

Minutes of the 24th Meeting of the National Coastal Zone Management Authority (NCZMA) held on 24.01.2012 at 11.30 A.M., New Delhi

The 24th Meeting of the National Coastal Zone Management Authority (NCZMA) was held on 24th January 2012 at 11.30 A.M. under the Chairmanship of Dr. T. Chatterjee, Secretary (E&F), which was attended by the expert Members, representatives of various State Coastal Zone Management Authorities (SCZMAs) and senior officers of MoEF. List of Participants is annexed.

2. At the outset, the Chairman welcomed the Members and observed that this meeting is held within a short duration to discuss the steps taken by various States in preparation of Coastal Zone Management Plans (CZMPs) as per the CRZ Notification, 2011 as also the progress made by the State Coastal Zone Management Authorities in identification of violations under the CRZ Notification, 1991. He emphasised that the identification of violations at this stage is an important issue as otherwise they may get incorporated in the new CZMPs. To initiate legal process under the Environment Protection Act for violations, the first step is identification and uploading of such cases on the website under various categories.

3. After opening remarks by the Chairman, Dr. Nalini Bhat, Adviser, MoEF informed that as no comments have been received on the Minutes of the earlier meeting, the same may be confirmed. She further informed the Authority about the follow up action taken on the Minutes of the last meeting in which mainly the Court cases in Maharashtra and Kerala were considered. As per the decisions taken in the meeting, the respective SCZMAs have been accordingly informed to take follow up action.

Thereafter the discussions were initiated on Agenda Item No. 3 relating to preparation of CZMPs as per the CRZ Notification, 2011.

3.1 Andhra Pradesh

Deputy Director APSCZMA informed that they are preparing District wise CZMPs which are being vetted by the authorised agencies.

3.2 Karnataka

Representative of KCZMA informed that they have awarded the work for preparation of CZMPs to NHO, Dehradun which has already commenced the work and is in advance stage of completion.

3.3 Maharashtra

Regarding preparation of CZMPs under CRZ, 2011, MS MCZMA stated that there are 5 coastal districts in Maharashtra namely, 1) Mumbai and Mumbai suburban 2) Thane 3) Raigad 4) Ratnagiri 5) Sindhudurg having 7 Municipal Corporations and 16 municipal councils.

Approximate length of the HTL in the State is 1000 km. It was informed that the CRZ map will be as per annexure I of CRZ Notification, 2011. Base map indicating HTL & LTL will be prepared in digital format in the scale of 1:4000 and 1:25000 based on field verification. Cadastral information ie. Survey number, boundary, area, land use etc will be superimposed on CRZ map. Classification of CRZ area as per para 5 of Notification, 2011 will be shown on the CRZ map. Mangroves area with survey nos, area coverage, density, survey boundaries will be indicated and Mud flats, sand dunes and other eco sensitive areas like Fishing zone, koliwadras, fish drying yards, ports and existing infrastructure. High, low and medium eroding area, geomorphological signatures/structures will be superimposed on the map.

Hazard line prepared by SoI will also be transferred on the CRZ map. Based on the letter of Intent. 3 authorized agencies have shown willingness to prepare CZMP which are CESS, Kerala, IRS, Chennai and NIO, Goa, It has been decided in the MCZMA meetings that CRZ mapping shall be done district-wise to speed up the work and a Rate of Rs. 50,000 per KM of HTL has been decided. Coordination Committee under the Chairmanship of the Chief Secretary and Core Committees under the chairmanship of the concerned district Collectors have been constituted to provide all cadastral information and logistic support etc.

The objective is to develop GIS based Coastal information system which will work as information kiosk for the general public to know the city survey wise CRZ status of the plot, mangroves area, wetlands and other ecologically sensitive areas, etc. District wise status of the preparation of CRZ maps in the Maharashtra State was also presented as per which work in a number of districts has already started and expected to be completed in 12 months. MoEF was requested to provide the funding for the preparation of CZMPs and other allied works.

3.4 Gujarat

Chairman, Gujarat CZMA informed that the work of preparation of CZMPs is in progress adopting the cluster approach. 300 villages from North West to South Coast have been selected. Public hearings are being organised in each District. He suggested that as legends used by various agencies are different,

common legends be used. Members opined that legends used by ISRO may be adopted for uniformity by all agencies. Keeping in view the quantum of work involved in the preparation of CZMPs he suggested that 1: 4000 scale Cadastral map may be insisted for developed areas and not for other areas..

3.5 Kerala

Representative of Kerala CZMA informed that they are yet to start preparation of CZMPs. However, he assured that work will be initiated soon and completed will in time for appraisal and approval by NCZMA/MoEF before January, 2013.

3.6 Odisha

Representative of OCZMA informed that they have started the work of preparation of CZMPs with demarcation of HTL and LTL lines. This will be vetted by the authorised agencies.

Members suggested that links may be made available with SCZMA's on MoEF website.

4. The Chairman then initiated discussion on Agenda Item No. 4 relating to the progress made by SCZMAs in identification of violation cases and invited the various State representatives to apprise the Authority of the progress made in identification of violation cases under the CRZ Notification, 1991 and Action Taken thereof against the defaulters.

4.1 Andhra Pradesh

Shri P. Anjaneyulu, Deputy Director, AP SCZMA informed that in Andhra Pradesh, the Committees under District Collectors have been entrusted the job of identifying the violation and so far 125 such structures in coastal districts have been identified. He further added that the survey for violation cases in Nellore and Vijayanagaram districts has not been initiated so far.

Shri J.M. Mauskar, Special Secretary, MoEF observed that from Andhra Pradesh no senior official like Chairman/Member Secretary of SCZMA has attended the NCZMA meeting. The Chairman, accordingly suggested that the State Government may ensure that henceforth senior official of SCZMA should attend the NCZMA meeting.

Special Secretary highlighted that MoEF is regularly inundated with representations/RTI/emails from AP, alleging violations with photographic evidence in Vizag, Krishnapatnam etc. However, no response or even acknowledgement is received from the State on the forwarded complaints.

Special Secretary suggested that matter needs to be taken up at the Chief Secretary level to create a website for SCZMA and post all the violation cases with latest status on it. Details in this regard will also be placed by MoEF on its website. It was emphasized that the purpose of placing the information on website is to invite inputs from civil society and stake holders. Thereafter, based on which, the status of violation cases could be updated from time to time. He further stated that the CRZ Notification, 1991 is a subordinate legislation under the EP Act, 1986 and the violation cases are required to be treated accordingly. He also emphasised that SCZMAs have been set up with certain powers, which cannot be further delegated.

While discussing the cases from Andhra Pradesh, the Chairman desired that total information regarding violation of CRZ Notification, 1991 from all the districts under various categories be sent to MoEF within a month.

4.2 Karnataka

Dr. M.K. Balakrishnaiha, Member Secretary, Karnataka SCZMA informed that 69 cases of violation are reported from three coastal districts of Mangalore, Udupi and Karwar. There is a dedicated website and the cases are uploaded regularly. He stated that action has been initiated against the violators and some demolitions have also been executed by the Dy. Commissioner. A request was made by the State Government for allocation of more funds to carry out demolitions. It was further informed that the State CZMA is also meeting once every two months and the Minutes of the meeting are uploaded on the website.

Responding to the above submissions, Special Secretary stated that details of violation cases should also be uploaded on the website for public response. It was suggested that a tabular statement of all violation cases after incorporating public response may be sent for the information of MoEF after its review by the State CZMA.

4.3 Kerala

Representative from Kerala informed that the Quilon Education Society case was discussed in the meeting of the recently reconstituted KSCZMA held on 20th January, 2012 and response would be sent to MoEF. This being a Court matter, the Chairman requested that the minutes of the meeting may be communicated to MoEF in a week and suggested that the violation cases may also be identified, posted on website and a tabular statement be communicated to MoEF on priority.

Representative of Kerala intimated that they are receiving inputs from civil society. A dedicated website of KCZMA is being established and District collectors have also been empowered to take action as per the provisions of Section 5 of EPA. He further informed that so far 50 violation cases have been identified in the State.

4.4 Gujarat

Dr. S.K. Nanda, Chairman, Gujarat SCZMA informed that two types of violations namely; the preventive violations and the regressive violations have been reported in the State. Inventory of all decisions of SCZMA and violation cases have been put on the website. Further, for at a glance reference, tabulation of all violation cases is being prepared. Action has been taken by Gujarat SCZMA against violators. In all 13 cases of violation have come to notice in Gujarat. It was informed that State has formed District level committees in all the districts of the State. By and large all the complaints are attended and action is taken in a time bound manner after thorough ground verification.

4.5 Maharashtra

Ms. Valsa Nair Singh, Chairman, Maharashtra SCZMA stated that State has been very conscious about the protection of CRZ areas and had been implementing certain measures through Collectors even prior to CRZ Notification, 1991. Action is initiated in all proven violation cases and all the complaints under the Regulation get attended in Maharashtra. As per the directions of MoEF dated 25.1.2011, State has taken action to identify the violations of the Coastal Regulation Zone Notification, 1991 and the approved Coastal Zone Management Plan and to initiate action under the Environment (Protection) Act, 1986 upon the identified violators.

A detailed presentation on the progress in identification of violation cases was made by the Member Secretary., MCZMA. It was informed that MTDC has been requested to identify the CRZ violations due to unauthorized construction & operation of beach resorts, hotels etc. and report the same to MCZMA & concerned District

Collectors. Similarly, MPCB has been requested to report CRZ violations due to industrial operations/ activities, entities releasing industrial & domestic waste in sea/ creek etc. In this regard Task Force and DCZMC's have been constituted at Municipal and Districts level. DCZMCs have been constituted on 23.03.2011. The DCZMC reports the identified CRZ violations and action taken thereon to MCZMA. Mainly 2 types of complaints of CRZ violations have been received in Maharashtra 1) Mangroves destruction 2) Violation due to developmental activities (construction &/ or industrial). With respect to the received complaints, directions are issued by MCZMA to the concerned local authorities to take appropriate action as per the Environment (Protection) Act, 1986 and other related laws.

A total of 334 complaints/cases of violation have come to the notice of MCZMA. Out of these in 137 cases action has been taken under the EP Act, 1986. During the last 20 years of the implementation of CRZ Notification, 1991, 3 types of procedures have been adopted in Maharashtra. During the period from 19.2.1991 to 3.1.2000 as no department was specified, the Planning Authority in Maharashtra was implementing the Notification. Thereafter, with the constitution of MCZMA, till 20.4.2003, its recommendation was required for seeking CRZ clearance. From 21.4.2003 to 5.1.2011, clearance was issued at the State level for projects with investment upto Rs. 5 crores whereas for projects having investment over Rs. 5 crore, MoEF was empowered to issue clearance after recommendation of MCZMA.

Chairman, MCZMA suggested that proposals which were permissible as per the provisions of CRZ Notification, 1991 and CRZ clearance given by Urban Development Department / Planning Authorities at the state level as per the provisions / policies prevailing at that time, can be allowed as they have permissions though there were procedural lapses due to lack of clarity or misinterpretation. However, action can be initiated against project which were otherwise permissible as per provisions of CRZ Notification, 1991 but did not obtain permission from UDD or MCZMA / Environment Department along with projects which were not permissible but carried out in CRZ area. Such projects should be removed and legal action under Environment Protection, Act 1986 initiated.

Chairman suggested that legal opinion may be taken by SCZMA on the definition of violation cases in Maharashtra.

4.6 Odisha

Representative of Odisha informed that in Puri, 19 prima facie cases of violation under CRZ II like hotels etc have been reported. In addition, some prawn culture

areas have also come to the notice of the State Government. It, however, came out that National Aquaculture Act, 2005 exempts this activity in coastal areas.

It was informed that report on violation cases is yet to be received from all the districts. The Chairman desired that violation cases in all the coastal districts of Odisha be identified at the earliest and be placed on the website.

On a query w.r.t. ice plants, Special Secretary clarified that these were not permitted as per the 1991 regulation. However, ice plants are allowed under the CRZ Notification, 2011.

As no representative from West Bengal and Tamil Nadu attended the meeting, it was decided to write to the concerned SCZMAs and seek the status of violation cases

5. Following decisions were taken in the meeting

1. SCZMAs which are not having own website should create their own dedicated website for interface with public.
2. All the SCZMAs should send complete details of violation cases in a tabular form to MoEF with in a period of one month. The same should also be uploaded on their website.
3. All the SCZMAs should ensure to complete the preparation of CZMPs well in time and submit them in a phased manner for appraisal by NCZMA/ MoEF so as to ensure their approval before January, 2013.
4. MoEF will examine the request of various States for funding the cost of preparation of CZMPs from SICOM.

Meeting ended with a Vote of Thanks to the Chair.

24th Meeting of the National Coastal Zone Management Authority (NCZMA) held on 24th January, 2012 in Ministry of Environment and Forests, New Delhi

List of participants

Ministry of Environment and Forests

1. Dr. T. Chatterjee, Secretary (E&F) and Chairman, NCZMA
2. Shri J.M. Mauskar, Special Secretary,
3. Dr. Nalini Bhat, Adviser and Member Secretary, NCZMA
4. Shri Lalit Kapur, Director

Members of NCZMA

5. Dr. M. Baba, ED, Advanced Training Centre, Pune
6. Prof. S.Ramachandran, Vice Chancellor, Vels University, Chennai
7. Dr. A.K. Chaubey, Chief Scientist, National Institute of Oceanography, Dona Paula, Goa
8. Dr. Ajai, Space Applications Centre ISRO, Ahmedabad Dr. Ramchandran Ramesh, IOM, Anna University, Chennai
9. Shri S.T. Puttaraju, Chief Town Planner & Ex-officio Jt.Secy, Goa
10. Shri V. Vivekanandan, South Indian Federation of Fishermen Societies, Trivandrum
11. Shri D.Venkatesan, Asst. Director General, Ministry of Tourism, New Delhi

State Coastal Zone Management Authorities

12. Dr. S.K.Nanda, Principal Secretary, Forests and Environment Department, Government of Gujarat, Gujarat.
13. Smt. Valsa K. Nair Singh, Chairperson Maharashtra Coastal Zone Management Authority & Secretary (Environment), Government of Maharashtra.
14. Shri J.K.Vyas, Director(Env.), & Member Secretary, Gujarat Coastal Zone Management Authority,
15. Dr. M.H. Balakrishnaiha, Special Director, Department of Forests, Ecology & Environment, Member Secretary, Karnataka Coastal Zone Management Authority
16. Dr. B.N.Patil, Member Secretary, Maharashtra Coastal Zone Management Authority & Director Environment, Mumbai.

Others

17. Shri R.P.Mathur, Assistant Commissioner (Fisheries), Department of AHDF, Ministry of Agriculture, New Delhi.
18. Shri Dinesh Singh, Director Environment cum Special Secretary, Forest and Environment Department, Government of Odisha, Bhubaneshwar.
19. Dr.K.Kakkal, Joint Director, KSCSTC, Pattom, Kerala.