

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE
BENCH, PUNE**

APPLICATION NO.117/2014 (WZ)

Vanshakti Vs. Union of India Through MoEF & CC & Ors.

**CORAM: HON'BLE MR JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

Present: **Applicant/ Appellant** **:** **Gayatri Singh Adv a/w
Mr Zaman Ali Adv**

Respondent No.1 **:** **Anirudha Topkire Adv holding for Mr.
Amit Karkhanis Adv
Mr. K.K.Ramchandran, Scientist-F
(NCESS)**

Respondent No.2+(i) **:** **Mr. D.M.Gupte Adv a/w
Supriya Dangare Adv**

Date and Remarks	Orders of the Tribunal
Item No.7 February 10, 2016 Order No.8	<p>We have heard the parties.</p> <p>The present Application has been filed for seeking immediate release and publication of Coastal Zone Management Plan (CZMP) Maps for implementation of CRZ-Notification, 2011.</p> <p>According to the Applicant the Government has failed to fulfil its statutory obligations and is illegally extending period of validity of CZMP maps from time to time, the last of such extension being up to 31st January, 2016. As a result of it, the old CZM Map/s of 1996 are being used for granting permissions for constructions in CRZ areas and for regularization of CRZ violations, in contravention of the mandate of law.</p> <p>The record reveals that service of Notice is complete. However, the Respondent No.2 Maharashtra Coastal Zone Management Authority (MCZMA) and the Respondent No.1 Union of India, Secretary MoEF, who are concerned with the work of finalization of the CZMP Maps have not filed their replies, despite sufficient opportunity being granted to them to place their replies before us.</p> <p>On 27th January, 2016, learned Counsel appearing on behalf of MCZMA, submitted that the CZMP Maps have been prepared by the Indian Remote Sensing (IRS) and the Centre for Earth and Science Studies (CESS) respectively to scale of 1:4000, but the Maps required for public hearing, which is stage in finalization of CZMP, to the scale of 1:25000 have not been prepared. We, therefore, issued Notice to the IRS and CESS and today in response to the Notice, Mr. K.K.Ramchandran, Scientist-F, CESS, is present before us. He submits that draft CZMPs for Thane and Sindhudurg districts in the scale of 1:25000 as well as 1:4000 have</p>

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been prepared and submitted to National Coastal Zone Management Authority (NCZMA) in 2014 and copies of the said Maps in GIS format were sent to the National Centre for Sustainable Coastal Management (NCSCM) in 2014 for verification and vetting for High Tide Line (HTL) and Low Tide Line (LTL).

Learned Counsel appearing on behalf of the MCZMA placed before us communication dated 8.2.2016 received from the IRS. It makes reference to copy of the affidavit dated 8th February, 2016, which was to be tendered before us on behalf of the IRS. With reference to these documents, learned Counsel appearing on behalf of the MCZMA submits that the Ministry of Environment, Forests & Climate Change (MoEFF & CC), New Delhi has decided to take steps to ensure national uniformity because different institutions, agencies and authorities prepare the CZM maps, and as a part of the said initiative, the IRS was asked by MCZMA to deliver the demarcated HTL, LTL to NCESS for the purpose of reconciliation. He further submits that upon receipt of reconciliation of HTL and LTL from the NCSCM, the IRS will be in a position to deliver the draft of CZMP Map to scale of 1:25000 as per CRZ Notification, 2011. He further submits that this exercise will require a monthsqtime to conclude and to have final draft of CZMP Map for all districts to the scale 1:25000 for public consultation, a stage in the process of finalization of CZMP. Learned Counsel appearing on behalf of the MCZMA submits that a proposal has been sent by the MCZMA to MoEF for CZMP-96 validity extension. Evidently, the exercise is going to take a time and field is open for further mischief in meanwhile.

We, therefore pass following directions:

Pending hearing and final disposal of this Application, the Respondent shall not grant permission regarding developmental and construction activities in CRZ areas and shall not allow any regularization of CRS violations until the CZMP Maps under the 2011 Notification, are published.

List this case on 21st March, 2016.

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(Justice U.D.Salvi)**

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(Dr.Ajay A. Deshpande)**