

MINUTES OF THE 39th MEETING OF THE NATIONAL COASTAL ZONE MANAGEMENT AUTHORITY HELD ON 13.01.2020 AT NEW DELHI.

The 39th Meeting of the National Coastal Zone Management Authority (NCZMA) was held on 13.01.2020 under the chairmanship of Secretary (EF&CC). The list of participants, including members of NCZMA and the representatives from Coastal Zone Management Authorities in the State/UTs is given at **Annexure**. The deliberations held and decisions taken in the meeting are as under:

1. Presentation by Gujarat Coastal Zone Management Authority on CZMPs of the Kutch and Morbi Districts of Gujarat:

A presentation on the Coastal Zone Management Plans (CZMPs) of Kutch and Morbi districts of Gujarat was made by the representative of the Gujarat Coastal Zone Management Authority (GCZMA). It was informed that the Technical Scrutiny Committee (TSC) constituted to scrutinize CZMPs met on two occasions viz. 19.08.2019 and 24.12.2019 respectively for finalization of the CZMPs of Kutchh and Morbi. It was stated that there was broadly an agreement but the Committee did not consider the request of the Gujarat Government in respect of CRZ categorization for mudflats as CRZ-IB and for classification of the diverted forest land (mangroves) from CRZ-IA to CRZ-III and decided that the said matters may be placed before the NCZMA for its decision.

The NCZMA deliberated the issues flagged before it and observed that Gujarat has a large coastline and large areas under mudflats unlike other coastal states and while it agrees in-principle that some consideration has to be given in so far as providing an enabling provision for developmental activities such as ports and its allied facilities, which requires water fronts and areas close to it, it cannot be unmindful of changing the very nomenclature of classification of CRZ-IA and CRZ-IB. The NCZMA therefore decided that GCZMA shall identify and submit the following:

- (i) the total area of mudflats in Kutchh and Morbi districts vis-a-vis the total intertidal area separately.
- (ii) tentative futuristic developmental projects or activities viz. Ports, Harbours etc. in Kutch and Morbi districts which would require water front and foreshore facilities entailing mudflats and the total area of mudflats thereof required for the activities.

Regarding classification of the diverted forest land (mangroves) from CRZ-IA to CRZ-III, NCZMA agreed that it shall be governed by the extant regulations and policies of forest diversion with specific conditions as required under CRZ regulations.

Based on the presentation made and deliberations held, the NCZMA decided that on submission of the above information a decision can be taken at a later date on the issue of necessary amendment in the CRZ regulations, as may be necessary, in so far as developmental activities such as port facilities which are required to come up inevitably close to the shores and which would entail some areas under mudflats are concerned. The NCZMA recommended for approval of the CZMPs of Kutchh and Morbi districts with mudflats classified as CRZ-IA, in consonance with the existing regulations and decided that, if need be, the CZMPs can be reviewed at a later stage once information as noted above is submitted by the state government.

2. Presentation by Maharashtra Coastal Zone Management Authority on reclassification of CRZ areas in Alibaug, in Raigad district and another in Maharashtra:

Representative of the state government of Maharashtra made a presentation and informed the NCZMA that the CZMP of Raigad district prepared based on provisions of CRZ Notification, 2011 was approved by the Ministry in August, 2018. Later, the state government noticed that there is a factual error in the CRZ classification in respect of Alibaug area. MCZMA informed that Alibaug, a municipal council area classified as CRZ-II in the CZMP approved based on CZR Notification, 1991 has erroneously marked as CRZ-III in the CZMP approved in 2018. The matter was referred to NCSCM, Chennai for ground truthing. NCSCM verified relevant documents/records and made necessary corrections.

The NCZMA noted the issue and observed that the matter is only a correction of error apparent, and the corrections made are approved.

Representative of the state government also flagged similar issue in case of Shriwardhan Municipal Council in Raigad district, in Maharashtra. *The NCZMA heard the matter and observed that NCSCM shall similarly make a ground verification and in case the same is collaborated as an error apparent, needful correction/reclassification of the CRZ area may be done and the matter may not be referred back again to the NCZMA, but shall be ratified by the MoEFCC.*

3. Presentation by Goa Coastal Zone Management Authority on breaching of bunds and CRZ boundaries in Khazan Land and other issues:

Representatives of the Goa Coastal Zone Management Authority (GCZMA) made a presentation and in addition to listed item flagged few other issues as detailed below:

S.N	Objective	Existing provision in CRZ regulations	Proposed provision requested
1.	To drop the demarcation of the HTL in the inundated Khazan land due to breach of bunds	8. 3 (CRZ for Goa) (iv) The eco sensitive low lying areas, which are influenced by tidal action known as khazan land shall be mapped.	The eco sensitive low lying areas which <i>are traditionally not</i> influenced by tidal action known as khazan lands due to existence of bunds & the HTL shall be restricted upto the bund shall be mapped
<p>Observation/Decision of NCZMA:</p> <p><i>The NCZMA deliberated the issue and observed that in so far as Khazan Land issue is concern, there is valid reason and accordingly it can be agreed that HTL shall be restricted to the bund/slucice gate but keeping the mangrove areas as CRZ-IA. NCZMA however agreed that the mangroves shall be untouched and protected. It was further decided that since this would require an amendment of CRZ regulations, the same may be done as appropriately as follows:</i></p> <p><i>“In case, there exists a bund or a sluice gate constructed in the past, prior to the date of notification issued vide S.O. 114(E), dated 19.02.1991, the HTL shall be restricted to the line along the bund or the sluice gate. In such a case, area under mangroves</i></p>			

	<p><i>arising due to saline water ingress beyond the bund or sluice gate shall be classified as CRZ-1A, irrespective of the extent of the area beyond the bund or sluice gate”.</i></p> <p><i>The NCZMA also decided that the state government shall immediately take up work for restoration of the bunds/sluice gates and its proper operation and maintenance.</i></p>		
2.	For notification of CZMP maps in 1:4000 scale	<p>Clause 5(vi)</p> <p>The coastal States and Union Territory will prepare within a period of twenty-four months from the date of issue of this notification, draft CZMP in 1:25000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with guidelines given in Annexure-I of the Notification, which involve public consultation.</p>	<p>The coastal States and Union Territory will prepare within a period of twenty-four months from the date of issue of this notification, draft CZMP in 1:25000 scale <i>or 1:4000 scale</i> map identifying and classifying the CRZ areas within the respective territories in accordance with guidelines given in Annexure-I of the Notification, which involve public consultation.</p>
<p>Observation/Decision of NCZMA:</p> <p><i>On the issue of the states requiring to prepare local level CZMP at 1:4000 scale, the NCZMA observed that the CRZ Notifications already requires that local level CZMPs be prepared in 1:4000 scale and therefore it is a non-issue.</i></p>			
3.	To reduce the NDZ in the coastal areas having head lands	<p>7(iii) CRZ-III</p> <p>Areas that are relatively undisturbed and those do not belong to either CRZ-I or II, which 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</p>	<p>Areas that are relatively undisturbed and those do not belong to either CRZ-I or II, which 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. <u>For headlands having height of more than 10 mts from mean sea level, the HTL shall be 10 mts from the top face of the headland.</u></p>

	Observation/Decision of NCZMA:		
	<i>With regard to the above, the NCZMA observed that the eventuality of landslides or natural calamity in the case of headland need to be understood and appreciated and the request for reducing it to 10 m distance may be too less from safety aspect and therefore cannot be agreed. NCZMA also decided that in case State Government may come up with details of headlands and information on its geomorphological stability in the past 50 years etc. can be shared, the matter can be relooked at a later stage.</i>		
4.	Permission for extraction of sand and substrata in CRZ Area	3(x) Mining of Sand, rocks and other substrata except: (a) those rare minerals not available outside CRZ areas, and collection of dead shells by the traditional communities for poultry and animal feed supplements (b) exploration and exploitation of Oil and Natural Gas	After Clause 3 (x) (b) the following provision be inserted (c) In those areas where they are not available outside CRZ areas.
	Observation/Decision of NCZMA:		
	<i>With regard to the request for permission for extraction of sand and substrata in CRZ area, the NCZMA observed that extraction of beach sand in not a permissible activity under the CRZ regulations.</i>		
5.	Protection of developments duly authorized prior to CRZ Notification, 2011	Clause 3 makes provision for prohibitory & permissible activities.	After clause 3(XIV) the following provision be inserted "All approved projects/developments prior to current notification, shall stand protected & the HTL shall be fixed from the closest point of permissible development."
	Observation/Decision of NCZMA:		
	<i>On the issue regarding protection of developments authorized prior to CRZ Notification, 2011, the NCZMA noted that prior to CRZ Notification, 2011, there already has been in existence the CRZ Notification, 1991 regulating developmental activities. That post the issue of CRZ Notification for the first time in 1991 including the revision in 2011, the activities/projects have been prohibited/regulated/permitted as per extant provisions of the notifications from time to time. In this light, the NCZMA agreed that the request merits no consideration.</i>		
6.	Amendment to the Provision to temporary seasonal structures	Clause 8 (3) (iii) Purely temporary and seasonal structures	Purely temporary and seasonal structures customarily put up between the months of September

specific to Goa CRZ Notification, 2011	customarily put up between the months of September to May	to May in intertidal zone and NDZ areas
<p>Observation/Decision of NCZMA:</p> <p><i>As regards request for amendment to the CRZ Notification, 2019 for providing enabling provision for setting up of temporary seasonal structures (Shacks) specific to Goa, as available in CRZ Notification, 2011, the NCZMA decided that this specific provision accorded to Goa in the CRZ Notification, 2011 may be continued to be provided in the new CRZ Notification, 2019 as well.</i></p>		

4. Presentation by Tamil Nadu Coastal Zone Management Authority on reclassification of CRZ at Odhiyur, in Cheyur, Tamil Nadu:

The Government of Tamil Nadu have forwarded a request for reclassification of CRZ area in Odhiyur, Cheyur, Kanchipuram. It was stated that in the year 1988, M/s Sporting Pastime India Ltd. had proposed to construct an international standard Golf Course at Odhiyur hamlet of Mudaliyarkuppam Village, Cheyyur Taluk, Kancheepuram district of Tamil Nadu. That based on the recommendation of the State Coastal Zone Management Authority in its 6th meeting held on 04.08.1999, the proposal have been sent to Govt. of India for consideration. That at the time of sending the proposal during the year 1999, the site was categorized as CRZ-I and the State Coastal Zone Management Authority had sent a proposal to Government of India for the reclassification the project site as CRZ-III, which the Government of India vide its letter No. J-11011/18/96-IA.III, dated 23.06.2000 had approved the above reclassification. Subsequently, Environment Clearance for the above project was issued by the Government of India vide its letter No. J-17011/9/99/IA.III, dated 09.10.2002, subject to the several conditions.

The CRZ Notification, 2011 was issued and based on the CZMP prepared and approved as per the said notification, the said has been demarcated as CRZ-IA and CRZ-IB. In this regards, the State Government has stated that as per the information by the developer some of the physical features like, sand dunes, water bodies on the project site have been developed by them as essential to international Golf Course and not a natural feature of the area and therefore requested that the area be reclassified as CRZ-III.

The State Government also informed that DCZMA has also recommended that the site is CRZ-III and restoration of the said project area as CRZ-III may be taken up by the State Coastal Zone Management Authority for consideration by the central Government.

The NCZMA deliberated on the issue and observed that NCSCM, Chennai has made a field verification and the report indicates that sand dunes are natural and spread linearly over large areas. The NCZMA therefore decided that, in case, it so desires, the state government may submit satellite imageries of the site prior to the year 2000 and present images so as to facilitate deliberations by NCZMA at a later stage.

5. Updation/revision of ICRZP / IIMPs approved as per CRZ Notification, 1991 directly as per the ICRZ notification, 2019:

The Ministry of Environment, Forest and Climate Change had informed the A&NCZMA on 23.10.2019 that for new Islands (covered under IIMP) which were not been under regulatory regime so far, the IIMPs may be prepared based on ICRZ Notification, 2019.

A&N administration has reported that the ICRZ plans of 5 Islands viz. (i) North Andaman (1375.99 sq. kms), (ii) Katchal (174.30 sq.kms), (iii) Little Nicobar (159.02 sq.kms), (iv) Interview (133.00 sq.kms), (v) Teressa Island (101.26 sq.Km) and IIMPs of 4 Islands viz. (i) East Island (6.11 sq.kms), (ii) North Passage (21.96 sq.kms), (iii) Stewart(7.23 sq.kms), (iv) Strait Island (6.01 sq.kms) were approved as per CRZ Notification, 1991. They have requested that ICRZ and IIMPs in respect of these islands may be allowed to be prepared based on ICRZ Notification, 2019.

The NCZMA deliberated the issue and observed that there are legal and procedural issues and decided that the A&N administration may proceed with preparation of ICRZ and IIMPs of the islands as per IPZ notification, 2019 but the ICRZ Plans shall indicate regulatory lines also as per IPZ Notification, 2011.

6. Issues on CZMP of Sundarbans in West Bengal

CZMPs prepared based on CRZ Notification, 2011 for the state of West Bengal was approved by the Central Government in the year 2018. Later, West Bengal Coastal Zone Management Authority (WBCZMA) made certain observations in respect of the CZMPs in the region of Sundarbans and Diamond Harbour. These were deliberated in the 37th Meeting of the NCZMA held on 25.02.2019, wherein, the issue in respect to Diamond Harbour CRZ areas was resolved. As regards Sundarbans area, it was also agreed that in the Sundarbans Biosphere region, classification of CRZ-I, CRZ-II or CRZ-III shall be done purely as per CRZ Notification, 2011 for an implementable regulation, since Sundarbans areas already has a population exceeding 43 lakhs with public utilities in place and conflict between various legislations should be avoided. It was decided in the said 37th Meeting, that in order that the government have an implementable instrument for regulation of the activities in the area, the above way out is required. It was however learnt that the WBCZMA and NCSCM still could not arrive at a common ground in respect of finalization of the CZMP of Sundarbans area.

Representative of WNCZMA informed that the Sundarbans Biosphere Reserve (SBR) is divided into three zone viz. Core Area (designated as World Heritage Site), Buffer Zone and Transition Area (having population more than 43 lakhs as per 2011 census). That during the time of declaration of SBR vide MoEF letter dated 29.03.1989, it has been stated that the management of SBR shall be done in conformity with the general guidelines of Biosphere Reserve without changing the land ownership etc. of the local people and their livelihood. The NCZMA was also informed regarding the order of the NGT (EZ) in the matter of O.A. No. 20 of 2014, wherein, the NGT had given certain directions as interim measures until finalization and implementation of the CRZ mapping.

The NCZMA deliberated the issue and observed that it had explicitly decided in its 37th Meeting, categorization of CRZ classification in the SBR shall be done in consonance with delineation of HTL and CRZ boundaries as per CRZ Notification, 2011 and shall not cover the entire SBR in view of practical difficulty as submitted by the State Government and reportedly submitted before the NGT. The NCZMA therefore decided that, whereas, CRZ boundaries and CRZ classification shall be demarcated and determined in SBR as per CRZ Notification, 2011, the restrictions imposed under the notification for SBR or ESA notification (if any) shall be followed. It was also decided that the WBCZMA shall take up finalization of the IMP for Sundarbans CVCA in consultation with local communities including fisherfolks, in accordance with the provisions of the CRZ Notification, 2011.

The NCZMA further decided in view of the conflict between the order for declaration of SBR and the CRZ regulations and practicality, necessary amendment in the CRZ notification related to classification of the entire Sundarban as CRZ-IA, shall be taken up by MoEFCC and the CRZ classification may be carried out as per provisions of the notification.

7. Any other item with the permission of the Chair:

There being no agenda item left, the meeting ended with a vote of thanks to the Chair.

Annexure

S.N.	Name of Participant	Organisation
1.	Shri C.K. Mishra, Secretary (EFCC)	MoEFCC, New Delhi
2.	Shri. N.N. Sinha, Secretary (BM)	Ministry of Home Affairs, New Delhi
3.	Shri Arvind Nautiyal, Joint Secretary	MoEFCC, New Delhi
4.	Dr. Shailesh Nayak, Ex-Secretary (MoES)	NIAS, Bangalore
5.	Shri. Anil Diggikar, Principal Secretary	Government of Maharashtra
6.	Shri Puneet Goel, Principal Secretary	Government of Goa
7.	Dr. Jayanthi Murali Director & Member Secretary, TNCZMA	Government of Tamil Nadu
8.	Shri Niraj Singhal, Member Secretary, West Bengal CZMA,	Government of West Bengal
9.	Dr. R. Ramesh, Director	NCSCM, Chennai
10.	Dr. P. Pravin, ADG (Fisheries)	ICAR, New Delhi
11.	Shri W. Bharat Singh, Director (CRZ)	MoEF&CC
12.	Dr. R.S. Kankara, Scientist F, NCCR	Ministry of Earth Sciences
13.	Shri. S.M. Saiyad Director & Member Secretary, GCZMA	Government of Gujarat
14.	Dr. Mohinadhayalam, Adviser, CPHEED	Ministry of Housing & Urban Affairs
15.	Shri Ashok Kumar, Deputy Secretary	Ministry of Defence
16.	Comdt. Bhim Singh Kothari, Director (FE)	Indian Coast Guard
17.	Shri. Sidhartha Roy, Sr. Env. Officer	Government of West Bengal
18.	Shri. Paresh Duria, Town & Country Planner	Ministry of Housing & Urban Affairs
19.	Shri. Shyamal Tikadar, Gujarat Ecology Commission	Government of Gujarat
20.	Shri. P. Munaswamy Naidu, Sr. Env. Engineer, APPCB	Government of Andhra Pradesh
21.	Shri. Rahul Haridas, Liaison Officer	Government of Kerala
22.	Ms. Anita Saini, Under Secretary	Ministry of Home Affairs
23.	Dr. P. Saranya, Deputy Director (CRZ)	MoEF&CC
24.	Dr. Bhawana Kapkoti Negi Technical Officer (CRZ)	MoEF&CC
