

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.