly identified in the Coastal Zone Management Plans.¹

2.Prohibited Activities:

The following activities are declared as prohibited within the Coastal Regulation

Zone, namely:

(i) setting up of new industries and expansion of existing industries, except **(a)**¹⁰ those directly related to water front or directly needing foreshore facilities and **(b) Projects of Department of Atomic Energy;**¹⁰

(ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment and Forests No. S.O. 594(E) dated 28th July 1989, S.O. 966(E) dated 27th November, 1989 and GSR 1037(E) dated 5th December, 1989; **except transfer of hazardous substances from ships to ports, terminals and refineries and vice versa in the port areas;**³

Provided that, facilities for receipt and storage of petroleum products and Liquefied Natural Gas as specified in Annexure-III appended to this notification and facilities for regasification of Liquefied Natural Gas, may be permitted within the said Zone in areas not classified as CRZ-I (i), subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated by the Government of India in the Ministry of Environment and Forests

(iii) Setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);

Provided that existing fish processing units for modernisation purposes may utilise twenty five per cent additional plinth area required for additional equipment and pollution control measures only subject to existing Floor Space index/ Floor Area Ratio norms and subject to the condition that the additional plinth area shall not be towards seaward side of existing unit and also subject to the approval of State Pollution Control Board or Pollution Control Committee.

(iv) setting up and expansion of units/mechanism for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for storm water drains;

(v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented

by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;

- (vi) dumping of city or town waste for the purposes of landfilling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification;
- (vii) dumping of ash or any wastes from thermal power stations;
- (viii) Land reclamation, bunding or disturbing the natural course of sea water except those required for construction **or modernisation or expansion** of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge:
provided that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible;
- (ix) Mining of sands, rocks and other substrata materials, except (a) those rare minerals not available outside the CRZ areas and (b) **exploration and extraction of Oil and Natural Gas**

Provided that in the Union Territory of the Andaman and Nicobar islands, mining of sands may be permitted by the Committee which shall be constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of Chief Secretary; Secretary, Department of Environment; Secretary, Department of Water Resources; and Secretary, Public Works Department. The said Committee may permit mining of sand from non-degraded areas for construction purposes from selected sites, in a regulated manner on a case to case basis, for a period upto the 30th day of September, 2002. The quantity of sand mined shall not exceed the essential requirements for completion of construction works including dwelling units, shops in respect of half yearly requirements of 2001-2002 and 2002-2003 annual plans. The permission for mining of

sand may be given on the basis of a mining plan from such sites and in such quantity which shall not have adverse impacts on the environment.

(x)harvesting or drawal of ground water and construction of mechanisms therefor within 200 m of HTL; in the 200m to 500m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;

Provided that drawal of ground water is permitted, where no other source of water is available and when done manually through ordinary wells or hand pumps, for drinking and domestic purposes, in the zone between 50 to 200 m from High Tide Line in case of seas, bays and estuaries and within 200 m or the CRZ, whichever is less, from High Tide Line in case of rivers, creeks and backwaters subject to such restrictions as may be deemed necessary, in areas affected by sea water intrusion, that may be imposed by an authority designated by State Government/Union Territory Administration.

(xi)construction activities in CRZ -I except as specified in Annexure -I of this notification;

(xii)any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and

(xiii)dressing or altering of sand dunes, hills, natural features including landscape changes for beautification, recreational and other such purpose, except as permissible under this Notification.

3.Regulation of Permissible Activities:

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

(1)Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.

(2)The following activities will require environmental clearance from the Ministry of Environment and Forests, Government of India, namely:

(i)Construction activities related to **projects of Department of Atomic Energy or Defence** requirements for which foreshore facilities are essential such as. slipways, jetties, wharves, quays; except for classified

- operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ;
- (ii) Operational constructions for ports and harbours and light houses and constructions for activities such as jetties, wharves, quays and slipways, **pipelines, conveying systems including transmission lines;**
 - (ii) **a Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;**
 - (iii) Thermal Power Plants (only foreshore facilities for transport of raw materials facilities for intake of cooling water and outfall for discharge of treated waste water/cooling water); and
 - (iv) All other activities with investment exceeding rupees five crores **except those activities which are to be regulated by the concerned authorities at the State/Union Territory level in accordance with the provisions of paragraph 6, sub-paragraph (2) of Annexure 1 of the notification.**
- (3) (i) The Coastal States and Union Territory Administrations shall prepare, within a period of one year from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment & Forests;
- (ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexure-I and II of the Notification; and

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

4. Procedure for monitoring and enforcement:

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

ANNEXURE - I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT
REGULATIONS

Classification of Coastal Regulation Zone:

6(1) For regulating development activities, the coastal stretches within 500 metres of

High Tide Line on the landward side are classified into four categories, namely:

Category I (CRZ-I):

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

(ii) Area between Low Tide Line and the high Tide Line.

Category-II (CRZ-II):

The areas that have already been developed upto or close to the shoreline. For this purpose, “developed area” is referred to as that area within the municipal limits or in

other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.

Category-III (CRZ-III):

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

Category-IV (CRZ-IV):

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

Norms for Regulation of Activities.

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

CRZ-I

No new construction shall be permitted in CRZ- I except (a) Projects relating to Department of Atomic Energy and (b) Pipelines, conveying systems including transmission lines and (c) facilities that are essential for activities permissible under CRZ-I. Between the LTL and the HTL, activities as specified under paragraph 2 (xii) may be permitted. In addition, between LTL and HTL in areas which are not ecologically sensitive and important, the following may be permitted: (a) Exploration and extraction of Oil and Natural Gas, (b) activities as specified under proviso of sub-paragraph (ii) of paragraph 2, and (c) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Bio-sphere reserve area, West Bengal, on a case to case basis, by the West Bengal State Coastal Zone Management Authority

CRZ-II

- (i) Buildings shall be permitted **only on the landward side of the existing road (or roads approved in the Coastal Zone Management Plan of the area) or on the landward side of existing authorised structures.** Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of **Floor Space Index/Floor Area Ratio:**
Provided that no permission for construction of buildings shall be given on landward side of any new roads (except roads approved in the Coastal Zone Management Plan) which are constructed on the seaward side of an existing road.
- (ii) Reconstruction of the authorised buildings to be permitted subject to the existing FSI/FAR norms and without change in the existing use.
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

- (i) The area upto 200 metres from the High Tide Line is to be earmarked as 'No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density, **and for permissible activities under the notification including facilities essential for such activities. An authority designated by the State Government/Union Territory Administration may permit construction of facilities for water supply, drainage and sewerage for requirements of local inhabitants.** However, the following uses may be permissible in this zone – agriculture, horticulture, gardens, pastures, parks, play fields, forestry and salt manufacture from sea water.
- (ii) Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of Ministry of Environment and Forests (MEF) permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.
- (iii) Construction/reconstruction of dwelling units between 200 and 500 metres of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses

such as existing fishing villages and gaothans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33 percent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors ground floor plus one floor. **Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government/Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities.**

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

CRZ-IV

Andaman & Nicobar Islands:

- (i) No new construction of buildings shall be permitted within 200 metres of the HTL;
- (ii) The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and first floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.
- (iv) **(a) Corals from the beaches and coastal waters shall not be used for construction and other purposes.**
(b) sand may be used from the beaches and coastal waters, only for construction purpose upto the 30th day of September 2002 and thereafter it shall not be used for construction and other purposes.
- (iv) Dredging and underwater blasting in and around coral formations shall not be permitted; and

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

Lakshadweep and small Islands:

- (i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-à-vis local conditions including hydrological aspects erosion and ecological sensitivity;
- (ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style;
- (iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment & Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

Annexure – II

GUIDELINES FOR DEVELOPMENT OF BEACH RESORTS/HOTELS IN THE DESIGNATED AREAS OF CRZ-III FOR TEMPORARY OCCUPATION OF

TOURIST/VISITORS, WITH PRIOR APPROVAL OF THE MINISTRY OF ENVIRONMENT & FORESTS.

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

- (i)The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward wide) from the High Tide Line and within the area between the Low Tide and High Tide Line;
- (ia)live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;**
- (ib)no flattening of sand dunes shall be carried out;**
- (ic)no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts.**
- (id)construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area.The State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.**

Explanation:

Though no construction is allowed in the no development zone for the purposes of calculation of FSI, the area of entire plot including 50% of the portion which falls within the no development zone shall be taken into account.

- (ii)The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33.The open area shall be suitably landscaped with appropriate vegetal cover;
- (iii)The construction shall be consistent with the surrounding landscape and local architectural style;

- (iv)The overall height of construction upto highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);
- (v)Ground water shall not be tapped within 200m of the HTL; within the 200 metre – 500 metre zone, it can be tapped only with the concurrence of the Central/State Ground Water Board;
- (vi)Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 metres of the High Tide Line;
- (vii)The quality of treated effluents, solid wastes, emissions and noise levels, etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986;
- (viii)Necessary arrangements for the treatment of the effluents and solid wastes must be made.It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent/solid waste shall be discharged on the beach;
- (ix)To allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and
- (x)If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained.The requirements of other Central and State laws as applicable to the project shall be met with.
- (xi)Approval of the State/Union Territory Tourism Department shall be obtained.

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

Annexure - III

[See paragraph 2, sub-paragraph (ii)]

List of Petroleum Products Permitted for Storage in Coastal Regulation Zone except CRZ I- (i)

- (i)Crude Oil;**
- (ii)Liquefied Petroleum Gas;**
- (iii)Motor Spirit;**
- (iv)Kerosene;**
- (v)Aviation Fuel;**
- (vi)High Speed Diesel;**
- (vii)Lubricating Oil;**
- (viii)Butane;**
- (ix)Propane;**
- (x)Compressed Natural Gas;**
- (xi)Naphtha;**
- (xii)Furnace Oil;**
- (xiii)Low Sulphur Heavy Stock.**
- (xiv)Liquefied Natural Gas (LNG)**

Environmental clearances accorded by the Ministry of Surface Transport from 9th July 1997 till the publication of this notification are valid. All proposals for environment clearance pending with the Ministry of Surface Transport stand transferred to Ministry of Environment and forests from the date of publication of this notification.

The principal notification was published in the Gazette of India vide number S.O. 114(E), dated, the 19th February, 1991 (Corrigendum number S.O 190(E) dated 18th March 1991) and subsequently amended vide: -

- (i)S.O. 595 (E) dated 18th August 1994(Corrigendum S.O.690 (E) dated 19th September 1994.)
- (ii)S.O. 73 (E) dated 31st January 1997.
- (iii) S.O. 494 (E) dated 9th July 1997.(Corrigendum S.O.735(E) dated 21st October 1997.)
- (iv)S.O. 334 (E) dated 20th April 1998.
- (v)S.O. 873 (E) dated 30th September 1998.
- (vi)S.O. 1122 (E) dated 29th December 1998.
- (vii)S.O.998 (E) dated 29th September 1999.

(viii)S.O.730 (E) dated 4th August 2000

(ix)S.O. 900(E) dated 29th September 2000

(x)S.O. 329 (E) dated 12th April 2001(Corrigendum S.O. 776 (E) dated 13th August 2001.)

(xi)S.O. 988 (E) dated 3rd October 2001.

XVI. S.O.114 (E). As amended on 21st May, 2002-

COASTAL REGULATION ZONE NOTIFICATION

As amended on 21st May, 2002-

MINISTRY OF ENVIRONMENT & FORESTS

(Department of Environment, Forests and Wildlife)

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

New Delhi, the 19th February, 1991

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

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

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

[(i) For the purposes of this notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide. The High Tide Line shall

be demarcated uniformly in all parts of the country by the demarcating authority or authorities so authorised by the Central Government, in accordance with the general guidelines issued in this regard.

[(ii) The distance from the High Tide Line shall apply to both sides in the case of rivers, creeks and backwaters and may be modified on a case to case basis for reasons to be recorded in writing while preparing the Coastal Zone Management Plans provided that this distance shall not be less than 100 meters or the width of the creek, river or backwaters, whichever is less. The distance up to which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance up to which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt). For the purpose of this notification, the salinity measurements shall be made during the driest period of the year and the distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans.;]

[.....]

2. Prohibited Activities:

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

[(i) setting up of new industries and expansion of existing industries, except (a) those directly related to water front or directly needing foreshore facilities ; (b) Projects of Department of Atomic Energy and {(c) non-polluting industries in the field of information technology and other service industries in the Coastal Regulation Zone of Special Economic Zones (SEZ)}.]

(ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment and Forests No. S.O. 594(E) dated 28th July 1989, S.O. 966(E) dated 27th November, 1989 and GSR 1037(E) dated 5th December, 1989; [except transfer of hazardous substances from ships to ports, terminals and refineries and vice versa in the port areas:]

[Provided that, facilities for receipt and storage of petroleum products and Liquefied Natural Gas as specified in Annexure III appended to this notification and facilities for regasification of Liquefied Natural Gas, may be permitted within the said Zone in areas not classified as CRZ-I (I), subject to the implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated by the Government of India in the Ministry of Environment and Forests]

(iii) Setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);

[Provided that existing fish processing units for modernisation purposes may utilise twenty five per cent additional plinth area required for additional equipment and pollution control measures only subject to existing Floor Space index/ Floor Area Ratio norms and subject to the condition that the additional plinth area shall not be towards seaward side of existing unit and also subject to the approval of State Pollution Control Board or Pollution Control Committee.]

(iv) setting up and expansion of units/mechanism for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for storm water drains;

(v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;

(vi) dumping of city or town waste for the purposes of landfilling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification;

(vii) dumping of ash or any wastes from thermal power stations;

[(viii) Land reclamation, bunding or disturbing the natural course of sea water except those required for conservation or modernisation or expansion of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of waterways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge;

provided that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible;]

(xi) Mining of sands, rocks and other substrata materials, except those rare minerals not available outside the CRZ areas;

[Provided that in the Union Territory of the Andaman and Nicobar islands, mining of sands may be permitted by the Committee which shall be constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of Chief Secretary; Secretary, Department of Environment; Secretary, Department of Water Resources; and Secretary,

Public Works Department. Committee may permit mining of sand from non-degraded areas for construction purposes from selected sites, in a regulated manner on a case to case basis, for a period upto the [30th September, 2001]. The quantity of sand mined shall not exceed the essential requirements for completion of construction works including dwelling units, shops in respect of half yearly requirement of [2000-2001] annual plans. The permission for mining of sand may be given on the basis of a mining plan from such sites and in such quantity which shall not have adverse impacts on the environment.]

(x) Harvesting or drawal of ground water and construction of mechanisms therefor within 200 m of HTL; in the 200m to 500m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;

[Provided that drawal of ground water is permitted, where no other source of water is available and when done manually through ordinary wells or hand pumps, for drinking and domestic purposes, in the zone between 50 to 200 m from High Tide Line in case of seas, bays and estuaries and within 200 m or the CRZ, whichever is less, from High Tide Line in case of rivers, creeks and backwaters subject to such restrictions as may be deemed necessary, in areas affected by sea water intrusion, that may be imposed by an authority designated by State Government/Union Territory Administration.]

[(xi) construction activities in CRZ-1 except as specified in Annexure-I of this Notification];

(xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and

(xiii) dressing or altering of sand dunes, hills, natural features including landscape changes for beautification, recreational and other such purpose, except as permissible under this Notification.

3. Regulation of Permissible Activities:

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

1. Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.

[The assessment shall be completed within a period of ninety days from receipt of the requisite documents and data from the project authorities, and the decision shall be conveyed within thirty days thereafter.]

2. The following activities will require environmental clearance from the Ministry of Environment and Forests, Government of India, namely:

[(i) Construction activities related to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as slipways, jetties, wharves, quays; except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements, except in very special cases and hence shall not normally be permitted in the CRZ

(ii) Operational constructions for ports and harbours and light houses and constructions for activities such as jetties, wharves, quays and slipways, pipelines, conveying systems including transmission lines]

[Provided that for expansion or modernisation of existing ports and harbours including fishing harbours operational constructions for ports and harbours and construction of jetties, wharves, quays, slipways, Single Point Mooring and Single Buoy Mooring and for reclamation for facilities essential for operational requirements of ports and harbours in areas within the existing port limits, except the areas classified as category CRZ-I(i), shall require environmental clearance from Government of India in the Ministry of Surface Transport, which shall take decision on these activities on the basis of Environment Impact Assessment Report.

Provided further that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible.]

[ii) (a) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;]

(iii) Thermal Power Plants (only foreshore facilities for transport of raw materials facilities for intake of cooling water and outfall for discharge of treated waste water/cooling water); and

[(iii a) Housing schemes in CRZ area as specified in sub-paragraph (2) of paragraph 6;

(iii b) Mining of rare minerals;

(iii c) Specified activities/facilities in SEZ subject to one time approval by the Government of India in the Ministry of Environment and Forests to such activities based

on the Master Plan of SEZ, spatial distribution of projects to be located in CRZ and such other information as may be required for the purpose.]

(iv) [All other activities with investment exceeding rupees five crores except those activities which are to be regulated by the concerned authorities at the State/Union Territory level in accordance with the provisions of paragraph 6, sub-paragraph (2) of Annexure 1 of the notification.]

(3) (i) The Coastal States and Union Territory Administrations shall prepare, within a period of one year from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment & Forests;

(ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and

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

4. Procedure for monitoring and enforcement:

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

ANNEXURE - I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone:

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

Category I (CRZ-I):

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

(ii) Area between Low Tide Line and the high Tide Line.

Category-II (CRZ-II):

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

Category-III (CRZ-III):

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

Category-IV (CRZ-IV):

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

Norms for Regulation of Activities.

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

CRZ-I

[No new construction shall be permitted in CRZ I except (a) Projects relating to Department of Atomic Energy and (b) Pipelines, conveying systems including

transmission lines and (c) facilities that are essential for activities permissible under CRZ I, Between the LTL and HTL, activities are specified under paragraph 2 (xii) may be permitted. In addition, between LTL and HTL in areas, which are not ecologically sensitive and important, the following may be permitted; (a) Exploration and extraction of Natural Gas, (b) activities as specified under proviso of sub paragraph (ii) of paragraph 2; (c) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads , jetties , water supply , drainage , sewerage which are required for traditional inhabitants of the Sunderbans Bio-sphere reserve area of West Bengal , on a case to case basis, by the West Bengal State Coastal Zone Management Authority and {by the West Bengal State Coastal Zone Management Authority}]

CRZ-II

i. [Buildings shall be permitted only on the landward side of the existing road (or roads approved in the Coastal Zone Management Plan of the area) or on the landward side of existing authorised structures. Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of Floor Space Index/Floor Area Ratio:

Provided that no permission for construction of buildings shall be given on landward side of any new roads (except roads approved in the Coastal Zone Management Plan) which are constructed on the seaward side of an existing road.]

[Provided further that the above restrictions on construction, based on existing roads/authorised structures, roads proposed in the approved Coastal Zone Management Plans, new roads shall not apply to the housing schemes of State Urban Development Authorities implemented in phases for which construction activity was commenced prior to 19th February, 1991 in atleast one phase and all relevant approvals from State/Local Authorities were obtained prior to 19th February, 1991; in all such cases specific approval of the Ministry of Environment and Forests would be necessary on a case to case basis.]

ii. Reconstruction of the authorised buildings to be permitted subject to the existing FSI/FAR norms and without change in the existing use.

iii. The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

(i) The area upto 200 metres from the High Tide Line is to be earmarked as 'No Development Zone'.

[Provided that such area does not fall within any notified port limits or any notified Special Economic Zone.]

[No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density, and for permissible activities under the notification including facilities essential for such activities.] However, the following uses/activities may be permissible in this zone – agriculture, horticulture, gardens, pastures, parks, play fields, forestry, [mining of rare minerals] and salt manufacture from sea water.

[(ia) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads and provision of facilities for water supply, drainage, sewerage which are required for the local inhabitants may be permitted, on a case to case basis, by the Central Government or Coastal Zone Management Authority constituted for the State/Union Territory.

Provided that construction of units or ancillary thereto for domestic sewage treatment and disposal shall be permissible notwithstanding anything contained in sub-paragraph (iv) of paragraph 2 of this notification.]

(ii) Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of Ministry of Environment and Forests (MEF) permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

(iii) [Construction/reconstruction of dwelling units between 200 and 500 metres of the High TideLine permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gaothans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33 percent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors ground floor plus one floor. Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government/Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities].

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

[(v) In notified SEZ, construction of non-polluting industries in the field of information technology and other service industries, desalination plants ,beach resorts and related recreational facilities essential for promotion of SEZ as approved in its Master Plan by SEZ Authority may be permitted.]

CRZ-IV

Andaman & Nicobar Islands:

(i) No new construction of buildings shall be permitted within 200 metres of the HTL;

(ii) The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and first floor),the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

(iv) (a) Corals from the beaches and coastal waters shall not be used for construction and other purposes.

[(b) sand may be used from the beaches and coastal waters, only for construction purpose upto the [30th day of September 2001] and thereafter it shall not be used for construction and other purposes.]

(v) Dredging and underwater blasting in and around coral formations shall not be permitted; and

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

Lakshadweep and small Islands:

i.For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-à-vis local conditions including hydrological aspects erosion and ecological sensitivity;

ii.The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

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

Annexure – II

Guidelines for Development of Beach Resorts/Hotels in the Designated areas of Designated Areas of CRZ-III for Temporary Occupation of Tourist /Visitors , within prior approval of the Ministry of Environment and Forests.

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

(i) The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward wide) from the High Tide Line and within the area between the Low Tide and High Tide Line;

(ia) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;

(ib) no flattening of sand dunes shall be carried out;

(ic) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts.

(id) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area. The State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

Explanation:

Though no construction is allowed in the no development zone for the purposes of calculation of FSI, the area of entire plot including [*that portion*] which falls within the no development zone shall be taken into account.]

(ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33. The open area shall be suitably landscaped with appropriate vegetal cover;

(iii) The construction shall be consistent with the surrounding landscape and local architectural style;

(iv) The overall height of construction upto highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);

(v) Ground water shall not be tapped within 200m of the HTL; within the 200 metre – 500 metre zone, it can be tapped only with the concurrence of the Central/State Ground Water Board;

(vi) Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 metres of the High Tide Line;

(vii) The quality of treated effluents, solid wastes, emissions and noise levels, etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986;

(viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent/solid waste shall be discharged on the beach;

(ix) To allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and

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

(xi) Approval of the State/Union Territory Tourism Department shall be obtained.

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

[Annexure - III

[See paragraph 2, sub-paragraph (ii)]

List of Petroleum Products Permitted for Storage in [Coastal Regulation Zone except CRZ-I]

- i. Crude Oil;
- ii. Liquefied Petroleum Gas;
- iii. Motor Spirit;
- iv. Kerosene;
- v. Aviation Fuel;
- vi. High Speed Diesel;
- vii. Lubricating Oil;
- viii. Butane;
- ix. Propane;
- x. Compressed Natural Gas;
- xi. Naptha;
- xii. Furnace Oil;
- xiii. Low Sulphur Heavy Stock.

The principal notification was published in the Gazette of India vide number S.O. 114(E), dated, the 19th February, 1991 (Corrigendum number S.O 190(E) dated 18th March 1991) and subsequently amended vide: -

- i. S.O. 595 (E) dated 18th August, 1994(Corrigendum S.O.690 (E) dated 19th September 1994.
- ii. S.O. 73 (E) dated 31st January 1997.
- iii. S.O. 494 (E) dated 9th July 1997.(Corrigendum S.O.735(E) dated 21st October 1997.)
- iv. S.O. 334 (E) dated 20th April 1998.
- v. S.O. 873 (E) dated 30th September 1998.
- vi. S.O. 1122 (E) dated 29th December 1998.
- vii. S.O.998 (E) dated 30th September 1999.
- viii. S.O.730 (E) dated 4th August 2000
- ix. S.O. 1122(E) dated 29th September,2000.

XVII. S.O.550 (E) dated 21st May, 2002.

Text given is as amended as on 21st May, 2002.

Original notification Published in the Gazette of India (Extra) No. 105, Dated 20th Feb,1997. Part II Sec3(ii).

The clause “ *For the purpose of this notification , the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide and shall demarcated uniformly in all parts of the country by the demarcating authority so authorized by the Central Government in consultation with the Surveyor General of India*” has been substituted by S.O.1122(E), dated 29th December, 1998. Gazette of India (Extra).No.849, dated 29-12-1998.

Inserted as per S.O.(E).No. 550 (E), dated 21st May, 2002.

Note omitted by S.O.(E).No. 550 (E), dated 21st May, 2002.

Substituted the earlier clause “ *Provided that the Government of India in the Ministry of Surface Transport, on a case to case basis, may permit storage of the petroleum products as specified in Annexure-III appended to this notification within the existing port limits of existing ports and harbours and in these areas of ports that have not been classified as CRZ-I subject to implementation of safety regulations including guidelines issued by Oil Safety Directorate in the Government of India. Ministry of Petroleum and Natural Gas after ensuring proper location of site and availability of necessary equipment to meet the safety norms and the exigencies arising due to any accident or spillage*” by S.O.329(E), dated 12th April,2001.Published in the Gazette of India. Extra.No. 237 dated 12th April,2001.

Inserted by S.O.(E).No.550(E), dated 21st May, 2002.

Added by S.O.494(E), dated 9th July, 1997. Gazette of India (Extra) No. 393.Part II. Sec. 3(ii), dated 9th July, 1997.

The earlier clause “*Provided the Government of India in the Ministry of Surface Transport, on a case basis, may permit storage of the petroleum products as specified in Annexure-A-III appended to this notification within the existing port limits of existing ports and harbours and in those areas of ports that have not been classified as CRZ-I subject to implementation of safety regulations including guidelines issued by the Oil Safety Directorate in the Government of India , Ministry of Petroleum and Natural Gas after ensuring proper location of sue and availability of necessary equipment to meet the safety norms and exigencies arising due to any accident or spillage* ” is substituted by S.O. 329(E), dated 12th April, 2001.Gazette of India, Extra. No. 237, dated 12th April,2001

Proviso inserted by notification No. 494 (E) dated 9-7-1997. Gazette of India, Extra. No. 393, dated 9th July, 1997

The clause “land reclamation, bunding or disturbing the natural course of sea water except those required for construction of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge. Substituted by S.O. 329(E), dated 12th April, 2001. Gazette of India, Extra No. 237 dated 12th April, 2001.

Inserted by S.O. 73(E), dated 31st January, 1997. Gazette of India, Extraordinary No. 73(E), dated 31st January, 1997. Dates extended from time to time.

The date “30th September, 1999” has been substituted by S.O. 998(E), dated 29th September, 1999. Gazette of India. Extra, Part-II, Section 3 (ii) dated 30th September, 1999. and later on substituted by .S.O. 900(E), Dated 29th September, 2000.

The clause “ requirements of 1998-99 “has been substituted by S.O. 998(E), dated 29th September, 1999. Gazette of India. Extra, Part-II, Section 3 (ii) dated 30th September, 1999.

Proviso inserted by S.O. 494(E), dated 9th July, 1997. Gazette of India. Extra No. 393, Dated 9th July, 1997.

The clause “ *construction activities in ecologically sensitive areas as specified in Annexure. I of this notification* “ is substituted by S.O. 329(E), dated 12th April, 2001. Gazette of India, Extra. No. 237 dated 12th April, 2001.

Inserted by S.O.(E). 550(E). Dated 21st May, 2002.

The clauses “i) Construction activities related to Defence requirements for which foreshore facilities are essential (e.g. slipways, jetties, etc.); except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ). (ii) operational constructions for ports and harbours and light houses and constructions for activities such as jetties, wharves, quays and slipways;” were substituted by S.O. 329(E), dated 12th April, 2001. Gazette of India, Extra. No. 237 dated 12th April, 2001.

Proviso inserted by SO. 494(E), dated 9th July, 1997

Inserted by S.O.730(E), dated 4th August, 2000, Gazette of India , Extra, Part II, Sec. 3 (ii), dated 4th August, 2001.

Inserted by S.O.550(E), dated 21st May, 2002.

Substituted by S.O.494(E), dated 9th July, 1997. Gazette of India, Extra No. 393 dated 9th July,1997.

The existing clause “ No new construction shall be permitted within 500 metres of the High Tide Line. No construction activity, except as listed under 2(xii), will be permitted between the Low Tide Line and the High Tide Line provided that construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Bio-sphere reserve area, West Bengal, may be permitted, on a case to case basis, by an authority designated by the State Government. “substituted by S.O. 329(E), dated 12th April,2001, Gazette of India, Extra, No. 237 dated 12th April, 2001.

Inserted by S.O.550(E), dated 21st May, 2002.

Substituted the clause “ *Buildings shall be permitted neither on the seaward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) nor on seaward side of existing authorized structures . Buildings permitted on the landward side of the existing and proposed roads/existing authorized structures shall be subject to the existing local Town and Country planning regulations including the existing norms or FSI/FAR.* “ by notification, S.O.494(E), 9th July, 1997.

The clause “ *roads proposed in the approved Coastal Zone Management Plan*” has been substituted by S.O.735(15), dated 21st October, 1997.

Inserted by S.O.550(E), dated 21st May, 2002.

Inserted by S.O. 550 (E). dated 21st May, 2002.

The words “ *No construction shall be permitted within this zone except for repairs of existing authorized structures not exceeding existing FSI, existing plinth area and existing density*” substituted by notification No. 494(E), dated 9-7-1997

Inserted by S.O.550(E), dated 21st May, 2002.

Inserted by S.O.550 (E), dated 21st May, 2002.

Inserted by S.O.494(E), dated 9th July,1997.

Inserted by S.O.550 (E), dated 21st May, 2002.

Inserted by notification No. 73(E) dated 31-1-1997. Gazette of India, dated 31st January, 1997.

The dates “30th day of September, 1999” has been substituted by S.O.998(E), dated 29th September,1999 as “30th day of September, 2000” later on substituted by S.O. 900(E), dated 29th September, 2000, Gazette of India, Extra. 640, dated 29th September,2000.

This clause was inserted by S.O.595(E), dated 18th August, 1994 with the following proviso “ Provided that the Central Government may, after taking into account geographical features and overall Coastal Zone Management Plans, and for reasons to be recorded in writing, permit any construction subject to the conditions and restrictions as it may deem fit. But Supreme Court of India has quashed the said amendment by judgment reported in 1996(4) JT 263.

Supreme Court by its judgment in JT 1996(4) SC 263 modified the amendment and hand that a private owner of land in NDZ shall be entitled to take into account half of such land for the purpose of permissible –FSI in respect of the construction undertaken by him outside the NDZ. (Para 33(v).

Inserted by S.O.494(E), dated 9th July, 1997. Gazette of India, Extra. No. 393, dated 9th July, 1997

The words “Port Areas” substituted by S.O.No. 329 dated 12th April, 2001. Gazette of India, Extra No. 237 dated 12th April,2001.

XVIII. S.O.460(E), dated 22nd April,2003

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 22nd April, 2003

S.O.460(E).– Whereas by notification of the Government of Indian in the Ministry of Environment and Forests number S.O.114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared Coastal Stretches as Coastal Regulation Zone and restriction were imposed on setting up and expansion of industries, operations and processes in the said zone;

And whereas it has been brought to the notice of the Central Government that destruction of mangroves, depletion of ground water and certain other activities involving severe ecological damages have been caused as the result of large sized projects being implemented without clearance from the Government of India in the Ministry of Environment and Forests.

And whereas the issue has been examined by the Government of India in the Ministry of Environment and Forests;

And whereas the Central Government is of the opinion that the said notification should be amended with a view to preventing further ecological damages;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirements of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the said requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification, in paragraph 3, in sub-paragraph (2), for clause (iv), the following clauses shall be substituted , namely :-

"(iv) Demolition or reconstruction of -

- (i) buildings of archaeological or historical importance
- (ii) heritage buildings; and
- (iii) buildings under public use.

Explanation : - For the purpose of this clause iv, 'public use' shall include use for purposes of worship, education, medical care and cultural activities.

- (iv) All other activities with investment of five crore rupees or more:

Provided that activities involving investment of less than five crore rupees shall be regulated by the concerned authorities at the State or Union territory level in accordance with the provision of sub-paragraph (2) of paragraph 6 of Annexure-I of this notification.:

[F.No.J-17011/16/93-IAIII-Part-II]

V.RAJAGOPALAN, Jt. Secy.

Note : The principal notification was published in the Gazette of India *vide* number S.O.114(E) dated the 19th February, 1991 and subsequent amended *vide* notification -

- (i) S.O.595 (E) dated 18th August, 1994
- (ii) S.O.73 (E) dated 31st January, 1997
- (iii) S.O.494 (E) dated 9th July 1997
- (iv) S.O.334 (E) dated 20th April, 1998
- (v) S.O.873 (E) dated 30th September, 1998
- (vi) S.O.1122 (E) dated 29th December, 1998
- (vii) S.O.988 (E) dated 29th September, 1999
- (viii) S.O.730 (E) dated 4th August, 2000
- (ix) S.O.900 (E) dated 29th September, 2000
- (x) S.O.329 (E) dated 12th April, 2001
- (xi) S.O.988 (E) dated 3rd October, 2001
- (xii) S.O.550 (E) dated 21st May, 2002
- (xiii) S.O.52 (E) dated 16th January, 2003

XIX. S.O. 838(E), dated 24th July, 2003.

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRA-ORDINARY, PART-II,
SECTION 3, SUB-SECTION (ii) DATED]

Government of India
Ministry of Environment & Forests

NOTIFICATION

New Delhi, the 24th July, 2003

S.O.838 (E)- Whereas by the Notification of the Government of India in the Ministry of Environment & Forests No. S.O.114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared costal stretches as Coastal Regulation Zone (CRZ) and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zone;

And whereas the Central Government has considered the specific requirements of projects relating to Department of Atomic Energy in terms of their location;

And whereas the Central Government has also considered a proposals of the Ministry of Tourism and Culture, the Andaman and Nicobar Administration and the Lakshadweep Administration in relation to the promotion of tourism development in the Union Territories of the Andaman and Nicobar Islands and Lakshadweep;

And whereas the Central Government is of the opinion that it is necessary and expedient in the public interest to amend the said notification;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that notwithstanding anything contained in sub-rule (3) of the said rule, whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirements of notice under clause (a) of sub-rule (3) of rule 5 of the said rules,”;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 of the said rules for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the said notification, namely;

AMENDMENTS

1. In the said notification, in Annexure-I, in paragraph 6, in sub-paragraph (2),-
 - (a) under the heading CRZ-III,-
 - (i) in clause (i), after the word “forestry”, the words, “projects relating to the Department of Atomic Energy,” shall be inserted;
 - (ii) after clause i(a) and its proviso, the following clause shall be inserted, namely:-

“(ib). the No Development Zone may be reduced to a minimum of 50 mts in the identified stretches of the Islands in the Union Territory of Andaman and Nicobar Islands selected and declared by the Central Government for promotion of tourism, based on an integrated coastal zone management study conducted or commissioned by the Ministry of Environment & Forests”;

(b) under the heading CRZ-IV,-

(A) under the sub-heading “Andaman & Nicobar Islands”,-

(i) after clause (ic), the following clause shall be inserted namely:-

“(id) The No Construction Zone may be reduced to a minimum of 50 mts in the identified stretches of the Islands in the Union Territory of the Andaman and Nicobar Islands selected and declared by the Central Government for promotion of tourism, based on an integrated coastal zone management study conducted by the Ministry of Environment & Forests by itself or through any agency authorized by it in this behalf.”;

(ii) in the clause (ii), for the figures “200”, the figures “50” shall be substituted;

(B) under the sub-heading “Lakshadweep and small islands”,-

(i) in the clause (i), the words “in consultation with the experts” the words “on the basis of integrated coastal zone management study” shall be substituted.

2. In the said notification, in Annexure-II, in paragraph 7, in sub-paragraph (1),-

(a) in clause (i), after the proviso, the following proviso shall be inserted, namely:-

“Provided further that construction for the purpose of tourism development may be permitted beyond 50 mts on the landward side of the High Tide Line in the Union Territories of the Andaman and Nicobar Islands and Lakshadweep Islands based on integrated coastal zone management study conducted by the Ministry of Environment & Forests by itself or through any agency authorized by it in this behalf.”;

(b) in clause (ii), after the words and figures “not exceed 0.33.” the words and figures

“Further, the total covered area of all the floors shall not be more than 50% of the plot size both in the Union Territory of Andaman and Nicobar Islands and the Union Territory of Lakshadweep Islands” shall be inserted.

(F. No.H-11011/6/97-IA.III)
Dr. V. RAJAGOPALAN, Jt. Secy.

The principal notification was published in the Gazette of India vide number S.O.114(E), dated, the 19th February, 1991 and subsequently amended vide:-

- (i) S.O. 595(E) dated 18th August, 1994.
- (ii) S.O. 73(E) dated 31st January, 1997.
- (iii) S.O. 494(E) dated 9th July, 1997.
- (iv) S.O. 334(E) dated 20th April, 1998.
- (v) S.O. 873(E) dated 30th September, 1998.
- (vi) S.O. 1122(E) dated 29th December, 1998.
- (vii) S.O. 998(E) dated 29th September, 1999.
- (viii) S.O. 730(E) dated 4th August, 2000.
- (ix) S.O. 900(E) dated 29th September, 2000.
- (x) S.O. 329(E) dated 12th April, 2001.
- (xi) S.O. 988(E) dated 3rd October, 2001.
- (xii) S.O.550(E), dated 21st May, 2002.
- (xiii) S.O.1100(E), dated 19th October, 2002.
- (xiv) S.O.52(E), dated 16th January, 2003.
- (xv) S.O.460(E), dated 22nd April, 2003.
- (xvi) S.O.635(E), dated 30th April, 2003.
- (xvii) S.O.636(E), dated 30th May, 2003.
- (xviii) S.O.725 (E), dated 24th June, 2003.

XX. S.O. 636(E), dated 30th May, 2003: Union Territory of Lakshadweep;

[TO BE PUBLISHED IN THE GAZETTEE OF INDIA,
PART II, SECTION 3, SUB-SECTION (ii) EXTRAORDINARY
DATED]

Government of India
Ministry of Environment and Forests
NOTIFICATION
New Delhi, the 30th May, 2003.

S.O.636(E)- Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O.114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared 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 has considered the requirement of construction of jetty and wharves for embarkation and disembarkation in the Union Territory of Lakshadweep;

And whereas the Central Government is of the opinion that it is necessary and expedient in the public interest to amend the said notification;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of the said rules;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the aforesaid rules for amending the said notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the said notification, namely:-

In the said notification, -

(a) in paragraph 3, in sub-paragraph (2), for item (ii), the following item shall be substituted, namely:-

“(ii) operational constructions for ports, harbours and light houses and construction activities of jetties, wharves, quays, slip ways, pipelines and conveying system including transmission lines, provided that, environmental clearance in case of constructions or modernization or expansion of jetties and wharves in the Union territory of Lakshadweep for providing embarkation and disembarkation facilities shall be on the basis of a report of scientific study conducted by the Central Government or any agency authorized or recognized by it suggesting environmental safeguard measures required to be taken for minimizing damage to corals and associated biodiversity.” ;

- (b) in Annexure I, in paragraph 6, in sub-paragraph (2), -
- (i) under the heading CRZ – I, for the word, brackets and letter “ and (d)”, the brackets, letters and words “(d) operational construction of jetties, wharves or construction, development or modernization of jetties and wharves in the Union territory of Lakshadweep for providing embarkation or disembarkation facilities on the basis of a scientific study report conducted by the Central Government or any agency authorized or recognized by it suggesting environmental safeguard measures required to be taken for minimizing damage to corals and associated bio-diversity; and (e)”;
- (ii) under the heading CRZ – III, after clause (iie), the following clause shall be inserted, namely:-
“(iif) construction and operation of jetties in the Union territory of Lakshadweep.”;
- (iii) under the heading CRZ – IV, under the sub-heading ‘ Lakshadweep and small islands:’, after clause (ic), the following clause shall be inserted, namely :-
“(id) operational construction of jetties and wharves or construction, development or modernization of jetties and wharves on the basis of a scientific study conducted by the Central Government or any agency authorized or recognized by it on a case to case basis suggesting environmental safeguard measures required to be taken for minimizing damage to corals and associated biodiversity.”.

[F.No. H. – 11011/6/97- IA III. Vo. II]
Dr. V. RAJAGOPALAN, Jt. Secy.

The principal notification was published in the Gazette of India *vide* number S.O.114(E), dated, the 19th February, 1991 and subsequently amended *vide*:-

- (i) S.O. 595(E) dated 18th August, 1994.
(ii) S.O. 73(E) dated 31st January, 1997.
(iii) S.O. 494(E) dated 9th July, 1997.
(iv) S.O. 334(E) dated 20th April, 1998.
(v) S.O. 873(E) dated 30th September, 1998.
(vi) S.O. 1122(E) dated 29th December, 1998.

- (vii) S.O. 998(E) dated 29th September, 1999.
- (viii) S.O. 730(E) dated 4th August, 2000.
- (ix) S.O. 900(E) dated 29th September, 2000.
- (x) S.O. 329(E) dated 12th April, 2001.
- (xi) S.O. 988(E) dated 3rd October, 2001.
- (xii) S.O.550(E), dated 21st May, 2002.
- (xiii) S.O.52(E), dated 16th January, 2003.
- (xiv) S.O.460(E), dated 22nd April, 2003.

XXI. .O. 635(E), dated 30th May, 2003:Andaman and Nicobar Islands

[TO BE PUBLISHED IN THE GAZETTEE OF INDIA,
EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (ii)
DATED]

Government of India
Ministry of Environment and Forests

New Delhi, the 30th May, 2003.

NOTIFICATION

S.O.635(E):- Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O.114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared 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 Andaman and Nicobar Administration of the Union territory of the Andaman and Nicobar Islands has drawn the attention of the Central Government to the difficulties being faced by the local population of the said territory due to restrictions imposed by the aforesaid notification on mining of sand in the Coastal Regulation Zone in the said territory;

And whereas the issue has been examined by the Government of India in the Ministry of Environment and Forests;

And whereas the Central Government is of the opinion that the said notification should be amended;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that notwithstanding anything contained in sub-rule (3), wherever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the aforesaid rules;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the said requirement of notice under clause (a) of Sub-rule (3) of rule 5 of the aforesaid rules for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification, -

- (a) in paragraph 2, in sub-paragraph (ix), for the portion beginning with the words “Provided that’ and ending with the words “bird nesting sites and protected areas”, the following provisos shall be substituted, namely:-

“Provided that in the Union territory of the Andaman and Nicobar Islands, mining of sand may be permitted by a committee constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of – (1) the Chief Secretary Andaman & Nicobar Administration; (2) Secretary, Department of Environment; (3) Secretary, Department of Water Resources; and (4) Secretary, Andaman Public Works Department:

Provided further that the Committee may permit mining of sand upto 44,102 cu.m. for construction purposes on a case to case basis, for the period on and from the 1st day of April, 2003 to the 31st day of March, 2004 from sites selected, *inter-alia*, based on rate of replenishment or deposition of sand:

Provided also that the permission as may be granted under this sub-paragraph for mining of sand shall be based on mining plans and shall stipulate sufficient safeguards to prevent damage to the sensitive coastal eco-system including corals, turtles, crocodiles, birds nesting sites and protected areas.”;

- (b) in Annexure-I, under the heading “CRZ-IV Andaman and Nicobar Islands”, in item (iv), in sub-item (b), for the figures, letters and words “31st day of March, 2003,” the figures, letters and words “31st day of March, 2004” shall be substituted.

[No.Z-12011/2/96-IA-III]

(Dr. V. Rajagopalan)
Joint Secretary to the Government of India

Note: The principal notification was published in the Gazette of India *vide* number S.O.114(E) dated the 19th February, 1991 and subsequently amended *vide* notification-

- (i) S.O.595(E) dated 18th August, 1994
- (ii) S.O.73(E) dated 31st January, 1997
- (iii) S.O.494(E) dated 9th July, 1997
- (iv) S.O.334(E) dated 20th April, 1998
- (v) S.O.873(E) dated 30th September, 1998
- (vi) S.O.1122(E) dated 29th December, 1998
- (vii) S.O.988(E) dated 29th September, 1999
- (viii) S.O.730(E) dated 4th August, 2000
- (ix) S.O.900(E) dated 29th September, 2000
- (x) S.O.329(E) dated 12th April, 2001
- (xi) S.O.988(E) dated 3rd October, 2001
- (xii) S.O.550(E), dated 21st May, 2002
- (xiii) S.O.52(E), dated 16th January, 2003
- (xiv) S.O.460(E), dated 22nd April, 2003.

CRZ Notification as amended upto 25.01.2005

**MINISTRY OF ENVIRONMENT AND FORESTS
(Department of Environment, Forests and Wildlife)**

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

New Delhi, the 19th February, 1991 (As amended upto 25.01.2005)

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

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

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

- (i) [For the purposes of this Notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide. The High Tide Line shall be demarcated uniformly in all parts of the country by the demarcating authority or authorities so authorised by the Central Govt., in accordance with the general guidelines issued in this regard.]ⁱ

ⁱⁱ
Note: [Omitted]

- (ii) [The distance from the High Tide Line shall apply to both sides in the case of rivers, creeks and backwaters and may be modified on a case to case basis for reasons to be recorded in writing while preparing the Coastal Zone Management Plans provided that this distance shall not be less than 100 meters or the width of the creek, river or backwaters, which ever is less. The distance up to which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance up to which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt). For the purpose of this notification the salinity measurement shall be made during the driest period of the year and the distance upto which tidal effects

are experienced shall be clearly identified and demarcated accordingly I the Coastal Zone Management Plans.]ⁱⁱⁱ

2. Prohibited activities:

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

- (i) [setting up of new industries and expansion of existing industries, except (a) those directly related to water front or directly needing foreshore facilities ... (b) Projects of Department of Atomic Energy] ^v and ^{vi} [(c) Non-polluting industries in the field of information technology and other service industries in the Coastal Regulation Zone of Special Economic Zones (SEZ)]^{vii}

[provided that (a) facilities for generating power by non conventional energy sources and setting up of desalination plants may be permitted within the said zone in areas not classified as CRZ-I(i); and (b) construction of airstrips in the said zone in areas not classified as CRZ-I(i) may also be permitted in the Islands of Lakshadweep and Andaman & Nicobar by Government of India in the Ministry of Environment & Forests.]^{viii}

- (ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment & Forests No. S.O. 594(E) dated 28th July, 1989, S.O. 966 (E) dated 27th November, 1989 and GSR 1037(E) dated 5th December 1989 [except transfer of hazardous substance from ships to ports, terminals and refineries and vice-versa, in the port areas] ^{ix} ;

[Provided that, facilities for receipt and storage of the petroleum products and Liquefied Natural Gas as specified in Annexure-III appended to this notification and facilities for regasification of Liquefied Natural Gas, may be permitted within the said zone not classified as CRZ-I (i), subject to implementation of safety regulations including guidelines issued by Oil Industry Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment & Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated by the Government of India in the Ministry of Environment & Forests] ^x ;

- (iii) setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);

[Provided that existing fish processing units for modernisation purposes may utilize 25 percent additional plinth area required for additional equipment and pollution control measures only subject to existing Floor Space Index/Floor Area Ratio norms and subject to the condition that the additional plinth area shall not be towards seaward side of existing unit and also subject to the approval of State Pollution Control Board or Pollution Control Committee] ^{xi} ;

- (iv) setting up and expansion of units or mechanism for disposal of wastes and effluents, except facilities required for-
 - (a) discharging treated effluents into water course with the approval under the Water (Prevention and Control of Pollution Act, 1974 (6 of 1974);
 - (b) storm water drains;
 - (c) treatment of wastes and effluents arising from hotels and beach resorts located in Coastal Regulation Zone areas other than Coastal Regulation Zone-I and disposal of the treated wastes and effluents;
 - (d) treatment of domestic or municipal sewage in the Union territories of the Andaman and Nicobar Islands and Lakshadweep and disposal of the treated effluents]^{xii} ;
- (v) discharge of untreated wastes and effluents from Industries, cities or towns or other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;
- (vi) dumping of city or town waste for the purpose of landfilling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this notification;
- (vii) dumping of ash or any wastes from thermal power stations;
- (viii) [Land reclamation, bunding or disturbing the natural course of sea water except those required for construction or modernisation or expansion of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge;

Provided that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible]^{xiii} ;

- (ix) [Mining of sands, rocks and other substrata materials, except (a) those rare minerals not available outside the CRZ areas and (b) exploration and extraction of Oil and Natural Gas]^{xiv} ;

[Provided that in the Union Territory of the Andaman and Nicobar Islands, mining of sand may be permitted for construction purpose on a case to case basis by a Committee constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of – (1) the Chief Secretary, Andaman & Nicobar Administration;

(2) Secretary, Department of Environment; (3) Secretary, Department of Water Resources; and (4) Secretary, Andaman Public Works Department:

Provided further that the total quantity of sand to be mined shall not exceed 28,226 CMD for the period ending on the 31st December, 2005 and that sand mining shall be undertaken only in those areas identified as accreting areas by Institute for Ocean Management (IOM), Chennai and based on rate of replenishment or deposition of sand;

Provided also that the permission as may be granted under this sub-paragraph for mining of sand shall be based on mining plans and shall stipulate sufficient safeguards to prevent damage to the sensitive coastal eco-system including corals, turtles, crocodiles, birds nesting sites and protected areas

Provided further that the Andaman and Nicobar Administration shall identify alternate construction materials within the period of one year i.e., from 1st January, 2005 to 31st December, 2005;

Provided further that a monitoring Committee shall be constituted for monitoring the mining activity and the environmental safeguards taken, by the Union Territory Administration. The monitoring Committee shall comprise of representatives from Union Territory Administration, Regional Office of the Ministry of Environment and Forests, Bhubaneswar and a NGO based at Andaman and Nicobar. The monitoring report shall be sent quarterly to Ministry of Environment and Forests] ^{xv} ;

- (x) Harvesting or drawal of ground water and construction of mechanisms therefor within 200 m of HTL; in the 200 m to 500 m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;

[Provided that drawal of ground water is permitted, where no other source of water is available and when done manually through ordinary wells or hand pumps, for drinking and domestic purposes, in the zone between 50 to 200 m. from High Tide Line in case of seas, bays and estuaries and within 200 m. of the CRZ, whichever is less, from High Tide Line in case of rivers, creeks and back-waters subject to such restrictions, as may be deemed necessary, in areas affected by sea water intrusion, that may be imposed by an authority designated by State Government/Union Territory Administration] ^{xvi} .

- (xi) [construction activities in CRZ – I except as specified in Annexure-I of this Notification] ^{xvii} ;

- (xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and

- (xiii) dressing or altering of sand dunes, hills, natural features including landscape changes for beautification, recreational and other such purpose, except as permissible under this Notification.

3. Regulation of Permissible Activities:

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

- (1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires waterfront and foreshore facilities. [The assessment shall be completed within a period of ninety days from receipt of the requisite documents and data from the project authorities, and the decision shall be conveyed within thirty days thereafter]^{xviii}
- (2) The following activities will require environmental clearance from the Ministry of Environment & Forests, Government of India, namely:
- (i) [Construction activities related to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as slipways, jetties, wharves, quays; except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements, except in very special cases and hence shall not normally be permitted in the CRZ)]^{xix} ;
- (ia) [clearance granted shall be valid for a period of five years for the commencement of the construction or operation.]^{xx};
- (ii) [Operational constructions for ports, harbours and light houses and construction activities of jetties, wharves, slipways, pipelines and conveying systems including transmission lines provided that environmental clearance in case of constructions or modernization or expansion of jetties and wharves in the Union Territory of Lakshadweep for providing embarkation and disembarkation facilities shall be on the basis of a report of scientific study conducted by the Central Government or any agency authorized or recognized by it suggesting environmental safeguard measures required to be taken for minimizing damage to corals and associated biodiversity]^{xxi} ;
- ^{xxii}
[Proviso deleted]
- (ii) a [Exploration and extraction of oil and natural gas and all associated activities and facilities thereto]^{xxiii} ;
- (iii) Thermal power plants (only foreshore facilities for transport of raw materials, facilities for in-take of cooling water and outfall for discharge of treated waste water/ cooling water); and

- (iii a) [Housing schemes in CRZ area as specified in sub-paragraph (2) of paragraph 6;
- (iii b) Mining of rare minerals;
- (iii c) Specified activities/facilities in SEZ subject to one time approval by the Government of India in the Ministry of Environment and Forests to such activities based on the Master Plan of SEZ, spatial distribution of projects to be located in CRZ and such other information as may be required for the purpose.]^{xxiv}
- (iii d) [facilities for generating power by non conventional energy sources, desalination plants and weather radars;
- (iii e) airstrips and associated facilities in Lakshadweep and Andaman and Nicobar Islands.]^{xxv}
- (iv) [Demolition or reconstruction of –
 - (i) buildings of archaeological or historical importance;
 - (ii) heritage buildings; and
 - (iii) buildings under public use.

Explanation:- For the purpose of this clause iv, 'public use' shall include use for purposes or worship, education, medical care and cultural activities.

- (v) All other activities with investment of five crore rupees or more: Provided that activities involving investment of less than five crore rupees shall be regulated by the concerned authorities at the State or Union territory level in accordance with the provisions of sub-paragraph (2) of paragraph 6 of Annexure-I of this notification.]^{xxvi}
- (3) (i) The coastal States and Union Territory Administration shall prepare, within a period of one year from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures-I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment and Forests;
- (ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and
- (iii) In the interim period till the Coastal Zone Management Plans mentioned in para 3(3) (i) above are prepared and approved, all developments and activities within the CRZ shall not violate the provisions of this Notification. State Governments and Union Territory Administrations shall ensure adherence to

these regulations and violations, if any, shall be subject to the provisions of the Environment (Protection) Act, 1986.

4. Procedure for monitoring and enforcement:

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

ANNEXURE - I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone:

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

Category I (CRZ-I):

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

Category- II (CRZ-II):

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

Category- III (CRZ-III):

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

Category-IV (CRZ-IV):

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

Norms for Regulation of Activities

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

CRZ-I

[No new construction shall be permitted in CRZ – I except (a) Projects relating to Department of Atomic Energy and (b) Pipelines, conveying systems including transmission lines [(c) facilities] ^{xxvii} that are essential for activities permissible under CRZ-I [(d) operational construction of

jetties, wharves or construction, development or modernization of jetties and wharves in the Union territory of Lakshadweep for providing embarkation or disembarkation facilities on the basis of scientific study report conducted by the Central Government or any agency authorised or recognized by it suggesting environmental safeguard measures required to be taken for minimising damage to corals and associated bio-diversity; [(e) installation of weather radar for monitoring of cyclone movement and prediction by Indian Meteorological Department; and (f) construction of trans-harbour sea-links];^{xxviii} Between the LTL and HTL, activities as specified under paragraph 2 (xii) may be permitted. In addition, between LTL and HTL in areas which are not ecologically sensitive and important, the following may be permitted: (a) Exploration and extraction of Natural Gas, (b) activities as specified under proviso of sub-paragraph [(i) and (ii)]^{xxix} of paragraph 2, [(c) Construction]^{xxx} of dispensaries, schools, public rain shelters, community toilets bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Biosphere Reserve area, West Bengal, on a case to case basis, by the West Bengal State Coastal Zone Management Authority]^{xxxi} [(d) salt harvesting by solar evaporation of sea water]^{xxxii} [(e) desalination plants]^{xxxiii}, [(f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports; (g) construction of trans-harbour sea links]^{xxxiv}.

CRZ-II

- (i) [Buildings shall be permitted only on the landward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) or on the landward side of existing authorised structures. Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of Floor Space Index/ Floor Area Ratio.

Provided that no permission for construction of buildings shall be given on landward side of any new roads (except proposed in the approved Coastal Zone Management Plan) which are constructed on the seaward side of an existing road]^{xxxv} ;

[Provided further that the above restrictions on construction, based on existing roads/authorised structures, roads/authorised structures, roads proposed in the approved Coastal Zone Management Plans, new roads shall not apply to the housing schemes of State Urban Development Authorities implemented in phases for which construction activity was commenced prior to 19th February, 1991 in atleast one phase and all relevant approvals from State/Local Authorities were obtained prior to 19th February, 1991; in all such cases specific approval of the Ministry of Environment and Forests would be necessary on a case to case basis.]^{xxxvi}

(ia) [facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).

(ib) desalination plants

(ic) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.

(id) facilities for generating power by non conventional energy sources.
(ie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar.]^{xxxvii}

- (ii) Reconstruction of the authorised buildings to be permitted subject with the existing FSI/FAR norms and without change in the existing use.
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

(i) The area upto 200 metre from the High Tide Line is to be earmarked as 'No Development Zone' [provided that such area does not fall within any notified port limits or any notified Special Economic Zone]^{xxxviii}. [No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density, and for permissible activities under the Notification including facilities essential for such activities]^{xxxix}. [An authority local inhabitants]^{xl}. However, the following [uses/activities] may be permissible in this zone - agriculture, horticulture, gardens, pastures, parks, playfields, forestry [projects relating to the Department of Atomic Energy]^{xlii}, [mining of rare minerals]^{xliii} and salt manufacture from seawater [facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii), facilities for generating power by non conventional energy sources, desalination plants, weather radars and construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar]^{xliv}.

(ia) [Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads and provision of facilities for water supply, drainage, sewerage which are required for the local inhabitants may be permitted, on a case to case basis, by the Central Government or Coastal Zone Management Authority constituted for the State/Union Territory.

Provided that construction of units or ancillary thereto for domestic sewage treatment and disposal shall be permissible notwithstanding anything contained in sub-paragraph (iv) of paragraph 2 of this notification.]^{xlvi}

(ib) [the No Development Zone may be reduced to a minimum of 50 mts in the identified stretches of the Islands in the Union Territory of Andaman and Nicobar Islands selected and declared by the Central Government for promotion of tourism, based on an integrated coastal zone management study conducted or commissioned by the Ministry of Environment & Forests];^{xlvi}

- (ii) Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of MEF permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.
- (iia) [facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).
- (iib) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.
- (iic) desalination plants
- (iic) facilities for generating power by non conventional energy sources.
- (iie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman & Nicobar.]^{xlvi}
- (iif) [construction and operation of jetties in the Union Territory of Lakshadweep;]^{xlvi}
- (iii) Construction/reconstruction of dwelling units between 200 and 500 metres of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceeds 33 percent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors (ground floor plus one floor). [Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government/Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those Panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities]^{xli} .
- (iv) Reconstruction alterations of an existing authorised building permitted subject to (i) to (iii) above.
- (v) [In notified SEZ, construction of non-polluting industries in the filed of information technology and other service industries, desalination plants, beach resorts and related recreational facilities essential for promotion of SEZ as approved in its Master Plan by SEZ Authority may be permitted.]

CRZ-IV

Andaman & Nicobar Islands:

- (i) No new construction of buildings shall be permitted within 200 metres of the HTL [except facilities for generating power by non conventional energy sources, ⁱⁱ desalination plants and construction of airstrips and associated facilities] .
- (ia) - (No provision made under the clause in the Regulation.)
- (ib) - (No provision made under the clause in the Regulation.)
- (ic) - (No provision made under the clause in the Regulation.)
- (id) [The No Construction Zone may be reduced to a minimum of 50 mts in the identified stretches of the Islands in the Union Territory of the Andaman and Nicobar Islands selected and declared by the Central Government for promotion of tourism, based on an integrated coastal zone management study conducted by the Ministry of Environment & Forests by itself or through any agency authorised by it in this behalf] ⁱⁱⁱ;
- (ii) The buildings between 50 ⁱⁱⁱ and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and 1 st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceeds 9 metres;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style,
- (iv) (a) [Corals from the beaches and coastal waters shall not be used for construction and other purposes;
- (b) Sand may be used from the beaches and coastal waters, only for construction purpose upto the [31st day of December, 2005] ^{liv} and thereafter it shall not be used for construction and other purposes] ^{iv} ;
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment and Forests and in such designated stretches, the appropriate regulations given from respective Categories shall apply.

Lakshadweep and small Islands:

- (i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island [on the basis of integrated coastal zone management study] ^{lvi} and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for

specific purposes vis-à-vis local conditions including hydrological aspects, erosion and ecological sensitivity:

- (ia) [facilities for generating power by non conventional energy sources;
 - (ib) desalination plants;
 - (ic) construction of airstrips and associated facilities;]
 - (id) [operational construction of jetties, wharves or construction, development or modernization of jetties and wharves on the basis of a scientific study conducted by the Central Government or any agency authorised or recognized by it on a case to case basis suggesting environmental safeguard measures required to be taken for minimising damage to corals and associated biodiversity.]
- (ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;
 - (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.
 - (iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;
 - (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
 - (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment & Forests. In such designated stretches, the appropriate regulations given for respective Categories shall apply.

ANNEXURE-II

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

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

- (i) [The project proponent shall not undertake any construction within 200 metres in the land-ward side from the High Tide Line and within the area between the Low Tide and High Tide Lines:

Provided that the Central Government may, after taking into account geographical features and overall Coastal Zone Management Plans, and for reasons to be recorded in writing, permit any construction subject to such conditions and restrictions as it may deem fit;

[Provided further that construction for the purpose of tourism development may be permitted beyond 50 mts on the landward side of the High Tide Line in the Union Territories of the Andaman and Nicobar Islands and Lakshadweep Islands based on integrated coastal zone management study conducted by the Ministry of Environment & Forests by itself or through any agency authorised by it in this behalf];^{lix}

(i a) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;

(i b) no flattening of sand dunes shall be carried out;

(i c) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;

(i d) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area. The State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

Explanation:

Though no construction is allowed in the no development zone for the purposes of calculation of FSI, the area of entire plot including the portion which falls within the no development zone shall be taken into account] ^{ix} .

- (ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33. [Further, the total covered area of all the floors shall not be more than 50% of the plot size both in the Union Territory of Andaman and Nicobar Islands and the Union Territory of Lakshadweep Islands] ^{ixi} . The open area shall be suitably landscaped with appropriate vegetal cover;
- (iii) The construction shall be consistent with the surrounding landscape and local architectural style;
- (iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);
- (v) Ground water shall not be tapped within 200 m of the HTL; within the 200 metre 500 metre zone it can be tapped only with the concurrence of the Central/State Ground Water Board;
- (vi) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 metres of the High Tide Line;
- (vii) The quality of treated effluents, solid wastes, emissions and noise levels etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986;
- (viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent/solid waste shall be discharged on the beach;
- (ix) To allow public access to the beach, atleast a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and
- (x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with;
- (xi) Approval of the State/Union Territory Tourism Department shall be obtained.

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

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ANNEXURE – III

[See paragraph 2, sub paragraph (ii)]

List of Petroleum Products Permitted for Storage in [Coastal Regulation Zone except CRZ – I (i)] lxiii

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor Spirit;
- (iv) Kerosene;
- (v) Aviation Fuel;
- (vi) High Speed Diesel;
- (vii) Lubricating Oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;
- (xii) Furnace Oil;
- (xiii) Low Sulphur Heavy Stock
- (xiv) [Liquefied Natural Gas (LNG)] lxiv

Note: The Principal Notification was published in the Gazette of India Extraordinary vide No. S.O. 114 (E) dated 19 February 1991 in Part II section 3 sub section (ii) and subsequently amended vide:

- (i) S.O. 595 (E) dated 18th Aug.1994.
- (ii) S.O. 73 (E) dated 31st Jan.1997.
- (iii) S.O. 494 (E) dated 09th July 1997.
- (iv) S.O. 334 (E) dated 20th Apr. 1998.
- (v) S.O. 873 (E) dated 30th Sept. 1998.
- (vi) S.O. 1122 (E) dated 29th Dec.1998.
- (vii) S.O. 998 (E) dated 29th Sept. 1999.
- (viii) S.O. 730 (E) dated 04th Aug. 2000.
- (ix) S.O. 900 (E) dated 29th Sept. 2000.
- (x) S.O. 329 (E) dated 12th April 2001.
- (xi) S.O. 988 (E) dated 03rd Oct. 2001.
- (xii) S.O. 550 (E) dated 21st May 2002.
- (xiii) S.O. 1100 (E) dated 19th Oct. 2002.
- (xiv) S.O. 52 (E) dated 16th Jan. 2003.
- (xv) S.O. 460 (E) dated 22nd Apr. 2003.
- (xvi) S.O. 635 (E) dated 30th May, 2003.
- (xvii) S.O. 636 (E) dated 30th May, 2003.
- (xviii) S.O. 725 (E) dated 24th June, 2003.
- (xix) S.O. 838 (E) dated 24th July, 2003.
- (xx) S.O. Nil (E) dated 25th Jan. 2005.

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- ⁱ Substituted vide Notification S.O.550 (E) dated 21.5.02
- ⁱⁱ Note omitted vide Notification S.O.550 (E) dated 21.5.02
- ⁱⁱⁱ Amended by Notification S.O.550 (E) dated 21.5.02
- ^{iv} The word “and” omitted vide Notification S.O.550 (E) dated 21.5.02
- ^v Substituted by Notification S.O. 329(E) dated 12 April 2001
- ^{vi} The word “and” inserted vide Notification S.O.550(E) dated 21.5.02
- ^{vii} The item (c) inserted vide Notification S.O.550 (E) dated 21.5.02.
- ^{viii} Inserted vide Notification S.O.1100 (E) dated 19.10.02.
- ^{ix} Added by Notification S.O. 494(E) dated 9 July 1997
- ^x Substituted vide Notification S.O. 730(E) dated 4 August 2000 and S.O. 329(E) dated 12 April 2001
- ^{xi} Added by Notification S.O. 494(E) dated 9 July 1997
- ^{xii} Substituted vide Notification S.O.725(E) dated 24.6.2003
- ^{xiii} Substituted vide Notification S.O. 329(E) dated 12 April 2001
- ^{xiv} Substituted vide Notification S.O. 329(E) dated 12 April 2001
- ^{xv} Substituted vide Notification S.O. Nil (E) dated 25.01.2005
- ^{xvi} Inserted vide Notification S.O. 73(E) dated 31 Jan. 1997 and amended by S.O. 494(E) 9 July 1997
- ^{xvii} Substituted by Notification S.O. 329(E) dated 12 April 2001
- ^{xviii} Inserted vide Notification S.O.550(E) dated 21.5.02
- ^{xix} Substituted by Notification S.O. 329(E) dated 12 April 2001
- ^{xx} Inserted vide Notification S.O.1100(E) dated 19.10.2002
- ^{xxi} Substituted vide Notification S.O.636(E) dated 30.5.2003
- ^{xxii} Deleted by Notification S.O. 329(E) dated 12 April 2001
- ^{xxiii} Inserted by Notification S.O. 730(E) dated 4 August 2000
- ^{xxiv} Inserted vide Notification S.O.550(E) dated 21.5.2002
- ^{xxv} Inserted vide Notification S.O.1100(E) dated 19.10.2002

^{xxvi} Amended vide Notification S.O. 460(E) dated 22.4.2003

^{xxvii} The word “and (c) facilities” substituted by “(c) facilities” vide Notification S.O.1100(E) dt.19.10.02

^{xxviii} Substituted vide Notification S.O.725(E) dated 24.6.2003

^{xxix} Inserted vide Notification S.O.1100(E) dated 19.10.2002

^{xxx} The word “and (c) construction” substituted by “(c) construction vide Notification S.O.550(E) dt.21.5.02

^{xxxi} Substituted by Notification S.O. 329(E) dated 12 April 2001

^{xxxii} Inserted vide Notification S.O.550(E) dated 21.5.2002

^{xxxiii} Inserted vide Notification S.O.1100(E) dated 19.10.2002

^{xxxiv} Substituted vide Notification S.O.725(E) dated 24.6.2003

^{xxxv} Amended by Notification S.O. 494(E) dated 9 July 1997

^{xxxvi} Inserted vide Notification S.O.550(E) dated 21.5.2002

^{xxxvii} Inserted vide Notification S.O.1100(E) dated 19.10.2002

^{xxxviii} Inserted vide Notification S.O.550(E) dated 21.5.2002

^{xxxix} Amended by Notification S.O. 494(E) dated 9 July 1997

^{xl} Sentence omitted vide Notification S.O.550(E) dated 21.5.2002

^{xli} Inserted vide Notification S.O.550(E) dated 21.5.2002

^{xlii} Inserted vide Notification S.O.838(E) dated 24.7.2003

^{xliii} Inserted vide Notification S.O.550(E) dated 21.5.2002

^{xliv} Inserted vide Notification S.O.1100(E) dated 19.10.2002

^{xlv} Inserted vide Notification S.O.550(E) dated 21.5.2002

^{xlvi} Inserted vide Notification S.O.838(E) dated 24.7.2003

^{xlvii} Inserted vide Notification S.O.1100(E) dated 19.10.2002

^{xlviii} Inserted vide Notification S.O.636(E) dated 30.5.2003

^{xlix} Inserted by Notification S.O. 494(E) dated 9 July 1997

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- ⁱInserted vide Notification S.O.550(E) dated 21.5.2002
- ⁱⁱInserted vide Notification S.O.1100(E) dated 19.10.2002
- ⁱⁱⁱInserted vide Notification S.O.838(E) dated 24.7.2003
- ⁱⁱⁱⁱSubstituted vide Notification S.O.838(E) dated 24.7.2003
- ^{lv}Substituted vide Notification S.O. Nil (E) dated 25.01.2005
- ^{iv}Amended by Notification S.O. 73(E) dated 31 Jan 1997
- ^{vi}Substituted vide Notification S.O.838(E) dated 24.7.2003
- ^{vii}Inserted vide Notification S.O.1100(E) dated 19.10.2002
- ^{viii}Inserted vide Notification S.O.636(E) dated 30.5.2003
- ^{lix}Inserted vide Notification S.O.838(E) dated 24.7.2003
- ^xAmended by Notification S.O. No. 595(E) dated 18 Aug. 1994
- ^{xi}Inserted vide Notification S.O.838(E) dated 24.7.2003
- ^{xii}Inserted vide Notification S.O. 494(E) dated 9 July 1997
- ^{xiii}Substituted by Notification S.O. 329(E) dated 12 April 2001
- ^{xiv}Inserted vide Notification S.O. 329(E) dated 12 April 2001

463 (E), 10th March 2008, Extended mining of sand and drawal of groundwater in the Coastal Regulation Zone area in Andaman and Nicobar Islands

Source: <http://www.nlsenlaw.org/crz/law-policy/amendment-to-the-notification-no-s-o-114-e-dated-the-19th-february-1991/>

Amendment to the notification No. S.O.114(E), dated the 19th February, 1991
by [admin](#) — last modified 2008-04-09 12:12

Notification No : SO463(E), Date of Notification : 10.03.2008, Date of Publication : 10.03.2008

Ministry: Ministry of Environment and Forests

Amendment to the notification No. S.O.114(E), Dated the 19th February, 1991

S.O.463(E).--Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O. 114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared 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 Andaman and Nicobar Administration of the Union territory of the Andaman and Nicobar Islands has drawn the attention of the Central Government to the difficulties being faced by the local population of the said territory due to lack of alternative construction materials available in the islands and the restrictions imposed by the aforesaid notification on mining of sand in the Coastal Regulation Zone in the said territory;

And whereas, the Hon'ble Supreme Court vide its Order dated 7th May, 2005 in Writ Petition (Civil) No. 202 of 1995 has passed Orders on mining of sand in Andaman and Nicobar Islands;

And whereas the issue has been examined by the Government of India in the Ministry of Environment and Forests;

And whereas the Central Government is of the opinion that the said notification should be amended with a view to give effect to the aforesaid Orders of the Supreme Court:

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that notwithstanding anything contained in sub-rule (3), wherever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (5) of the aforesaid rules;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the said requirement of notice under clause (a) of sub-rule (3) of rule 5 of the aforesaid rules for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read

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

In the said notification,

(a) in paragraph 2, in sub-paragraph (ix), for the provisos, the following provisos shall be substituted, namely:--

"Provided that in the Union Territory of the Andaman and Nicobar Islands, mining of sand may be permitted for construction purpose on a case to case basis by a committee constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of - (1) the Chief Secretary, Andaman and Nicobar Administration; (2) Secretary, Department of Environment; (3) Secretary, Department of Water Resources; and (4) Secretary, Andaman Public Works Department:

Provided further that the total quantity of sand to be mined shall not exceed 22,581 cubic metres for the period ending on the 31st December, 2008 and that sand mining shall be undertaken only in those areas identified as accreting areas by the Institute for Ocean Management (IOM), Chennai and based on rate of replenishment or deposition of sand:

Provided also that the permission as may be granted under this sub-paragraph for mining of sand shall be based on mining plans and shall stipulate sufficient safeguards to prevent damage to the sensitive coastal eco-system including corals, turtles, crocodiles, birds nesting sites and protected areas:

Provided also that in view of the ecological damage due to the continuing sand mining in the coastal area, the Andaman and Nicobar Administration shall identify alternate construction materials within the period of one year and no further extension or permission to the sand mining in the Coastal Regulation Zone will be accorded after the 31st December, 2008:

Provided also that a Monitoring Committee shall be constituted for monitoring the mining activity and the environmental safeguards taken, by the Union Territory Administration. The Monitoring Committee shall comprise of representatives from the Union Territory Administration, Regional Office of the Ministry of Environment and Forests, Bhubaneswar and a Non-Governmental Organization based at Andaman and Nicobar. The monitoring report shall be sent quarterly to the Ministry of Environment and Forests.";

(b) in Annexure-I, under the heading "CRZ-IV relating to the Andaman and Nicobar Islands," in item (iv), in sub-item (b), for the figures, letters

and words "31st day of December, 2007", the figures, letters and words"
1st day of January, 2008" shall be substituted.

[No. Z-12011/2/96-IA.III]

Dr. NALINI BHAT, Scientist 'G'

Note: The principal notification was published in the Gazette of India vide number S.O.114(E), dated the 19th February, 1991 and subsequently amended vide notifications:

1. S.O. 595 (E), dated 18th August, 1994
2. S.O. 73 (E), dated 31st January, 1997
3. S.O. 494 (E), dated 9th July, 1997
4. S.O. 334 (E), dated 20th April, 1998
5. S.O. 873 (E), dated 30th September, 1998
6. S.O. 1122(E), dated 29th December, 1998
7. S.O. 998(E), dated 29th September, 1999
8. S.O. 730(E), dated 4th August, 2000
9. S.O. 900(E), dated 29th September, 2000
10. S.O. 329(E), dated 12th April, 2001
11. S.O. 988(E), dated 3rd October, 2001
12. S.O. 550(E), dated 21st May, 2002
13. S.O. 1100(E), dated 19th October, 2002
14. S.O. 52(E), dated 16th January, 2003
15. S.O. 460(E), dated 22nd April, 2003
16. S.O. 635(E), dated 30th May, 2003
17. S.O. 636(E), dated 30th May, 2003
18. S.O. 563(E), dated 24th June, 2003
19. S.O. 838(E), dated 24th July, 2003
20. S.O. 86(E), dated 25th January, 2005
21. S.O. 108(E), dated 13th July, 2006
22. S.O. 451(E), dated 26th March, 2007

Notification No: SO1243 (E), dated 15.05.2009 Development of green field airport at Navi Mumbai

Referred in Amendments to the Notification no. S.O. 114 Dated, 19th February, 1991

S.O.1243(E).--Whereas, by the notification of the Government of India in the Ministry of Environment and Forests number S.O.114(E), dated the 19th February, 1991, (hereinafter referred to as the said notification), the Central Government declared 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, it has been brought to the notice by the Ministry of Civil Aviation that the Chhatrapati Shivaji International Airport, Mumbai would get saturated by 2013 with forty million passengers per annum and in view of special circumstance prevalent at the said Airport, the Mumbai city needs a second airport;

And whereas, the Government of Maharashtra has constituted a site selection Committee on the 24th November, 1997 which found the Navi Mumbai site with two runways more suitable out of the three sites considered and the State Government has about eighty per cent of the land at Navi Mumbai in its possession with City and Industrial Development Corporation of Maharashtra Limited and at the proposed site there is peripheral physical and social infrastructure already existing and geographically the proposed site is centrally located and the travel time by road to the proposed airport is as per the international norms;

And whereas, it has been informed by City and Industrial Development Corporation of Maharashtra Limited, Government of Maharashtra that the proposed airport site falls in Coastal Regulation Zone- I(i), I(ii), III and water area as per the approved Coastal Zone Management Plan of Maharashtra and the proposed airport would require reclamation of some parts of creeks and low lying areas abutting Panvel creek and Vhagiwali Island;

And whereas, the Hon'ble High Court, Mumbai, in its Order dated the 29th April, 2009 in Notice of Motion No. 116 of 2009 in Public Interest Litigation No. 87 of 2006, has observed as under:--

"5. We do not find any where that any authority has been vested by this Court's order to exercise its statutory functions and powers, and the builder is restrained by order dated 6th October 2005 from construction within certain areas. That question may not arise at present.

6. Therefore, we observe that this Court's order dated 6th October, 2005 does not restrict power of any authority to exercise its statutory power in accordance with law. This Notice of Motion is made absolute with these observations.";

And whereas, in addition to the above, the Central Government has decided to consider the proposal for developing green field airport at Navi Mumbai in the coastal areas

without compromising environmental considerations;

And whereas, the Central Government is of the opinion that a second airport is required for Mumbai in public interest in large and the site at Navi Mumbai can be taken up for construction of the second airport;

And whereas, the Central Government is of the opinion that it is necessary and expedient in the public interest to amend the said notification;

And whereas, sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of the said rules";

And whereas, the Central Government, in view of special circumstances prevalent at the Chattrapati Shivaji International Airport, Mumbai, is of the opinion that it is in the public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 and Section 6 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Environment and Forests number S.O.114(E), dated the 19th February, 1991, namely:--

(a) In the said notification, in paragraph 2, in sub-paragraph (i), after the proviso, the following proviso shall be inserted, namely:--

"Provided further that the development of green field Airport at Navi Mumbai shall be undertaken subject to detailed scientific study for incorporating adequate environmental safeguard measures required for neutralising damage to coastal environment as may be appropriate to the Navi Mumbai region;"

(b) in the Annexure to the said notification :-

(i) in the entries under heading CRZ-I, after the item (f), the following item shall be inserted, namely :-

"(g) development of green field airport and related activities at Navi Mumbai.";

(ii) in the entries under heading CRZ-II, after the item (ie), the following item shall be inserted, namely:--

"(if) development of green field airport and related activities at Navi Mumbai".

(iii) in the entries under heading CRZ-III, after the item (v), the following item shall be

inserted, namely:--

"(vi) development of green field airport and related activities at Navi Mumbai

[F. No. H-11011/6/97-IA-III]

Dr. NALINI BHAT, Scientist 'G'

Note : The principal notification was published in the Gazette of India vide number S.O.114(E), dated the 19th February, 1991 and subsequently amended vide notifications:-

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1. S.O.595(E), dated the 18th August, 1994
2. S.O.73(E), dated the 31st January, 1997
3. S.O.494(E), dated the 9th July, 1997
4. S.O.334(E), dated the 20th April, 1998
5. S.O.873(E), dated the 30th September, 1998
6. S.O.1122(E), dated the 29th December, 1998
7. S.O.998(E), dated the 29th September, 1999
8. S.O.730(E), dated the 4th August, 2000
9. S.O.900(E), dated the 29th September, 2000
10. S.O.329(E), dated the 12th April, 2001
11. S.O.988(E), dated the 3rd October, 2001
12. S.O.550(E), dated the 21st May, 2002
13. S.O.1100(E), dated the 19th October, 2002
14. S.O.52(E), dated the 16th January, 2003
15. S.O.460(E), dated the 22nd April, 2003
16. S.O.635(E), dated the 30th May, 2003
17. S.O.636(E), dated the 30th May, 2003

18. S.O.563(E), dated the 24th June, 2003
19. S.O.838(E), dated the 24th July, 2003
20. S.O.86(E), dated the 25th January, 2005
21. S.O.451(E), dated the 26th March, 2007