

Minutes of the 29th Meeting of National Coastal Zone Management Authority

The 29th meeting of National Coastal Zone Management Authority (NCZMA) was held in the Ministry on 15th October, 2015 under the chairmanship of Secretary (EF&CC). The list of the participants is at Annexure-I.

I. Agenda No.1

At the outset, the Chairman extended a warm welcome to all the members of National Coastal Zone Management Authority, and briefed about the urgency of the meeting of the Authority.

II. Agenda No.2

Consideration of the report prepared by National Centre for Sustainable Coastal Management (NCSCM), Chennai in compliance of the Orders of Hon'ble Supreme Court in Civil Appeal No.4625-4626 of 2012 in the matter of 'UT of Lakshadweep & Ors. Vs Seashell Beach Resort & Ors' dated 20th January, 2015 & 19th August, 2015

1. As per the orders dated 19th August 2015 in Civil Appeal No.4625-4626 of 2012 in the matter relating to M/s Seashell Vs Union Territory of Lakshadweep, Hon'ble Supreme Court has directed MoEF&CC to 'that the exercise which the Government of India have initiated to fill up the missing gaps in the process of completion of Integrated Island Management Plans (IMPs) should be completed expeditiously but not later than 30.10.2015 in regard not only to Agatti but all other Islands also'.

2. In compliance of the orders of Hon'ble Supreme Court, National Centre for Sustainable Coastal Management (NCSCM) has taken up the activities relating to (a) to (f) for addressing gaps in the IIMPs. Their recommendations on the identified gaps are presented as under:-

Gap # a) *Developing and designing an ecologically sustainable system for foreshore protection along coral reefs. Simultaneously, evolving a system for effective solid waste disposal and effluent discharge system that does not affect the coral areas*

Para No.	Actual Text by NCSCM	Addition/Deletion by UTLA	Recommendations by NCZMA
I(ii)	The UT Administration in consultation with reputed scientific institutions such as CWPRS/ NCSCM shall undertake erosion control measures in the identified eroding stretches by deploying submerged soft structures (e.g. geo-tubes, artificial reefs) in the <u>lagoon</u>	The UT Administration in consultation with reputed scientific institutions such as CWPRS/ NCSCM shall undertake erosion control measures in the identified eroding stretches by deploying submerged soft structures (e.g. geo-tubes, artificial reefs) in the <u>coastal</u>	<i>Recommended to add 'in the coastal region including lagoon' instead of coastal.</i>

	region..	region..	
I(ii)	Until the above studies are completed, UT Administration shall prohibit dredging, sand mining or any other activities such as construction of foreshore facilities, laying of pipelines, etc. that are detrimental to the coastline and the coral reefs.	<u>Addition:</u> However, capital dredging or maintenance dredging required for navigational purposes or any other activity related to public safety and security shall be kept outside the purview of the prohibition.	NCZMA has appreciated UTLA's concerns for public safety and operational constraints. However, NCZMA said that it would abide by Justice R. V. Raveendran Committee report and suggested UTLA to file separate affidavit before Supreme court explaining its position in the matter.

Gap #b) Conservation and protection of the coral and its biodiversity

Para No.	Actual Text by NCSCM	Addition/ Deletion by UTLA	Recommendations by NCZMA
I(i)	The UT Administration shall prohibit dredging, sand mining or any other activities like construction of foreshore facilities, laying of pipe lines, etc that are detrimental to the coast line and the coral reefs, till the scientific studies as indicated under Gap (a), item No. I (ii) are completed.	<u>Addition:</u> (i) The UT Administration shall prohibit dredging, sand mining or any other activities like construction of foreshore facilities, laying of pipe lines, etc that are detrimental to the coast line and the coral reefs, till the scientific studies as indicated under Gap (a), item No. I (ii) are completed, except as already mentioned in Para 1 (ii) of Gap a.	Same as in Gap a) I(ii)
II(iii)	The ballast water discharge from the ships and tourist cruises should be strictly prohibited in order to protect the reef biodiversity from invasive organisms. The UT Administration shall put in place a scientific monitoring system to analyze the invasive species.	The ballast water discharge from the ships and tourist cruises should be strictly prohibited in order to protect the reef biodiversity from invasive organisms. The UT Administration shall put in place a scientific monitoring system to analyze the invasive species. <u>Addition:</u>	UTLA would abide by the provisions of the Merchant Shipping Act (1958 & amendments) However, if UTLA needs any further provisions or dilution of the Act,

		It shall be made mandatory that ships and vessels may discharge their ballast only beyond a zone of 2-3 NM from the lagoon as per international standards/norms in this regard	<i>it may file an affidavit separately.</i>
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Gap #c) Stipulations and regulations for potable water sourcing and distribution, desalination, rainwater harvesting, water recycling, sewage treatment with zero discharge, solid waste disposal

Para No.	Actual Text by NCSCM	Addition/ Deletion by UTLA	Recommendations by NCZMA
I(iv)	The UT Administration shall immediately undertake decontamination of such areas/water bodies where there is fecal contamination in order to reduce the probability of outbreak of waterborne disease.	The UT Administration shall immediately undertake periodical decontamination of such areas/water bodies where there is fecal contamination in order to reduce the probability of outbreak of waterborne disease.	<i>Agreed as recommended by LCZMA</i>
III(iii)	Withdrawal of groundwater by mechanized means shall be prohibited in accordance with IPZ notification, 2011.	Withdrawal of groundwater by mechanized means shall be regulated by the UTLA in accordance with the relevant provisions of IPZ Notification, 2011.	
IV(i)	As detailed in Section No. 5.4.1, the sludge from the STP shall be collected, composted vermi-composting. The vermi-composted sludge, after decontaminated from coliforms, shall be used for horticulture.	As detailed in Section No.5.4.1, the sludge from the STP shall be collected, composted including vermi-composting. The vermi-composted sludge, after decontaminated from coliforms, shall be used for horticulture.	
V(vii)	The UT Administration shall prohibit the use of plastic bags/ materials made of virgin or recycled plastic and Lakshadweep shall be declared as "No Plastic Zone"	The UT Administration shall prohibit the use of polythene carry bags irrespective of micron size and Lakshadweep shall be declared as "No Polythene Bag Zone"	

Gap #d) The necessity of tourism carrying capacity study and determination and regulations of tourism infrastructure including that for restrictions and prohibition on constructions in specified stretches and of building type, permissibility of use of FSI and floor

Para No.	Actual Text by NCSCM	Addition/ Deletion by UTLA	Recommendations by NCZMA
I(i)	All those large commercial establishments using water and discharge wastes, including tourism facilities shall have 100% water recycling and reuse systems with zero discharge using appropriate technologies		<i>UTLA may carry out feasibility studies regarding installation of STPs in the islands and thereafter may take decision regarding implementation. However, as proposed by UTLA it would have option to explore other alternatives in case STPs are found to be unsuitable for islands conditions to achieve the results expected by installing STPs.</i>
II(i)	Given the paucity of data and time the exact tourism carrying capacity could not be assessed to suggest specific interventions required. The limited study of existing data/information suggests that the impacts due to additional beds are very marginal. However these could be implemented only when the additional provisioning of water (as explained in Scenario 5 of section 5 – water supply of this report) and installation of STP is made. It is also evident that these kinds of estimates would require detailed field based studies to determine the quantum of services	The Tourism Carrying Capacity is a multidisciplinary study which requires considerable amount of data and time. Considering the paucity of time and the available data, NCSCM could not carry out on-field surveys. However, some scenarios have been discussed which needs further validation and verification. Thus, given the constraints, NCSCM is not in a position to recommend any specific intervention and is of opinion that the same can be suggested only after detailed in vivo studies are undertaken to determine the quantum of impacts of	Agreed as recommended by LCZMA

Para No.	Actual Text by NCSCM	Addition/ Deletion by UTLA	Recommendations by NCZMA
	required and the impacts of these provisioning on the social, economic and on the environment. The UT shall undertake detailed studies through extensive field survey to assess the tourism carrying capacity.	tourism on the social, economic and environment aspects of the islands. The UT Administration shall along with NCSCM undertake detailed studies through extensive field surveys to assess the tourism carrying capacity for all islands.	

Gap # e) Fisheries development including improved technologies for fishing, appropriate gears, post-harvest technology and marketing in order to make the islanders economically self-sustainable

Para No.	Actual Text by NCSCM	Addition/ Deletion by UTLA	Recommendations by NCZMA
l(iv)	Mechanized boats shall be prohibited from fishing in the reef areas.	Operation of mechanized boats in the reef areas will be reviewed by UTL Administration in consultation with the stakeholders	<i>The NCZMA recommended that it would go by the provisions of IPZ Notification, 2011 wherein there was no prohibition on traditional fishing. However, since LCZMA has recommended that operations of mechanized boats will be reviewed by the administration in view of the existing exigencies in the island; therefore, UTLA has been advised to file a separate affidavit before the Hon'ble Supreme Court requesting for the terms /meaning of traditional fishing as mentioned in IPZ Notification 2011 and if necessary include operation of mechanised boats within the ambit of traditional fishing so that security of livelihood for the fisherman population of the island is not affected.</i>

Gap # f): Development of alternate and non-conventional sources of energy

Para No.	Actual Text by NCSCM	Addition/ Deletion by UTLA	Recommendations by NCZMA
(ii)	The UT Administration shall make it mandatory for all commercial establishments (especially tourism and industry) to have self-sustaining source of energy	The UT Administration shall make it mandatory for certain specified commercial establishments (especially tourism and industry) to have self-sustaining source of energy. The category of	<i>Agreed as recommended by LCZMA</i>

		establishments to be covered shall be determined by the UTLA.	
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3. Subsequent to consideration of the IIMPs by the Lakshadweep UT, NCZMA deliberated on the suggestions/modifications proposed by them in respect of each identified gaps, and approved the IIMPs subject to incorporating parawise recommendations as indicated above. The Authority also directed that necessary steps may be taken urgently to file the affidavit in the said matter as per the direction of Hon'ble Supreme Court.

III. Agenda No.3

Re-consideration of the matters pertaining to development of an Engineering College at Adichannlor Village of Kollam District, Kerala as per the order of the Hon'ble High Court of Kerala in Writ Petition (C) No.16706 of 2014

1. Hon'ble High Court of Kerala vide their order dated 20th May, 2015 in WP (C) No.16706/2014 has given the following directions to NCZMA in WP(C) No.16706/2014:-

'The National Coastal Zone Management Authority (the 4th respondent in WP (C) No. 16706/2014) is directed to hear the Trust (the petitioners in WP (C) No. 22890/2011) as well as the local residents (the Petitioners in WP (C) Nos.5421/2011 & 16706/2014) before granting clearance to the project as recommended in Ext. P6 in WP (C) No. 16706/2014 by the Kerala State Coastal Zone Management Authority. A final decision in the matter shall be taken within a period of three months from the date of receipt of a copy of this judgement before the National Coastal Zone Management Authority'

2. As per the directions of Hon'ble Court, the Quilon Education Trust and the petitioners were requested to attend the meeting. On behalf of the Trust, Shri P.V. Sahasranaman, Advocate was present in the meeting. Whereas, the local residents expressed their inability to attend the meeting due to elections in the State.

3. The Authority decided to look into the issues in detail by a committee consisting of Shri Bishwanath Sinha, Joint Secretary in the Ministry, Member Secretary of KSCZMA and Shri Dipesh Mehta, one of the members of NCZMA, for further deliberations by the Authority. It was also decided that the Trust and the local residents (the Petitioners in WP (C) Nos.5421/2011 & 16706/2014) may be provided another opportunity of hearing by the said committee and put up its recommendations by 15th November, 2015. The Authority also desired that the proposed line of action may be informed to Hon'ble Court.

The meeting ended with a vote of thanks to the chair.

Annexure-I

List of members of NCZMA and other participants

1. Shri Ashok Lavasa, Secretary, MoEF&CC - In Chair
2. Shri Bishwanath Sinha, Joint Secretary, MoEF&CC - Member Secretary
3. Shri Dipesh Mehta, Advocate
4. Dr. S.D. Singh, ADG (Fisheries), ICAR
5. Dr. M.V. Ramanamurty, NIOT, Ministry of Earth Sciences
6. Shri R. Ramesh, Director, NCSCM
7. Dr. A.K. Chaubey, NIO, Goa
8. Dr. Veerendra Veer Singh, Principal Scientist, CMFRI, Mumbai
9. Shri Shubhankar Ghosh, Dept. of Science & Technology and Vigilance,
Lakshadweep UT
10. Shri P.B. Sahasranaman, Advocate for Quilon Education Trust