Minutes of the Inter-Ministerial Consultative Meeting for Review of CRZ Notification, 2011 and Island Protection Zone Notification, 2011

An Inter-Ministerial Consultative Meeting, Chaired by Secretary, EFCC was held in MoEFCC on 20.03.2017 in the subject context. The list of participants is at Annexure-I.

2. Shri A. K. Mehta, Joint Secretary, MoEFCC made a detailed presentation, which summarised the proposed changes in the Coastal Regulatory Zone (CRZ) Notification, 2011 and Island Protection Zone (IPZ), 2011.

3. The comments/views/suggestions expressed by representatives of various Ministries are as under:

   (i) **Ministry of Tourism:**

   (a) A lot of mainland Islands also offer huge tourism potential. The revised notification should enable development of these Islands.
   (b) Tourism Ministry is piloting part water and part-land tourism development project on the sea coasts and enabling provisions may be built into revised notification.
   (c) The proposed restriction of No Development Zone (NDZ) upto 50 meters may be considered to be lowered further in CRZ III areas and mainland islands.
   (d) Development of inland Islands also needs to be promoted.

   (ii) **Ministry of Shipping:**

   (a) The proposed restriction of No Development Zone (NDZ) upto 50 meters may be considered to be lowered further in CRZ III areas.
   (b) Special provisions may be incorporated to enable development of port facilities at Andaman & Nicobar Islands.
   (c) Enhanced delegation of provisions for clearances/approval by SCZMAs at the State Government may be considered.

   (iii) **Ministry of Urban Development:**

   (a) ETPs/STPs may be permitted in CRZ I area.
   (b) The target by MoEFCC for setting up and commissioning of ETPs/STPs in all coastal towns/cities in two years may be relaxed to three years, based on practical experience in setting up of ETPs/STPs.
   (c) The limit of 500 meters as NDZ may be considered for reduction.

   (iv) Representatives of Ministry of Commerce and Industry, NITI Aayog, Ministry of Petroleum & Natural Gas and Ministry of Earth Sciences stated that they had no specific comments at this stage and will revert in due course of time.
4. Shri M. K. Singh, Joint Secretary, MoEFCC stated that “Marine Territory” is a domain of Ministry of Earth Sciences, as per the allocation of business to various Ministries. Therefore, the word “Marine” may be dropped and the draft Notification may instead be titled only as “Coastal Regulatory Zone”. JS (AKM) informed that CRZ jurisdiction extends upto 12 Nautical Miles and, accordingly, the environment management upto 12 Nautical Miles in Sea, is also a subject of MoEFCC & the draft Notification has been titled accordingly. The Ministry of Earth Sciences was requested for their views in the matter.

5. Shri A. K. Mehta, Joint Secretary, MoEFCC, informed the meeting that Ecological Sensitive Areas (ESA) and HTL have been mapped by NCSCM, Chennai detailing the latitudes/longitudes along the entire coastal line of the country and the data has been shared with all the Coastal states/UTs. This data shall form a part of draft MCRZ Notification, to be followed by all stakeholders. The data shall be subject to a review after 10 years.

6. Concluding the meeting, Secretary, EFCC, directed that separate meeting with all stakeholders, particularly on the issue of demarcation of ESA & HTL and the data generated thereon by NCSCM, Chennai may be held at an early date. He requested all Ministries to submit their comments within 15 days.

The meeting ended with a Vote of Thanks to the Chair.
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

1. The Ministry of Environment, Forest and Climate Change had issued CRZ Notification, 1991 which was superseded by CRZ Notification, 2011 and Island Protection Zone (IPZ) Notification, 2011. The CRZ Notification, 2011 governed the coastal regulation of the coastal stretches of the mainland while the IPZ Notification regulated development in the islands of Andaman & Nicobar (A&N) and Lakshadweep. Since, the implementation of CRZ and IPZ Notification, 2011 the State/Union Territory Governments and Central Ministries have been requesting for certain revision. The Ministry after considering the views of the State/Union Territory Governments, Central Ministries and the views expressed by the Hon'ble Member of Parliament in the meeting held on 7th & 8th December, 2016, the Ministry is of the view that there needs to be a revision of the said notifications. The rationale for the revision mainly are to bring in specificity, clarity and promote sustainable development while conserving the coastal environment. Some of the major issues that are proposed to be addressed are,-

- Removal of ambiguity in demarcation of High Tide Line (HTL) and LTL
- Delinking of hazard line
- Promoting conservation in CRZ-I areas and permitting certain essential amenities like Sewage Treatment Plants (STPs), link roads, coastal roads etc. in CRZ –I areas including eco tourism.
- Delinking Floor Space Index (FSI) in CRZ areas frozen as on 1991 for permitting housing development.
- Enabling development along tidal water body.
- Maintaining 50 mtrs NDZ in CRZ-III areas and allowing housing and basic tourism infrastructure development in CRZ –II area.
- Allowing development including tourism beyond 20 mtrs buffer zone in all offshore islands.

Keeping in view the above a draft Marine and Coastal Regulation Zone Notification has been prepared. The following are the some of the major deviations from the CRZ Notification, 2011 and IPZ Notification, 2011:-

I. MCRZ Areas and High Tide Line –

(i) Under the proposed MCRZ the jurisdiction remains the same except for delinking the hazard line. This delinking of hazard line has been done as it has been found that in certain stretches especially along Gujarat, Andhra Pradesh, Odisha the hazard line goes almost upto 14 kms on the landward side from the HTL. This area i.e., from the 500 mts boundary to 14 kms would also attract provisions of the CRZ Notification thereby affecting development.

(ii) With regard to HTL which is the critical part in the CRZ Notification has several ambiguities. The Ministry has authorized 7 agencies for demarcating the HTL. It has been found over a period of time that there are variations between the HTL demarcated by each of the agencies, thereby leading to court cases. In view of the above issues the Ministry has got the HTL demarcated through a uniform scientific methodology
as recommended by Dr. Shailesh Nayak Committee. This HTL which is presently with the Ministries scientific body NCSCM, Chennai. This demarcated HTL would be provided to all coastal States/UT Governments to demarcate the CRZ boundaries and the categories including the developmental plan/land use plan. Based on these demarcations the CZMP would be prepared by the State/UT Governments as per the guidelines annexed in the Notification and public hearing held. These CZMPs with the recommendations of State/UT Government would be considered by MoEF&CC and approved.

II. CRZ-I: Ecologically Sensitive Areas[ESA], Geo-morphological and Archeological/Heritage sites

(i) The present CRZ Notification, 2011 lists out 11 categories of sensitive areas that are protected and conserved. However, no provision for development is provided in these areas. The Ministry after examining Dr. Shailesh Nayak Committee Report and worldwide practices is of the view that certain development may be undertaken in these areas such as ecotourism, recreational activities. This approach would not only promote awareness of the critical habitats but also lead to conservation and protection of these habitats. Further, it is also proposed that certain essential activities required for larger public such as STPs, coastal roads, strategic important establishments may be permitted with stringent environmental safeguards as approved in the CZMPs and with public hearing.

III. CRZ-II: Urban Municipal areas:

(i) The CRZ Notification, 2011 freezes the FSI as on 1991 for private buildings. Further, there is a ambiguity in declaring areas of CRZ-II. In view of this discrepancy it is proposed to list out the coastal municipalities and other legally designated urban areas and delink FSI. However, stringent environmental safeguard shall be incorporated in the developmental plan as approved in the CZMPs. All construction in CRZ-II shall attract public hearing. The environmental safeguards include 100% solid waste management, treating of sewage, maintaining of open spaces, etc. If a State/UT intends to include other areas in CRZ-II they need to incorporate all adequate environmental safeguard and disaster management components within the land use plan of the proposed area and after holding public hearing the same may be recommended to MoEF&CC for approval. MoEF&CC may approve the said areas as CRZ-II and make it widely public. By the above provisions all the restrictions of CRZ Notification, 2011 such as 51% stake of State Government etc., would be null and void.

IV. CRZ-III – These are areas which are not falling within CRZ-I & II and are predominantly agriculture and fishing areas. In these areas the CRZ Notification, 2011 stipulates stringent restrictions within 0-200 mts on the landward side thereby construction of houses of local communities, certain basic tourism facilities of temporary nature etc., cannot be taken up. Further on the land area between 200 – 500 mts the norms are very restrictive for fishermen housing development and tourism development. Keeping in view the above difficulties it is proposed that the NDZ shall be reduced to 50 mts
from 200 mts which is as recommended by Dr. Shaliesh Nayak Committee. Development of temporary tourist infrastructure can be taken up in the 50 m NDZ area while housing of fishermen communities and tourism facilities can be taken up beyond 50 mts of the CRZ area as per local norms in accordance with EIA Notification, 2006 and public hearing.

V. CRZ-IV:

A. Islands – the present CRZ Notification, 2011 stipulates 500 mts all along the offshore islands of the mainland and under the IPZ Notification the setback limit is governed by the Integrated Island Management Plans. As per the studies the coastline of the country has 1382 islands in the offshore areas which includes A&N and Lakshadweep. These islands have tremendous tourism potential, fisheries potential and have strategic value. In view of the above importance the CRZ boundary is proposed as 20 mts in line with Hon’ble Supreme Court Orders in a Lakshadweep matter. All development in the islands shall be regulated as per the approved CZMPs and public hearing.

B. Water Area – No changes area proposed in the water area. However, stringent pollution control mechanisms and waste management systems would be put in place.

Tools for implementation and institution structure

- CZMPs shall be prepared by the concerned State/UT Governments and these CZMPs shall be taken up for public hearing. In the CZMPs all environmental safeguards and disaster management facilities, land use plan/master plan/development plan shall be integrated. The CZMPs shall be approved by MoEF&CC and wide publicity shall be given.
- Environmental safeguards to include emphasis on recycling and reuse of treated sewage water, 100% solid waste management, adequate open space.
- No projects cleared without public hearing except fisherman housing and their infrastructure.
- Clearance as per EIA Notification for all projects attracting EIA and CRZ.
- High transparency and enforcement through IT and Satellite based technology.
- Collection of Coastal User Fee Fund under Environment (Protection) Act for waste treatment and maintaining clean beaches.
- Implementation of National Coastal Mission to generate employment and promote economic growth.

Outcome of the proposed Notification

It is anticipated that with the issue of the proposed Notification the following would be achieved:

- Minimum discretionary powers and enhanced transparency
- Economic development and employment generation
- Promote eco-tourism in ESA including permitting certain essential infrastructures in the larger public interest such as STPs, link roads etc.
- Development of over 1,000 beaches
- Generate employment of over 4 lakh in tourism.
- Prevent discharge of untreated sewage and solid waste.
Concrete efforts for shoreline protection of 1000 kms of highly eroding beaches and maintain shoreline of about 3000 kms of beaches which are affected by shoreline change.

- Utilisation of 40,000 sq. km. of low lying areas for agriculture
- Aquaculture promotion in 1,60,000 ha of low lying areas.
- Promotion of safe housing and essential infrastructure as per local town and country planning norms for local communities, slum dwellers.
- Environmentally sound methodology for extraction of minerals like rare minerals and Oil and gas
- Simplified procedures for clearance
- Collection of user fund and leaving penalty on violations

2. In this regard a meeting chaired by Hon’ble Minister EFCC was convened on 4th March, 2017 to discuss the draft Marine and Coastal Regulation Zone formulated subsequent to the recommendations of Dr. Shailen Nayak Committee, The Secretary MEFFC, Special Secretary MEFFC, Joint Secretary Manoj Kumar Singh, Joint Secretary Gyanesh Bharti, Joint Secretary Arun Kumar Mehta, Despak Kumar Sinha, Inspector General of forests, PS to Ministry, Anind Nautiyal Director CRZ, Joint Director W. Bharat Singh, and Joint Director Dr. Sudheer Chintalapati has attended the Meeting. The Joint Secretary Arun Kumar Mehta made a brief presentation on the proposed draft Marine and Coastal Zone Regulation. Salient features of the existing provisions CRZ Notification, 2011 and proposed changes suggested by Dr. Shailen Nayak Committee was also presented. In the meeting it is desired that the following may be first carried out:

1. A table may be prepared a table depicting major recommendations made in the propose Notification with respect to CRZ Notification, 2011.

2. Inter Ministerial consultations may be held regarding proposed changes at the level of Secretary EFCC.

3. A brief Presentation may be made for Hon’ble Minister.

The above desired information is placed at F1, F2 and F3 for kind consideration please.
Proposed changes are tabulated at F.2. Draft notification is at F.3.

At this stage we may seek convenience of Serc for holding the inter-ministerial consultations.

Submitted for instructions.

[Signature]

3/1/17

[Signature]

5/1/7

[Signature]

14/3/17

[Signature]

15/3/17
May please refer to note at pre-pages.

A draft agenda for the Inter-Ministerial Meeting proposed on 20.03.2017 at 3:00 PM is placed below for kind approval so that the same may be communicated to the stakeholder ministries. The list of stakeholder ministries is also placed below.

Submitted please

(W. Bharat Singh)
Joint Director

Dir (MKN) May kindly spare a note.
2017

JS (AFM)

SSCRRR

issue immediately. Should be delivered through messenger to Joint Controller. Also follow up.

17/3/17

D. SC (R2)