

# Coastal Management Zone Notification '08

## The last nail in the coffin

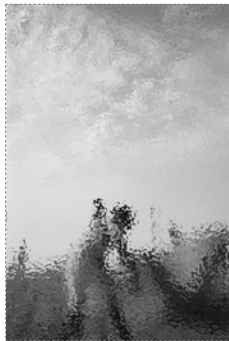
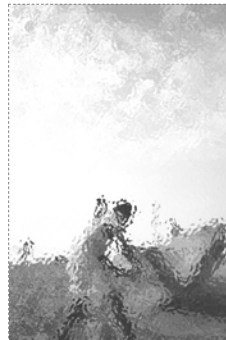
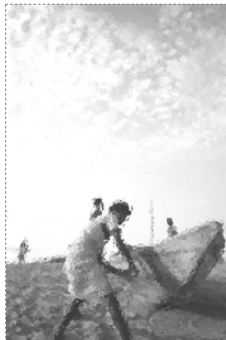
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## CRITIQUE OF THE DRAFT CMZ NOTIFICATION, 2008 No S.O. 1070(E)

*We examined the process followed in the promulgation of the CMZ Notification, 2008 and the departure from the original notification of 1991, sparked by a review process undertaken by the MoEF. The fabric of coastal management stands ruined by the MoEF's substandard tailoring of this law and its characteristic patchwork revisions. We provide the implications of the present draft notification's provisions for coastal communities and ecosystems using our critiques of earlier drafts of this notification.*

### Creation of the present CMZ Notification, 2008

The proposed notification numbered S.O. 1070(E) now finally made available on the Ministry of Environment and Forest's (MoEF) website has a long and unsavoury history. Several research studies, declarations issued by fisher and coastal communities and even judicial pronouncements have established that the original Coastal Regulation Zone Notification, 1991 was abysmally implemented by the MoEF and state governments despite Supreme Court directions and numerous High Court orders (mainly from the Bombay High Court, the Kerala High Court and the Madras High Court) (Anon, 1996; Divan & Rosencranz, 2001; Anon, 2005; CAGI, 2006; Sridhar, 2005; Menon and Sridhar, 2007). In the wake of its notorious environmental reforms initiative, the MoEF, which has faced great pressure to rescind the CRZ Notification, 1991, constituted the Swaminathan Committee to review the CRZ Notification and suggest changes to strengthen it. The origins of the present CMZ Notification's clauses are traced to the controversial last-minute annexure (Sridhar et al, 2006), inserted in the MoEF's Swaminathan Committee Report which recommended a new coastal management strategy and the outline of the proposed regulatory regime.

In September 2006, the MoEF stated, in response to a Right to Information application, that a new legislation was being developed based on recommendations of the Swaminathan committee and was being drafted by the Indian Law Institute. However, in August 2007 a reply from the MoEF to another RTI enquiring about the status of a new legislation stated that no new coastal legislation had been developed, and should such legislation be drafted, it would only be drafted by the MoEF and not by any other agency. In August 2007, to questions posed in the Rajya Sabha, the Minister of State (Ministry of Environment and Forests) denied that any such move to change the legislation was afoot. While the MoEF prevaricated before the public over possessing such a draft both in its replies at parliament and to Right to Information applications, it did not clearly deny working on a new coastal management law based on the recommendations of the Swaminathan Committee. In the month of May 2007, through unofficial sources, a draft notification was obtained from the MoEF titled Coastal Zone Management (CZM), 2007. Concurrently, there were strident campaigns all over the country led by fishworker unions, coastal communities and environmentalists which made the Ministry of Environment and Forests proclaim that it was not going to develop any new legal framework without a participatory process.

In November 2007, the MoEF introduced a 'concept note' dated October 2007, containing the earlier matter of the May 2007 draft with a few modifications. The MoEF held a consultative meeting in Mumbai on 23<sup>rd</sup> November 2007 to discuss this concept note. Several objections were

registered at the meeting and through correspondence to the MoEF<sup>1</sup>, about the nature of this closed door, half-day, ‘national’ consultation held in Mumbai at short notice and without invitation to key fishworker leaders and environmentalists (MoEF, 2007a). Fishworker leaders protested at this meeting about the nature of this meeting, some stated their objections and most leaders stormed out of the meeting in protest (Gilbert Rodrigo *pers comm.*). The MoEF maintained a silence on the CMZ Notification after it abruptly and prematurely concluded the Mumbai meeting.

*Implementing a notification even before its promulgation?*

The MoEF is currently implementing the World Bank assisted Integrated Coastal Zone Management Project (ICZMP) approved in February, 2007<sup>2</sup> (World Bank, 2007a) and the Emergency Tsunami Reconstruction Project (ETRP), which was approved in May 2005<sup>3</sup> (World Bank, 2005; MoEF, 2007b, MoF, 2008). The ADB assisted Sustainable Coastal Protection and Management Project (SCPM) is being implemented by the Ministry of Water Resources, for which Technical Assistance is still in progress (MMB, 2007)<sup>4</sup>. While the ETRP addresses issues of coastal protection along the east coast in light of the 2004 tsunami, the approach to coastal protection remains similar to that of the SCPM with the inclusion of hard engineering solutions such as the construction of seawalls and the development of shelter belt plantations instead. The Technical Assistance report for the SCPM prepared by the ADB also states that the development of its investment programme to address coastal protection and management will take place in the context of the ‘forthcoming new notification on coastal zone management’ (*ibid*, 2007). Implementation of the World Bank assisted ICZM project by the MoEF was also started well before the latter officially acknowledged the drafting of a new Coastal Management Zone Notification to replace the existing CRZ Notification. The World Bank’s rationale for its involvement in the ICZM Project as stated in project documents is the implementation of better coastal management strategies which were identified based on the recommendations in the Swaminathan Committee Report (World Bank, 2007b). It isn’t surprising then that several components that were included in this project are also present in the 1<sup>st</sup> May 2008 CMZ Notification, as both the bank funded project and the new notification base their objectives on the Swaminathan Committee Report. These measures include demarcation of vulnerability lines, institution and capacity building and the preparation of Integrated Coastal Zone Management Plans. But what purpose would the demarcated vulnerability and setback line serve if the proposed notification was wholly rejected by the public and didn’t come into force? Citizens have questioned the logic of putting the horse before the cart. One can only assume that the government had decided that the new CMZ Notification would be introduced irrespective of what the public opinion would be. Interestingly, despite clear indicators linking the World Bank funded ICZM project objectives to those of the new notification, the Bank is quick to distance itself from the notification process. The recommendations of the Swaminathan Committee Report are seen by the Bank as ‘pragmatic’ and ‘feasible’ in the context of coastal management. The Bank claims to recommend only ‘good practice’ initiatives and does not directly involve itself in legislation issues of the borrowing country (Tapas Paul, *pers comm.*)<sup>5</sup>. This claim however comes at a time when the Bank’s influence on judicial and

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<sup>1</sup> Letter from Aarthi Sridhar and others to the MoEF dated 26<sup>th</sup> November 2007 stating objections to the Mumbai meeting regarding the concept note on the Coastal Zone Management Notification.

<sup>2</sup> The Project Information Document (PID) was prepared in February, 2007. The estimated date of Board approval is May 2009.

<sup>3</sup> The Project was approved by the Board on 3<sup>rd</sup> May, 2005.

<sup>4</sup> The Technical Assistance duration ranges from November 2007 – July 2008. The TA Letter of Agreement was signed in July 2007.

<sup>5</sup> Interview with Mr. Tapas Paul, Bank Team Leader for the ICZM project, on 30<sup>th</sup> October 2007, at the World Bank Office, New Delhi.

legal reform in the country has gained more prominence (Menon & Kohli, 2008). Even as criticism towards their approach intensifies, the World Bank has washed its hands off by maintaining its non-involvement with the notification process, and has left the MoEF solely accountable for shortcomings with (and within) measures suggested in the new legislation. The policy of the World Bank is that any project supported by should adhere to the legislative framework currently in force in the borrowing country. While this is standard practice, the present stance of the World Bank towards the Coastal Management Zone Notification can hardly be seen as commendable, in light of the popular sentiment against this notification on account of its negative impacts on the environment and livelihoods. The Bank has not formally recognised the public's objections to the Swaminathan Committee on which its present project is modelled, neither has it solicited public opinion or initiated a dialogue on this matter. The present project will operationalise one of the important components of the CMZ Notification - the preparation of the ICZMPs for each of the states. With wide spread rejection of the Swaminathan Committee Report and the Coastal Management Zone Notification escalating in various parts of the country, it is not unreasonable that people are unconvinced by the Bank's convenient silence on this legislation.

## **Objections to the Draft CMZ Notification, 2008**

### **1. Amendments preceding public notice of the draft notification**

The entire process of review and legislative drafting around coastal regulation over the past four years is satirical. The most recent travesty in this charade is that the MoEF has issued a notification which it claims was gazetted on 1<sup>st</sup> May 2008, but has rapidly gone ahead and issued another amendment to this draft dated 9<sup>th</sup> May 2008 prior to the release of the former to the public for comment. PDF and Word versions of the draft notification were only uploaded on the MoEF website on the 13<sup>th</sup> May 2008. Although these versions mention that the notification was published in the Official Gazette, only a typed version has been uploaded instead of the gazette copy. At the same time the MoEF website hosts a gazette copy of the draft Environment Protection Rules, G.S.R 280 (E) showing that it's eminently possible to upload a gazetted version, should it have existed. This leads us to believe that even as the gazette version of the draft notification was getting to the stage of publication, the MoEF bowed to specific interests and altered the draft.

Is such an amendment legal at all? When the CMZ Notification itself has not been introduced following due process of law, how can it be amended?

### **2. Wherefore airports in a preamble?**

Wasting no time, the MoEF appears to have indicated in the preamble itself, its inability to resist development pressure. The preamble was modified in the so-called 'amendment' that allows 'green field' airports and the expansion and modernisation of existing airports in coastal areas. Airports were not even mentioned in the Swaminathan Committee Report. They were neither mentioned in the May 2007 unofficial draft, the MoEF October 2007 concept note or the 1<sup>st</sup> May 2008 draft notification. This amendment throws light on the MoEF's chimeral idea of coastal protection. There is evidence to suggest that this eleventh hour inclusion was propelled by the need to sanction airports like the one proposed at Navi Mumbai in Maharashtra (Ghoge, 2008). That such an exception has been made for airports without any explanation is the most vivid demonstration of

how the concept of Integrated Coastal Zone Management will be put to work by the new notification.

### 3. Faulty premise to this notification

The premise of the CMZ Notification 2008 retains the factual inaccuracies and obfuscations of the unofficial draft CZM Notification 2007.

*Premise 1: The CRZ Notification was amended several times in keeping with the objectives of the Notification.*

Even the Swaminathan Committee Report establishes that this was not true and that numerous amendments had in fact made implementation of the CRZ Notification problematic. Other reports and analyses prove the same (Sridhar, 2005; Menon and Sridhar, 2007).

*Premise 2: Perceiving difficulties posed by the notification, the review of the CRZ Notification was commissioned.*

Although the CMZ Concept Note stated that the premise to modify this notification was to undertake a 'holistic' review of the law, the May 2007 draft and 1<sup>st</sup> May 2008 notifications refer to 'continuing difficulties posed by the notification' as if the MoEF itself had no role in the ineffective implementation of the CRZ Notification. This is illustrated by the following facts:

1. The CRZ Notification per se did not pose problems in implementation compared to the lack of willingness to implement it. It is the actual delay in implementation that has left the notification a non-starter. This draft notification wrongly states that all the amendments were for better implementation of the CRZ Notification. The MoEF seeks to negate its own role in introducing these amendments and the negative impacts these amendments eventually had on the original intent of the law. These repeated amendments rendered the notification difficult to comprehend and self contradictory.
2. Contrary to the MoEF's claim, most amendments made at the behest of various committee recommendations were only related to the needs of specific sectors such as tourism or urban development rather than to that of sustainable and environment friendly coastal development.
3. None of these committee reports were drafted through a participatory process, as claimed by the MoEF.
4. Of the 19 dilutions that were brought in through amendments, only 3 were put out for public comment before finalisation and in response to this citizens and groups warned against problems that finally did materialise.
5. What the proposed CMZ Notification does in actuality is to build on and strengthen the dilutions and amendments to the CRZ Notification which rendered it ineffective in the first place. The numerous suggestions on institutional arrangements for effective implementation and recommendations for strengthening the clauses of the CRZ Notification presented at each instance of amendment to the MoEF by research groups, activists and even judicial orders have been disregarded by the MoEF in this proposed legislation.

*Premise 3: The CMZ Notification is proposed as a replacement for the CRZ Notification based on the recommendations of the Swaminathan Committee's Report which contained recommendations to build on the strengths of existing regulations.*

This rationale for promulgating the CMZ Notification is misleading since the Swaminathan Committee Report is not a widely accepted document, and is not devoid of controversy. It fell short on several counts and was far from being a document that contained recommendations on all aspects mentioned in the CMZ Notification. The absence of any participation of citizens groups,

mainly coastal and fishworker groups or state CZMAs in its drafting has been a serious concern. The initial discussion chapters on integrated coastal zone management and the final chapter containing the regulatory/management recommendations were completely disjoint (Sridhar *et al.* 2006). The various committee meetings and even the initial chapters of the Swaminathan Report recognise the poor implementation of the CRZ Notification but no effort was made to resolve any of these concerns, including legal issues like existing violations.

#### **4. Lofty objectives minus an implementation plan**

The objectives of this notification are peppered with politically correct terms - ‘sustainable development’ through ‘sustainable coastal zone management practices’ based on ‘sound scientific principles’ and ‘sustainable livelihoods security’ and ‘conservation of ecologically and culturally significant coastal resources’<sup>6</sup>. Not surprisingly, the subsequent clauses contain no indication whatsoever of how these objectives will be achieved. On the contrary, the clauses of this proposed notification are cleverly drafted to actually prevent such objectives from ever materialising. Recent environmental policies (such as the National Environment Policy) have tended to proclaim lofty objectives such as these, and are criticised for being equivocal on priorities related to industrialisation, coastal infrastructure and development, conservation and livelihoods. However, generalities should have no place in a notification, because these are meant to be specialised and implementation-oriented and not just idealistic statements of intent.

From the unofficial draft CZM Notification 2007 to its version dated 1<sup>st</sup> May 2008, the notification remains a brazen attempt at disempowering fishworkers and traditional coastal communities, and making available premium lands in coastal areas to commercial interests by dismantling several protective and regulatory mechanisms of the CRZ Notification, 1991 that restricted unplanned development.

#### **5. Institutional set up for implementation**

The notification allocates responsibilities to a range of agencies – the local authorities - village panchayats, urban local bodies or other authorities, National and State Coastal Zone Management Authorities, state governments, a National Board for Sustainable Coastal Zone Management, scientific institutions (to be selected) and the central government itself. While responsibilities are vested, the process of how they will execute the functions assigned to them is not outlined. There is also no mention of an appellate system for disputes related to decisions taken by these authorities.

##### *National Board for Sustainable Coastal Zone Management*

It is not clear what the exact role of this board will be. Attention has only been paid to the composition of the board while its exact nature and purpose has not been indicated. It is unclear what would come under the purview of ‘policy advice on matters related to coastal zone management’. There is no detail available about how this large and unwieldy 32 member National Board for Sustainable Coastal Zone Management will function and what it will work towards showing this to be mainly a political exercise with a superfluous concern with coastal protection.

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<sup>6</sup> See Pt 2 on Objectives of the CMZ Notification 2008

### *National and State Coastal Zone Management Authorities*

The responsibility of implementation of this notification rests with the State Coastal Zone Management Authorities, local authorities and the state governments. This is a departure from the initial idea presented in the May 2007 unofficial draft, to vest this massive responsibility with the already overburdened State Environment Appraisal Authorities under the new Environment Impact Assessment Notification, 2006. However, it is not really an improvement given that no assessment of CZMAs has even been undertaken that can inform changes to be made to them to improve their present pitiable condition of political, technical, operational and financial workings.

The CZMAs are responsible for regulating activities based on the ICZMP for CMZ-I areas. The notification provides details of the constitution of the National Board for Sustainable Coastal Zone Management which is only an advisory board, but no mention is made of the constitution of the CZMAs. The present CZMAs have proven to be fairly handicapped in implementing the CRZ Notification. Will the CZMAs continue to be the current authorities set up for the implementation of the CRZ Notification? If yes, then this is as good as consigning the new notification to the bin.

### *National Institute for Sustainable Coastal Zone Management*

The establishment of this institute was one of the general suggestions of the Swaminathan Committee. Operational details, powers and functions and details on the integration of this entity in the coastal management regime are not outlined anywhere in this notification.

See Annexure 2 for a list of responsibilities of various institutions for the implementation of this law.

## **6. Monitoring mechanism**

The proposed CMZ Notification sets itself apart from the CRZ Notification in that it contains absolutely no monitoring mechanism, except for stating that the SCZMAs are responsible for monitoring the ICZMPs (6 (ii) CMZ 1). These CZMAs are also expected to decide on permitting activities based on an ICZMP for CMZ- IV areas (6(iv) CMZ-IV). The National CZMA is also supposed to monitor the implementation of the ICZMPs (6 (ii) CMZ 1). Nowhere in the notification is there an indication of how this monitoring is to be done.

There is virtually no system outlined for monitoring the clearances given under this notification. There are absolutely no procedures laid out for the clearance of projects mentioned in the notification. The proposed notification is therefore by no means an improvement over the CRZ Notification in terms of ensuring any of its objectives of sustainable development or livelihoods or conservation. Its actual objectives are evidently not these. With such a design this legislation is doomed for non-implementation from the beginning.

## **7. Jurisdiction**

The jurisdiction of the CMZ includes the territorial waters up to 12 nautical miles. By stating that the coastal zone shall include the physical boundary of ecologically and culturally sensitive areas, there is only a geographical improvement over the CRZ Notification for areas that spill over the 500 metre area. While this might seem like an attempt to provide protection to more areas than the CRZ Notification covered, this provision should be seen in light of the protective provisions of this law.

The law contains poor monitoring and incomplete implementation machinery and there is no value in merely adding more areas under its coverage for future mismanagement.

## 8. Setback lines

In the proposed notification, management will be guided by the setback line which replaces the 200m and 500 m lines of the CRZ Notification, 1991. Unless demarcated on the ground, the setbacks will be virtually impossible to determine or implement since they will vary from place to place, perhaps even within a single village.

Within CZM II and III, certain activities are permitted on the seaward and landward side of a setback line. The setback line is based on vulnerability to 'natural and manmade hazards'. There is the central question of whether the concept of setbacks alone provides any protective function considering that several activities are allowed on the seaward side and these activities can also take place on the landward side based on ICZMPs which are themselves inadequately designed.

There is no mechanism of transparency, accountability and participation when drawing up the setback line. The setback is a concept for which the scientific methodology is not clarified and instead, only some basic parameters are listed. Though this line is to be marked based on the vulnerability to both natural and man made hazards, only 4 parameters (elevation, geomorphology, sea level trends, and horizontal shoreline displacement) are to be considered for this, as against the 6 that were contained in the unofficial draft Coastal Zone Management Notification, 2007 and 7 which were contained in the Swaminathan Committee Report on the CRZ (elevation, geology, geomorphology, sea level trends, and horizontal shoreline displacement, tidal ranges and wave heights). Furthermore, according to report of the Inter-governmental Panel on Climate Change, one of the key effects of climate change with sea level rise is the altered wave heights and tidal ranges (Nicholls et al, 2007). In fact, according to the Government of India's Initial National Communication in fulfilment of the commitments to the United Nations Framework Convention on Climate Change, the most vulnerable areas of the Indian coastline were identified from the integration of physiographic evaluations, site-specific sea-level changes, tidal environment, tectonics, hydrography, and physiography of the areas (MoEF, 2004).

Through the removal of key parameters of geology, wave heights and tidal ranges for vulnerability determination, the MoEF has invited criticism over the rigour of science it employs. It is speculated that the MoEF disregarded these parameters since the present resolution and quality of data on these parameters is very poor and development of a usable database for the prediction of vulnerability would entail at least a 2-3 year exercise. A clarification from the MoEF is still wanting.

All the parameters of vulnerability only relate to natural hazards and there is no mention of manmade hazards. The Fourth Assessment Report of the IPCC stresses that it usually remains unclear to what extent coastal erosion is associated with relative sea-level rise due to subsidence and other human drivers of land loss, and to what extent it results from global warming (Nicholls *et al*, 2007). There is no indication if this setback line will be constant or dynamic, and if there is a clear time frame to map the same.

## 9. Categorisation of zones

For the purposes of management, the notification divides the coast into CMZ I, II, III and IV instead of the earlier CRZ I-IV zones. It does not provide a timeline by when the identification of areas should be done. At the outset it is useful to remember that even after 17 years the Coastal Zone Management Plans mandated by the CRZ Notification, 1991, categorising the CRZ areas have not been fully approved by the MoEF. The categorisation made by the State Governments is disputed particularly by community groups and environmental groups. Categorisation therefore, is a subject that needs careful execution. In this notification, there is no process for the public to be involved in the categorisation of the coast, the most critical aspect of the implementation of the management regime. While the setback line alludes to the use of scientific principles in this notification, it is in the categorization of the zones and the regulatory framework applicable to each of these zones that the rationale of vulnerability is overridden by economic interest.

### *CMZ-I areas*

*Endorsement against approval:* The CMZ-I areas are to be identified jointly by the Central Government, the state governments along with the NISCM. The ICZMPs for CMZ-I areas are to be ‘endorsed’ by the Central Government and not ‘approved’ as stated in the CRZ Notification.

*Development in CMZ-I areas:* CRZ-I areas under the CRZ Notification were initially defined as areas where no activities would be permitted, until several dilutions were introduced to change this. The proposed CMZ Notification is extremely regressive and establishes that various activities will be allowed in these sensitive ecosystems as long as they are recorded in the ‘Integrated Coastal Zone Management Plans’ (ICZMP). These are therefore no longer no-development zones and hence are no longer protected as in the CRZ Notification. All fishing and fishing related activities are permitted here but there is no distinction made in the scale of operation, say, between traditional or mechanised fishing practices or even a qualification of what is included within the term ‘fisheries related activities’. It is stated that ICZMPs will permit activities based on the needs of local communities and ‘essential development’. There is no definition of what constitutes a ‘local community’ and what the limits of essential development might be. Problems arise especially in highly developed coastal areas like Mumbai and Chennai where the local community is very urban and their ‘essential’ requirements can have a wide interpretation. These problems have been raised ad infinitum when the MoEF has proposed to introduce similar terms into the CRZ Notification through amendments. It should also be emphasised here that it is the protection of ecologically sensitive and important areas that safeguards the livelihoods of fishing communities since the health of these ecosystems and habitats bear a direct relation to the ecosystem services they provide (such as fisheries production; mangroves and coral reefs are breeding grounds for fish). Thus the current CMZ-I will also negatively affect fisheries and fisherfolk livelihoods due to the lack of conservation and protection measures habitat and ecosystems under this category.

*Definition of terms:* One of the criticisms of the CRZ Notification was that it used terms that were not adequately defined. The CMZ Notification does no better in this respect. Important operational terms such as those of habitats that will eventually be categorised into particular zones are left open. Without clear definitions, the CMZ-I areas cannot be clearly identified or protected. For example, CMZ-I comprises of ecologically sensitive areas such as mangroves and sand dunes. Unless these are further defined quantitatively (size, area etc), and qualitatively (characteristics and functions), it will

be impossible to carry out any protection for these critical ecosystems. It should also be stressed here that these very same ecologically sensitive areas are responsible for key ecosystem services and that the health of these habitats is directly linked to the productivity of the fisheries and livelihoods in these and surrounding areas. Better protection and conservation to these areas would mean a more productive fishery and also ensure long-term livelihood security for fishing communities. Poor definitions would lead to poor implementation which will tell on coastal livelihoods and fisheries eventually.

*Periodically increasing CMZ-I coverage:* It is not clear whether there is scope to add further areas to the CMZ-I classification, since the criteria are such that it is possible for the formation of such categories that involve habitats that are dynamic (for e.g turtle nesting areas). There should be provision to include such areas in the list of CMZ-I areas from time to time. There is presently no scope to periodically revisit the ICZMPs that are created with the objective of increasing the extent of areas under CMZ-I.

*Extinguishment of rights:* There is no element of compensation for the extinguishment of rights over private property. A major problem with the CRZ Notification was that rights were extinguished in the No Development Zones of CRZ-I and III areas and since the CRZ Notification had no element of compensation, people simply carried on their activities in violation of the regulations.

*Contradiction between laws:* The inclusion of all Marine Protected Areas declared under the Wild Life (Protection) Act, 1972 in CMZ-I is bound to add to their implementation woes. Marine areas declared under the WLPA are generally no-use areas. This is contradictory to the intent stated in the proposed notification that in CMZ-I ‘there shall be no restriction in the fishing and fisheries related activities of local communities living in the area’. The contradiction here needs to be resolved.

*Comparison between drafts:* The unofficial notification of May 2007 bears an entry no. (xiii) in Appendix II – that ‘nesting grounds of migratory birds’ would be considered CMZ-I. This has been removed in the final draft which only refers to ‘nesting grounds of birds’.

*Scale of sensitivity:* The CMZ Notification states that nesting grounds of birds and turtles are supposed to be CMZ-I areas. There needs to be some qualification and prioritisation to identify critical habitats rather than every nesting spot and every tree with a nest on it.

## **CMZ-II areas**

*Sustainable development and the CMZ Notification:* There is no operational definition of the term ‘sustainable development’ anywhere in the CMZ Notification despite it being its stated objective. Appendix III of the proposed CMZ Notification contains an assorted ‘indicative’ listing of various ‘Areas of Particular Concern’ that are identified as CMZ-II areas. These are the areas prioritised for development – the only evidence available for the MoEF’s description of sustainable development on the coast. Typically, the constituents of this list are those which are currently subject to prohibitions or restrictions in the CRZ Notification. These areas, such as Special Economic Zones and Notified Tourism Areas, industrial estates, power plants and (of course green field airports) presently pose significant threats to coastal ecosystems and communities and will continue to do so in future. Secondly, allowing such development projects in these areas poses a risk to these very same facilities due to disasters. Most importantly, these activities simply do not specifically require foreshore facilities. Their inclusion starkly demonstrates what the MoEF has permitted in coastal

belts against the original intended regulatory framework that permitted only activities requiring the foreshore to be located on the coast. Prohibited activities now find legitimisation through the proposed notification.

Sustainable development would imply some measure of regulation or restriction on the development activity itself. However, the CZM Notification not only allows activities that are proven to be far from environmentally sustainable, but also ensures that these remain unregulated through its 'hands off' management strategy.

*Activities on the seaward side:* The inclusion of these activities on the list is problematic. For example mining sites are proposed to be included in the CMZ-II areas. Sand mining takes place in various places along the coast (both legally and illegally). The notification states that sand dunes and sandy beaches are CMZ-I areas, but given the CMZ-II definition including mining sites, it is likely that such habitats will be open to mining at any given time. Given that the CMZ-I allows development based on an ICZMP and that the definitions of CMZ-II includes practically the entire coast; the entire purpose of ensuring protection through a CMZ-I category is mislaid.

*Water bodies:* Reading the definition of CMZ-III areas, it appears that CMZ-II areas will not include water bodies. However CMZ-II areas are strategic and culturally important areas and many of these areas are located in the offshore waters of the coast.

*High population density areas:* The CZM Notification states that coastal panchayats with more than 400 persons per sq km shall be declared as CMZ-II areas. This means that many of the earlier CRZ-III categories would now become CMZ-II. The earlier notification had stringent regulations and an NDZ of 200 m for CRZ-III areas that were characteristically coastal towns and villages with low levels of infrastructure development. This was to ensure that these landscapes are maintained at these levels and only forms of development appropriate to these spaces are taken up. But governments and vested interest lobbies have continually pushed for defining these areas as CRZ-II so that these can be opened up for increased urbanisation. By putting these areas under CMZ-II, the precautionary principle and livelihood protection measures that were applicable to CRZ-III areas (to restrict urbanisation pressures and ensure livelihood security, rights and access of coastal communities) have been done away with. The 'No Development Zone' classification, which was included in the CRZ-III category will no longer be valid if the same areas are declared as CMZ-II areas. This point has been retained from the unofficial 2007 draft and the October 2007 concept note versions.

Another important consideration with using population density is that the census records use the revenue village as its basic unit. However, most coastal villages (particularly fishing villages and hamlets) form only a part of a gram panchayat or a revenue village. The boundaries of the panchayat and the revenue village are therefore not the same. To then declare a fishing village as a high density area, because the entire revenue village has a density more than 400 persons per square kilometres is unfair if not dangerous.

*Only settlements beyond the setback line?* The CMZ-II permits 'new houses and settlements' only on the landward side. It however does not use the word 'new constructions' or 'new development'. This implies that constructions that are not settlements and houses can come up on the seaward side of the setback line.

*Use of vague terms for regulation:* Despite the extent of litigation on the CRZ Notification, the MoEF continues to use vague terms that can be interpreted in several ways by implementers and those whose activities will be regulated by the notification. The CMZ-II seeks to ensure that ‘no further development takes place other than foreshore requiring facilities and basic infrastructure’. Who is to decide what is ‘basic’ is not stated here. For example, roads are considered to be basic infrastructure in general terms. However, it can have significant impacts on coastal areas and it is not always required on the coast. Several roads that were constructed by destroying sand dune habitats near the seashore continue to lie unutilised.

*Incomplete regulation:* The CMZ-II management methodology states that activities on the landward side are to be regulated using existing land use regulations and plans under ‘other local legislations’. If this is the case, what special purpose is met by bringing these areas under the proposed CMZ Notification?

*ICZMP Guidelines for CMZ-II areas:* Several objections were raised to the unofficial draft Coastal Zone Management Notification, 2007 especially to the point that much regulation was left to a future ICZMP for which no guidelines existed. In the present CMZ Notification, 2008, there are now a plethora of ICZMPs mandated with a few unsatisfactory guidelines thrown together and that too only for ICZMPs in CMZ-II areas. See Annexure 3 showing the number of ICZMPs and who has the responsibility to prepare this.

*Contradiction between the categories:* Beaches in CMZ-II are left free of any development but ‘sandy beaches’ are CMZ-I where development could be allowed based on ICZMP.

### ***CMZ-III areas***

By virtue of its definition (i.e. neither CMZ-I nor CMZ-II) the extent of land area that can be declared CMZ-III is much less than the area that was CRZ-III. Although it contains ‘tidal influenced inland water bodies’ and coastal waters, the extent of the former is not known. It would be interesting to measure how many areas of the coast can be declared as CMZ-III.

No new development in the seaward side of setback line is to be allowed. But activities and constructions mentioned in Appendix VI such as tourism and recreation facilities are allowed. This defies any logic and scientific rationale as these structures will have the same, if not greater, vulnerability to disaster as houses and settlements (owing to public investments). The earlier NDZ of 200m of the CRZ Notification is now opened up to development. Other arguments against the CMZ-III categorisation are mentioned in the critiques on setback lines and on livelihood threats to the fishing communities.

### ***CMZ-IV areas***

This includes the Andaman and Nicobar Islands, the Lakshadweep Islands and also other island groups. However the regulations here are based completely on an ICZMP to be prepared by a State or Union Territory Coastal Zone Management Authority. The regulations here state that nothing shall be allowed in coral, mangroves, breeding and spawning grounds of endangered species. An unspecified condition that is mentioned here is that minimal activities that are essential for local communities shall be permitted. The development trends in the islands are beginning to mimic the

development all along the mainland coastline where minimal activities include tourism facilities, ports, jetties airports etc. With no limits or definitions given to the nature of this development, these fragile spaces remain open to a range of activities.

## **10. Assuaging opposing fishing communities**

Another striking difference between this latest version and the 2007 draft is that the new notification makes considerable reference to fishing communities and allowances for their activities. This inclusion is far from being unproblematic. It has sought to appease the fisher communities by repeatedly mentioning that fisheries and fishing activities will not be hampered, but its other clauses ensure that this will not be the case.

### **Threat to livelihoods security of fisherfolk**

The notification states that coastal panchayats with more than 400 persons per sq km shall be declared as CMZ-II areas. This means that many of the earlier CRZ-III categories would now become CMZ-II which doesn't have a No Development Zone of 200m. This NDZ was created in the original CRZ Notification to ensure that only appropriate forms of development take place in these regions. (already said before). Furthermore it has put restrictions on new housing of settlements allowing them only behind the landward side of the setback lines yet allowing other development and construction (such as tourism and recreation facilities) on the seaward side. Location of settlements close to the shore is crucial for the fishing community. The access to the coast and visibility of the sea is part of their daily decision-making, traditional ecological knowledge, and basic livelihood activities such as launching of boats, shore seines, drying of fish, mending of nets, berthing of boats and many other social functions (Bharathi 1999; Praxis, 2005; Salagrama 2006). Furthermore, fishermen have odd hours of fishing and also make unplanned trips based on other's landed catches (Kuriakose, 2006). Fishing communities have historically been autonomous and self governing and their interactions with other communities have been minimal. The building of new houses and settlements in the landward side of the setback line will increase problems or tensions related to caste and problems with the non-fishing communities. There have been some reported cases and instances of this in the past (Mathew, 2005). In fact, relocating "west wards" is generally looked down upon by fishing communities on the east coast and mingling with outsiders is seen as a threat to community's inherent nature and customs (Kannam, 2005).

By permitting the activities in appendix VI of the notification, on the seaward side of the set back line and at the same time pushing back all dwelling units of fisher communities behind the line, the government is facilitating the transfer of ownership and access of beach fronts from the fisher communities to non-coastal agencies with commercial interests. There is absolutely no concern or focus on the rights and access of coastal communities especially fishing communities. Given that the proposed legislation aims to govern and 'manage' development on the coast, this omission has significant implications for coastal communities. This is a big departure from the CRZ Notification which recognised fishing settlements and permitted certain rights and protection for the same.

## **11. CRZ Notification forgotten**

The present draft notification will still require that the CRZ Notification be implemented in toto. The implementation of the CMZ Notification, 2008 depends on the implementation of the CRZ

Notification. Para 7 of the CMZ Notification states that the CRZ Notification, 1991 will apply until the setback lines are notified, and until the Integrated Coastal Zone Management Plans are approved by the MoEF. What this means in effect is that there will be absolutely no coastal management or regulation till these two tasks take place. What instead will take place will be a hurried scramble to build in violation of the CRZ Notification till the setback lines and ICZMPs are notified, if ever.

In order to fully implement the current CRZ Notification, 1991 with all its amendments, a mammoth effort will now be required. Since 1991, there has been very poor implementation to the extent that even the basic Coastal Zone Management Plans of all states are still not fully approved. Short shrift was paid to the institutions of implementation of the CRZ Notification, financial and technical allocations to them are grossly insufficient and the monitoring mechanism for the coast is nearly absent. The MoEF and the state governments have been loath to implement this from the very beginning, and there is no guarantee that after its numerous complications, inconsistencies and implementation bottlenecks (both financial and technical), it will even be possible to implement this notification in its current form and situation. The future scenario is one where there will be no implementation of either the CRZ Notification or the CMZ Notification. In the meantime, violations will abound and continue to thrive under the shadow of these very laws.

## **Conclusion**

There are very strong reasons why the review of the CRZ Notification commissioned by the MoEF, and the drafts of the proposed CMZ Notification have been opposed. These are essentially content - and process- related. Suffice to say that the process has been secretive, completely obscure and not participatory in the least. The protests against this notification have been one of the most strident and this final version will also meet with much anger and opposition. This can easily be avoided if the MoEF sets its priorities right and views these comments in the right spirit. Coastal communities (particularly fishing communities), have been marginalised for decades and are demanding their right to decide on development on the coast. The intent of the CRZ Notification was to protect the coast while protecting the interests of coastal communities. The CMZ Notification projects the confused of the MoEF on what it should be really promoting. There is an apparent concern for coastal areas in its CMZ Notification but this assumption quickly dissipates when one sees the number of new non-coastal developments that are permitted, and hardly any thought being given to implementation, monitoring and protection.

This notification itself makes for frustrating reading as the drafting and re-drafting attempts are visible. The MoEF has removed from its purview those clauses that have been strongly objected to and has replaced these with more innocuous appearing ones. The opposition to the notification drafts has been conveniently ignored. The MoEF has tried to mask the objectionable clauses in its unofficial May 2007 draft by introducing a few conciliatory noises about unrestricted fishing. All planning related clauses require ICZMPs or actions slotted for the distant future (e.g guidelines on setbacks to be provided later).

The MoEF does not demonstrate a convincing commitment to a scientific approach to coastal management but has found value in employing scientific terminology in its legal text. This however, is too obvious a masquerade. The picture that emerges from the above analysis is that the proposed CMZ Notification is being used to deflect attention from the larger process of circumventing environmental regulations for industrial promotion. The CMZ Notification, if brought into force

will draw the curtains over several efforts towards coastal and marine conservation. In different parts of the country, fisherfolk unions, coastal communities, local governments and NGOs have used a combination of experience, research and legal spaces to prevent the exploitation of coasts by non-coastal commercial interests. Their actions range from fighting sand mining mafias, preventing sea wall construction, proactive measures like protection and restoration of sand dunes, turtle-nesting beaches mangroves and encouraging traditional forms of fishing.

The analysis above also shows that the proposed CMZ Notification does not deliver on its own objectives of sustainable development, sustainable livelihoods and conservation. The content and process of any coastal management scheme needs to involve those who are primary users of the coast and those who have been involved actively in promoting coastal and marine conservation initiatives. The CMZ Notification in its present form exemplifies the recent negative trend of 'regulatory capture' – a conscious process where environmental governance is influenced by commercial lobbies and environmental laws are dictated by investment priorities. The notification remains what it was predicted to be – a sell out of the coast.

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## Annexure 1

### Comparison of Coastal Zone Categories between the CRZ Notification and the CMZ 2008

| Category according to the CRZ 1991   | Categories according to the CMZ 2008   |
|--|--|
| <p style="text-align: center;"><b>CRZ I</b></p> <p style="text-align: center;"><i>Ecologically Sensitive Areas</i></p> <ul style="list-style-type: none"> <li>By and large a “No development Zones” (NDZ) (certain amendments allowed in subsequent amendments)</li> </ul> <p style="text-align: center;"><i>List of CRZ-I Areas</i></p> <ul style="list-style-type: none"> <li>National parks/marine parks, sanctuaries,</li> <li>Reserve forests, wildlife habitats,</li> <li>Mangroves, corals/coral reefs,</li> <li>Areas close to breeding and spawning grounds of fish and other marine life,</li> <li>Areas of outstanding natural beauty/historical/heritage areas,</li> <li>Areas rich in genetic-diversity,</li> <li>Areas likely to be inundated due to rise in sea level consequent upon global warming</li> </ul> | <p style="text-align: center;"><b>CMZ I</b></p> <p style="text-align: center;"><i>Ecologically Sensitive Areas</i></p> <ul style="list-style-type: none"> <li>NOT a NDZ</li> <li>Land use determined by ICZMP. The ICZMP definition, criteria, guidelines and scope are not adequately elaborated.</li> </ul> <p style="text-align: center;"><i>List of CMZ- I Areas</i></p> <ul style="list-style-type: none"> <li>Mangroves</li> <li>Coral reefs</li> <li>Sand Beaches and Sand Dunes</li> <li>Mudflats</li> <li>Marine wildlife protected areas under the Wildlife (Protection) Act, 1972</li> <li>Coastal freshwater bodies such as creeks, lakes etc</li> <li>Salt Marshes</li> <li>Turtle nesting grounds</li> <li>Horse shoe crabs habitats</li> <li>Sea grass beds</li> <li>Sea weed beds</li> <li>Nesting grounds of birds</li> </ul> |
| <p style="text-align: center;"><b>CRZ II</b></p> <ul style="list-style-type: none"> <li>Areas that are substantially built up ( greater than 50 % as of 1991 ) or that have Municipalities/Corporations</li> </ul>   | <p style="text-align: center;"><b>CMZ II</b></p> <p>No clear distinctions - depends purely on the economic consideration of the area.</p> <p style="text-align: center;"><i>List of CMZ II Areas</i></p> <ul style="list-style-type: none"> <li>Coastal Municipalities/Corporations (the entire notified area)</li> <li>Coastal Panchayats with population density more than 400 persons per sq km (the entire notified area) as per the latest Census of India.</li> <li>Ports and Harbours</li> <li>Notified Tourism Areas</li> </ul>  |

## Category according to the CRZ 1991

## Categories according to the CMZ 2008

- Development only on landward side of the road (as of 1991). Seaward side of road by and large a NDZ (certain amendments allowed activities later on).

- Mining sites
- Notified Industrial Estates
- Foreshore facilities for Special Economic Zones
- Heritage areas
- Notified Archaeological sites under the Protected Monuments Act.
- Defence areas/installations
- Power Plants
- \*Green field airports and expansion and modernization of existing airports

Large part of coast by population density criteria and other criteria become CMZ II which now is based on vagueness i.e ICZMP for which there are no specific guidelines and criteria as of date.

Thus the earlier NDZ of 200M in CRZ III areas is now opened up as they become CMZ II. (Now this is the same as previous draft and the MoEF CMZ concept note).

- No construction on seaward side of existing building or road (as of 2008) No indication of what happens to violations of the CRZ Notification.
- 'New houses and settlements' will be allowed only on land ward side of setback line. Does not use the word 'new constructions' or 'new development'. Thus implying that constructions that are not settlements and houses can come up on the sea ward side of the setback line between an existing road and structure.
- No mention of situation where the setback line is in front of an existing house or road. i.e. assumes setback line will be behind an existing road.
- Beaches in CMZ II are left free of any development but "sandy beaches" are CMZ I where development will allowed based on ICZMP. Beaches in CMZ II are left free of any development but 'sandy beaches' are CMZ I where development will allowed based on ICZMP.

| Category according to the CRZ 1991  | Categories according to the CMZ 2008   |
|---|--|
| <p><b>CRZ III</b></p> <ul style="list-style-type: none"> <li>Areas other CRZ I, II and IV</li> <li>No Development Zones (NDZ) of 200M (certain amendments allowed activities later on)</li> <li>New tourism infrastructure only beyond 200 M.</li> </ul>  | <p><b>CMZ III</b></p> <ul style="list-style-type: none"> <li>All other open areas including coastal waters and tidal influenced inland water bodies, i.e. all areas excluding those classified as CMZ - I, II and IV.</li> <li>NDZ provision removed. No new development on the seaward side of the setback line. But activities and constructions mentioned in appendix VI such as tourism, recreation facilities are allowed (this is the same as 2007 draft and the concept note). Earlier NDZ of 200M is now opened up</li> <li>Allows new tourism infrastructure everywhere.</li> </ul> |
| <p><b>CRZ IV A &amp; N</b></p> <ul style="list-style-type: none"> <li>200M, No construction of buildings</li> <li>200 M No construction of buildings reduced to 50 M in identified stretches for promotion of tourism based on based on an integrated coastal zone management study.</li> </ul> <p><b>CMZ IV Lakshadweep</b></p> <ul style="list-style-type: none"> <li>Distance for construction of buildings for each island on the basis of integrated coastal zone management study.</li> </ul> <p><i>List of allowed development</i></p> <ul style="list-style-type: none"> <li>Non-conventional energy, desalination plants, construction of airstrip</li> <li>Construction &amp; modernisation of jetties and wharves based on case by case basis with environment safeguards and approval from MoEF /recognised agency</li> </ul> | <p><b>CMZ IV</b></p> <ul style="list-style-type: none"> <li>The areas included now are Andaman and Nicobar Islands, Lakshadweep groups of islands and other offshore islands.</li> <li>The regulations are based on ICZMPs to be prepared for this region.</li> <li>In coral reefs, mangroves, spawning and breeding areas of endangered species only 'minimal activities' which are essential for the local population are permitted.</li> <li>No monitoring or regulatory authority is specifically prescribed for these regions.</li> </ul>   |

## **Annexure 2**

### **Responsibilities of implementing agencies in the CMZ Notification, 2008**

#### **Local Authorities**

['Local Self Government or Local Authority' means a village Panchayat, or a urban local body, or any other body or authority, by what ever name called, for the time being invested by law, for rendering essential services or, with control and management of civic services, within a specified local area abutting the sea coast or inland tidal water having tidal action]

- To ask for the inclusion of islands in coastal backwaters areas in CMZ IV, which are not included in CMZ I or CMZ II areas.  
[4 (1)(iv)(a)(1)]
- To regulate the following permissible developmental activities on the seaward side of the setback line in CMZ III areas, without CMZ clearance
  - Boating, shipping and navigation.
  - Fisheries including traditional fish processing, ice plants and ice crushing facilities.
  - Mariculture including hatcheries and traditional aquaculture.
  - Agriculture and horticulture.
  - Public toilets and rain or cyclone shelters.
  - Repair of existing buildings or infrastructure including reconstruction activities.[Appendix VI CMZ III]

#### **State/ Union Territory Coastal Zone Management Authority**

(Set up under the EPA, 1986) as mentioned in 5(ii)

- To regulate all activities in CMZ I areas on the basis of an ICZMP prepared by the concerned State/Union admin  
[6 (ii) CMZ I]
- To monitor the implementation of the ICZMPs by the concerned State Govt/Union territory administration  
[6 (ii) CMZ I]
- To determine activities that may be allowed and which shall conform to the approved ICZMP  
[6 (iv) CMZ IV]
- Is responsible for the enforcement and monitoring of the ICZMPs for CMZ II areas  
[Appendix 5 (16)]
- To approve activities which can be permitted with only the approval of the SCZMA or UTCZMA  
[Appendix 6]

#### **National Coastal Zone Management Authority**

- To monitor the implementation of the ICZMPs of the concerned State Government/ Union Territory Administration  
[6 (ii) CMZ 1]

#### **State Government & Union Territory Administration**

- To identify ‘ecologically sensitive areas’ (Appendix 2) within the coastal zone jointly with the Central Govt.  
[6 (ii) CMZ I]
- To regulate all activities in CMZ I areas on the basis of an ICZMP prepared with the help of the NISCM or scientific research institutions specializing in coastal resource mgmt  
[6 (ii) CMZ I]
- To implement the ICZMP for CMZ I areas  
[6 (ii) CMZ I]
- To regulate activities based on an ICZMP approved by the Central Government  
[6 (iii) CMZ II]
- To regulate activities proposed on the sea ward side of the set back line, so to ensure no further development takes place other than foreshore requiring facilities and basic infrastructure  
[6 (iii) CMZ II]
- To ensure that development of the landward side of the set back line to be as per the local town/country planning rules as on the date of the notification  
[6 (iii) CMZ II]
- To identify economically and culturally important areas [6 (iii) CMZ II]
- To implement the ICZMP for CMZ II areas [6 (ii) CMZ I]

### **Central Government**

- To notify the set back line for the entire coast excluding CMZ I and CMZ IV in a map on a cadastral scale in one or more stretches at a time.  
[6 (1)]
- To issue detailed technical guidelines for above purpose based on approach in Appendix 1  
[6 (1)]
- To notify scientific institutions specialising in earth surveys and mapping to carry out the delineation of the setback line  
[6 (i)]
- To identify ‘ecologically sensitive areas’ (Appendix 2) within the coastal zone jointly with the state or union territory administration.  
[6 (ii) CMZ I]
- To notify scientific research institutions specializing in coastal resources management to provide technical assistance in the identification of ecologically sensitive areas  
[6 (ii) CMZ I]
- To notify scientific research institutions specializing in coastal resources management to provide assistance in the preparation of an ICZMP  
[6 (ii) CMZ I]
- To endorse the ICZMP prepared for CMZ I areas  
[6 (ii) CMZ I]
- To approve the ICZMPs for the regulation of activities in the administrative boundaries of areas of the Coastal Municipalities or Corporation and coastal Panchayat with population density of more than 400 persons per sq. km  
[6 (iii) CMZ II]

- To constitute a special committee for the purpose of clearance of ICZMPs prepared for strategically important areas by the Ministry of Defense, and submitted to the MoEF [6 (iii) CMZ II]

### **Ministry of Environment and Forests**

- Has to receive the ICZMP by the Ministry of Defense  
6 (iii) CMZ II
- Is required to provide detailed Technical Guidelines for delineation of the Setback Line  
Appendix 1
- Is to authorize any agency for demarcation of the set back line for CMZ II & III areas on cadastral scale, besides the NISCM, within a period of 2yrs from the date of this notification  
Appendix 1
- Required to notify CMZ 1 areas  
Appendix V (13)
- To prepare setback lines based on which the ICZMP for CMZ II, which address vulnerability to human like and property, shall be demarcated  
Appendix V (3)
- To propose the NISCM or any other authority as approved by this Ministry for the purpose of approving the ICZMP Appendix V (14)
- To approve activities that can be permitted with the Environment Impact Assessment & Environment Management Plan Appendix VI (iii)

### **National Board for Sustainable Coastal Zone Management**

- To provide policy advice to the CG on matters relating to CZM but shall not undertake regulatory functions [5 (i)]
- To consist of not more than 32 members; and term for non-official members of the Board shall be for 3yrs only. Composition provided in Appendix IV [5 (i)]

### **National Institute for Sustainable Coastal Zone Management**

- To provide technical assistance to the Central Govt. for the identification of ecologically sensitive areas [6 (ii) CMZ 1]
- To assist the State/Union Territory Administrations to prepare an ICZMP [6 (ii) CMZ 1]
- To map CMZ II & III areas on a cadastral scale [Appendix I]
- To approve the ICZMPs for CMZ II areas [Appendix V (14)]

### **Scientific Institutions**

- I. Specializing in earth surveys and mapping:
  - To define the set back line for the entire coast, excluding CMZ 1 and CMZ IV areas in a map on a cadastral scale [6 (i)]
- II. Specializing in coastal resources management and notified by the Central Government:
  - To provide technical assistance to the CG in the identification of ecologically sensitive areas [6 (ii) CMZ 1]
  - To assist the State/Union Territory Admin to prepare an ICZMP [6 (ii) CMZ 1]

**Annexure 3**  
**ICZMPs REQUIRED UNDER THE CMZ NOTIFICATION, 2008**

| Requirement for ICZMP (paste the text)  | Agency Responsible   | Clauses    | Guidelines / conditions for the ICZMP   |
|---|--|------------|---|
| <b>ICZMP to be prepared for CMZ I areas:</b><br><br>“All activities in CMZ - I areas shall be regulated by the State or Union territory Coastal Zone Management Authority concerned on the basis of an Integrated Coastal Zone Management Plan (ICZMP)” | ICZMP to be prepared by the concerned State or Union territory Administration with the help of National Institute of Sustainable Coastal Zone Management or one or more competent and established scientific research institutions specializing in coastal resources management. | 6 (1) (ii) | The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas keeping in view the safety and livelihood needs of the local communities and essential development. There shall be no restriction in the fishing and fisheries related activities of local communities living in the area.<br><br><i>* However there is a provision for allowing projects pertaining to the development of green field airports and expansion and modernisation of existing airports provided that its undertaken on case to case basis based on detailed scientific study incorporating adequate environmental safeguard measures required for neutralising damage to the coastal environment.</i> |
|   | ICZMP to be endorsed by the Central Government   |            |   |
|   | Implementation by the State Government or Union Territory Administration   |            |   |
|   | To be monitored by the concerned State or Union territory Coastal Zone Management Authority and by the National Coastal Zone Management Authority.   |            |   |

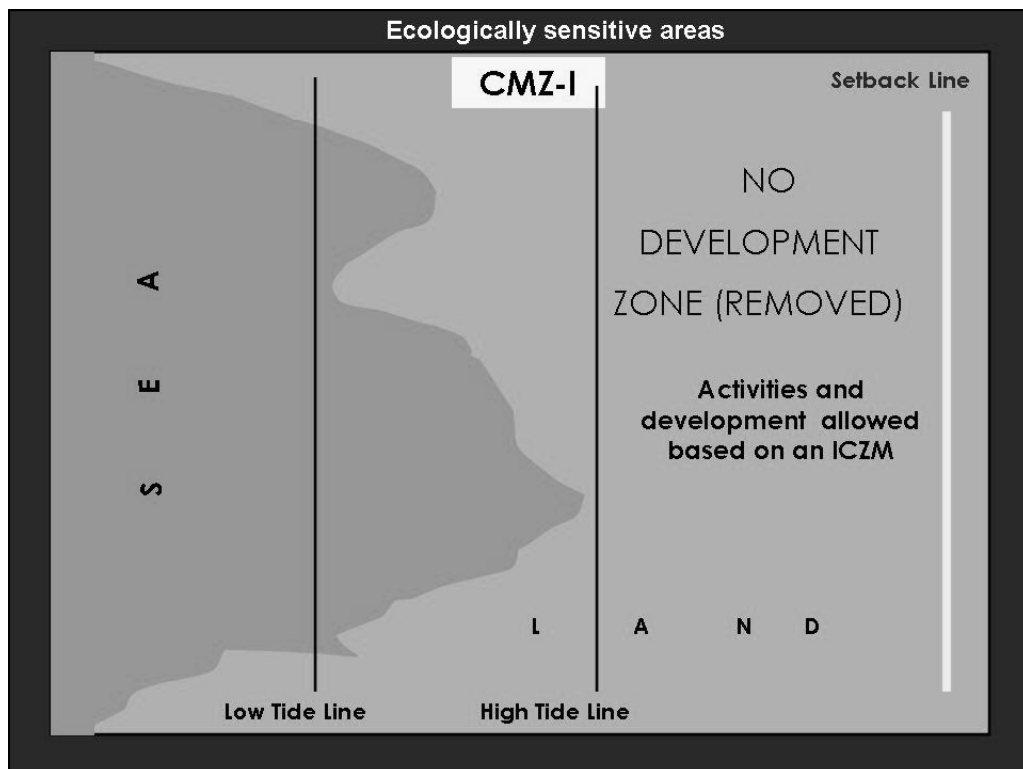
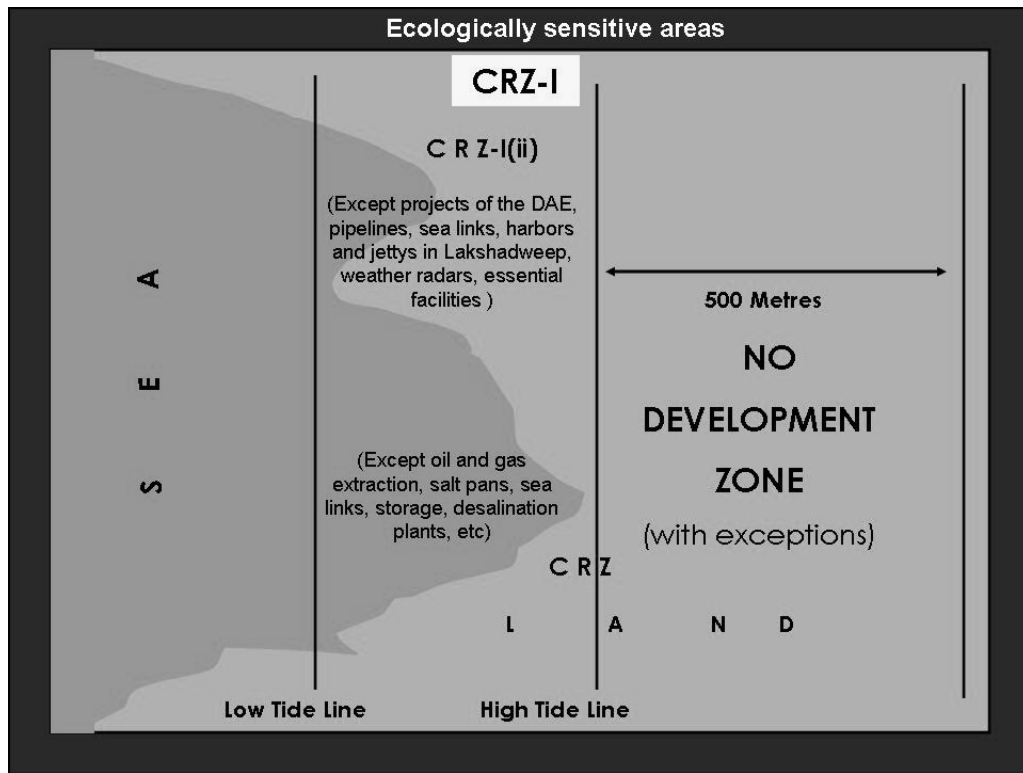
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| <p><b>ICZMP to be prepared for CMZ II areas:</b></p> <p>1) “In the administrative boundaries of areas of the Coastal Municipalities or Corporation and coastal Panchayat with population density of more than 400 persons per sq. km, activities shall be regulated based on an Integrated Coastal Zone Management Plan”</p> | <p>ICZMP to be approved by the Central Government.</p> | <p>6 (1) (iii)</p> | <p>ICZMPs to be prepared for activities proposed on the seaward side of the setback line in the specified administrative boundaries and have to ensure that they are regulated so that no further development takes place other than foreshore requiring facilities and basic infrastructure</p> <p>ICZMPs to also be prepared for development on the landward side of the setback line as per the local town and country planning rules as on the day of the notification.</p> <p>The ICZMP prepared for the above areas have to take into account the guidelines laid down in Appendix-V. These guidelines specify matters relating to conservation of the seaward side, addresses for measures to be undertaken concerning vulnerability of human life &amp; property as well as safety measures for livelihood, constructions and provides for the plantation of protective vegetation.</p> |
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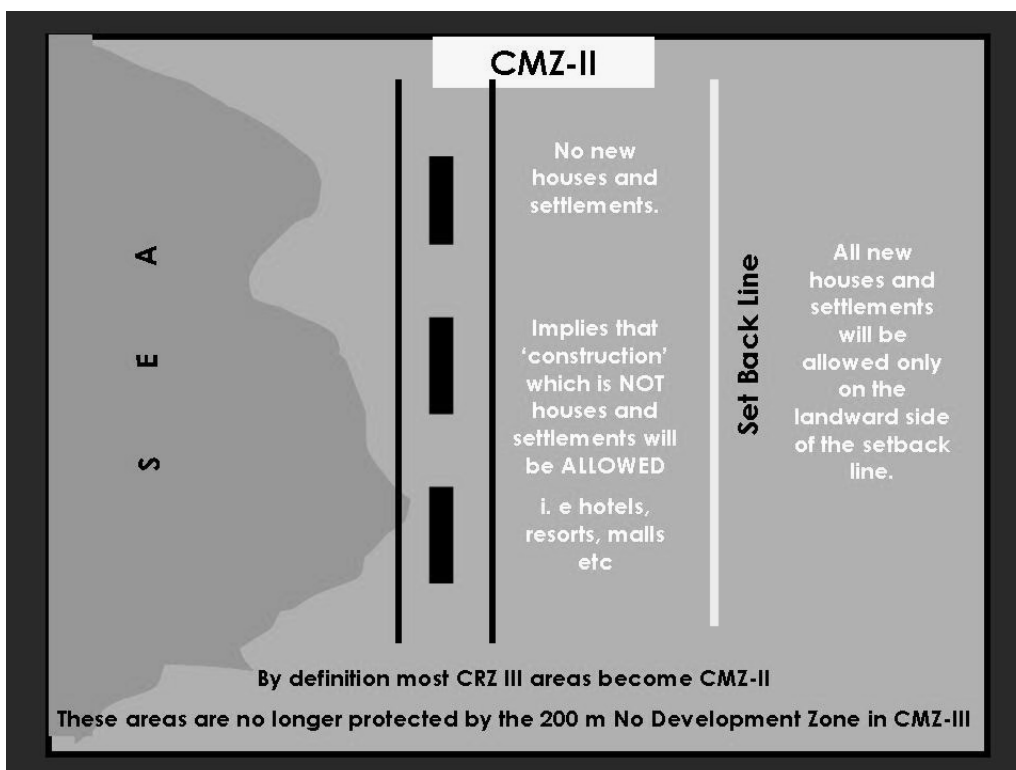
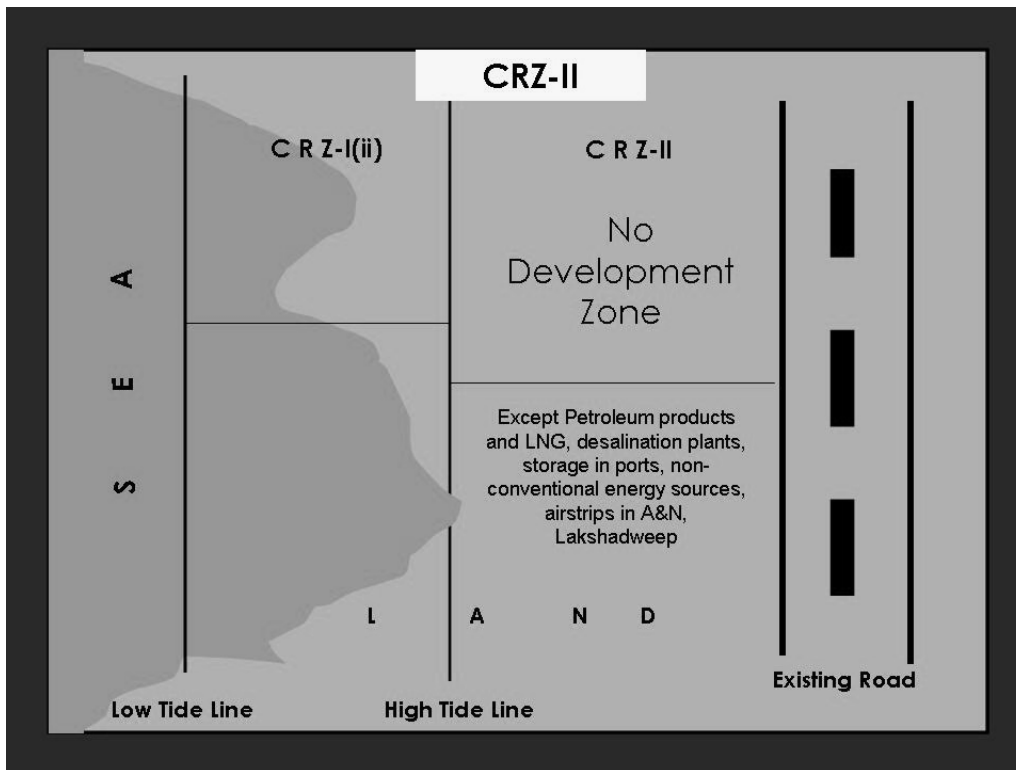
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|   | ICZMPs shall be approved by the proposed NISCM of the Ministry or any other authorized authorities as approved by the Ministry.  | Appendix V<br>(14) |  |
|   | Enforcement and monitoring of the ICZMP is the responsibility of the concerned State or Union territory Coastal Zone Management Authorities.   | Appendix V<br>(16) |  |
| 2) “With regard to economically and culturally important areas as identified by the concerned State or Union territory Governments, the activities shall be regulated as per Integrated Coastal Zone Management Plan prepared.” | <p>Economically and culturally important areas to be identified by the concerned State or Union territory Governments</p> <p>ICZMP to be implemented by the concerned State or Union territory Governments after the plans are approved by the Central Government.</p> | 6 (1) (iii)        | Conservation of economically and culturally important areas      |
| 3) “With regard to strategically important areas, the Ministry of Defence would prepare an Integrated Coastal Zone Management Plan and submit to the Ministry of Environment and Forests.”                                      | <p>Ministry of Defence to prepare an ICZMP for strategically important areas</p> <p>Central Government to constitute a Special Committee for the purpose of according clearance of such plans</p>  | 6 (1) (iii)        | Protection of strategically important areas for defence purposes |

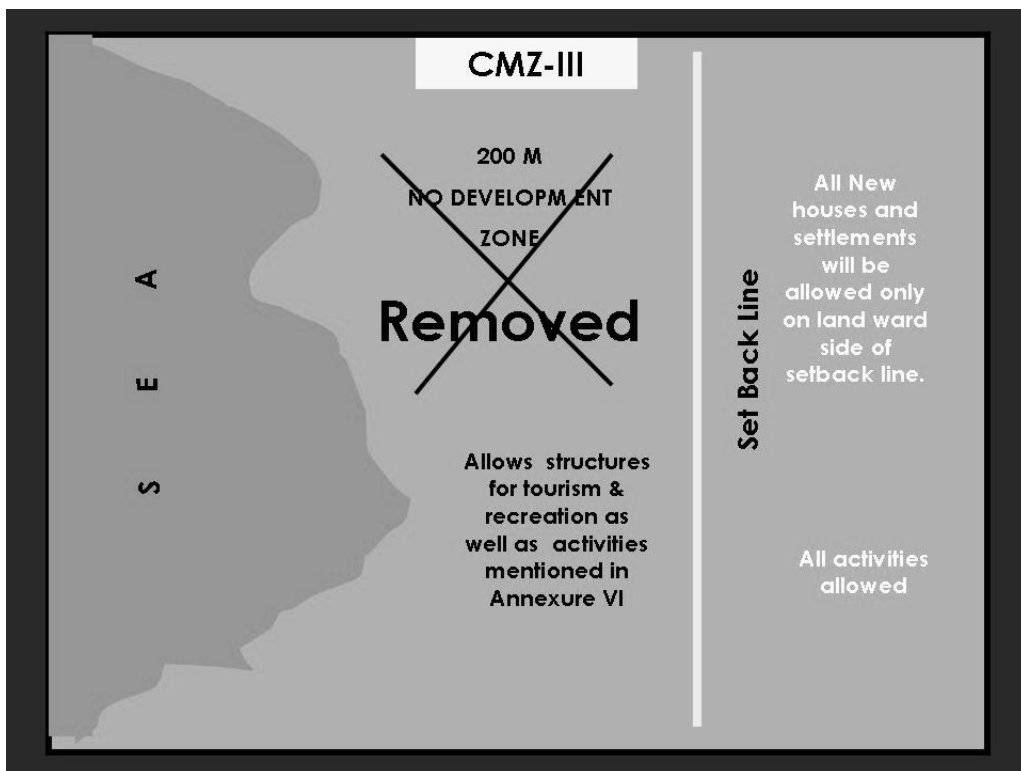
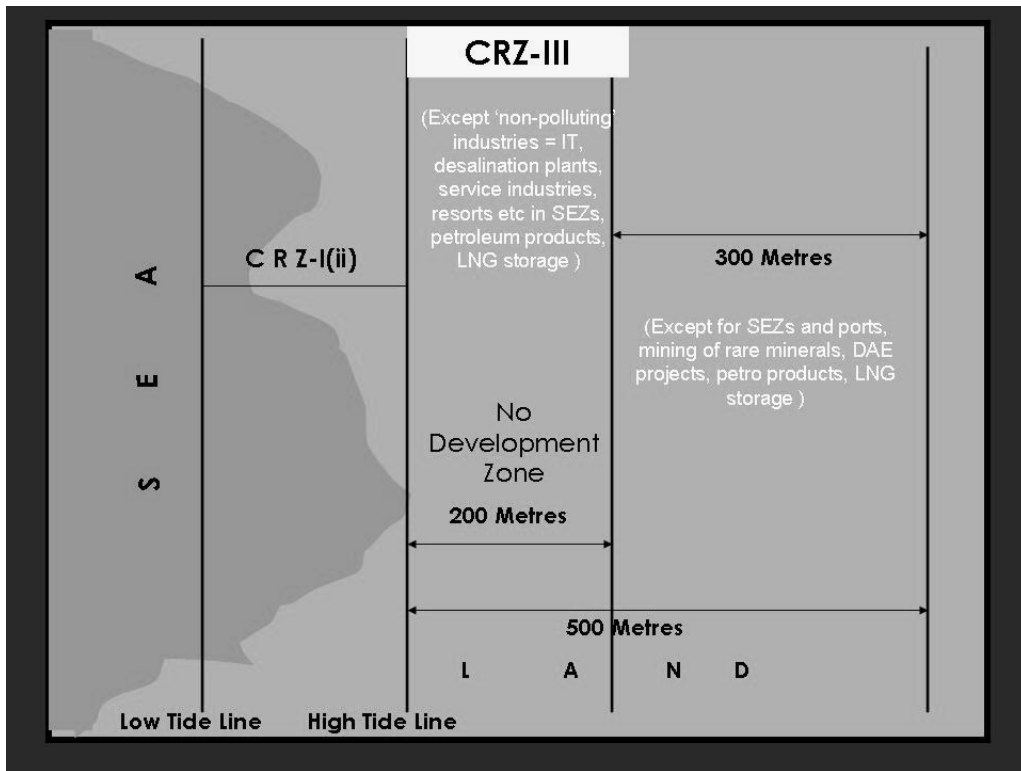
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| <p><b>ICZMP to be prepared for CMZ IV areas:</b></p> <p>“All activities shall conform to the approved Integrated Coastal Zone Management Plans”</p> | <p>ICZMPs to be determined in each case by the concerned State or Union territory Coastal Zone Management Authority</p> | <p>6 (1) (iv)</p> | <p>ICZMPs to ensure that no developments are permitted in the corals, mangroves, breeding and spawning of endangered species other than those minimum essential activities required for local communities</p> |
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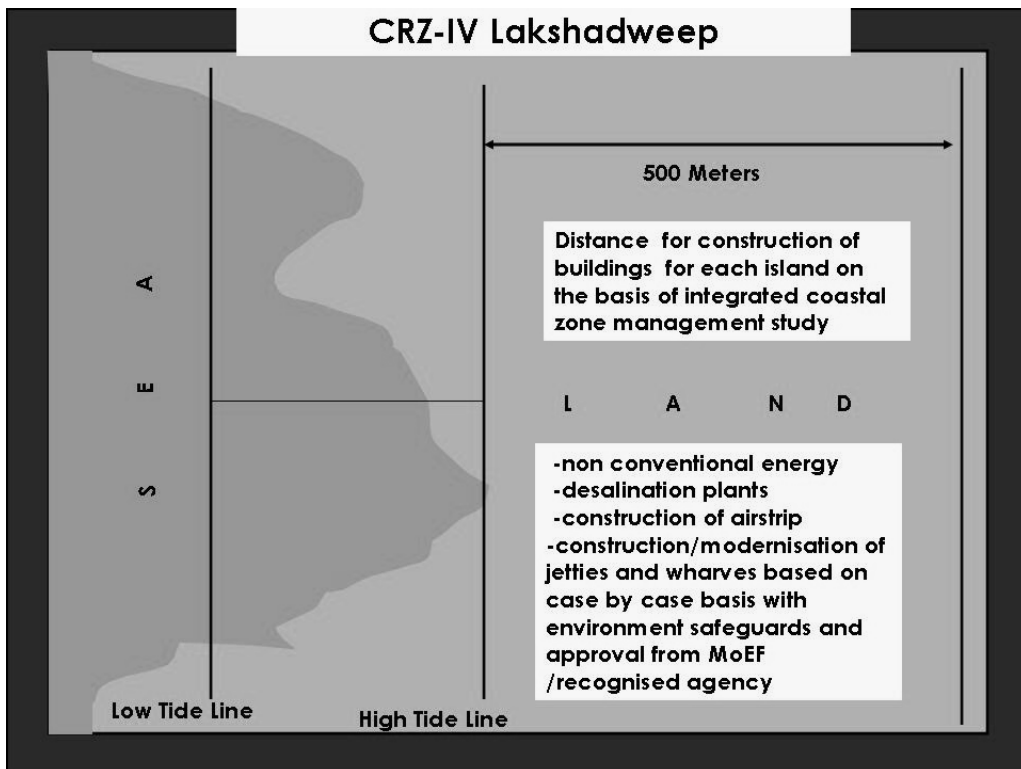
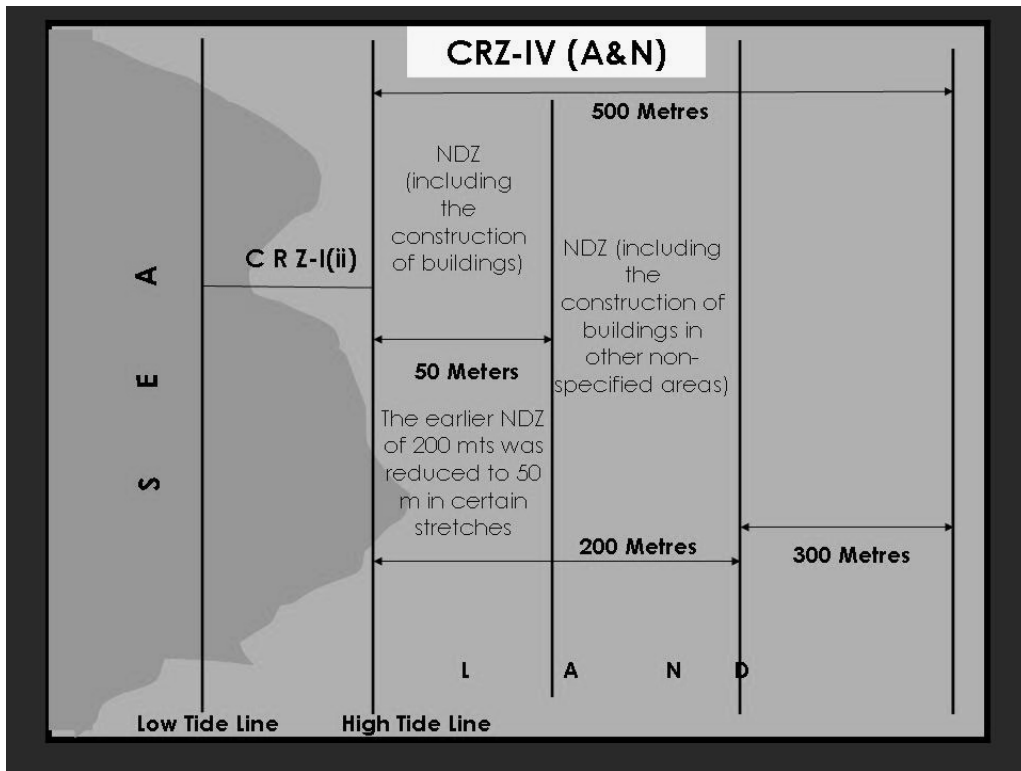
# Annexure 4

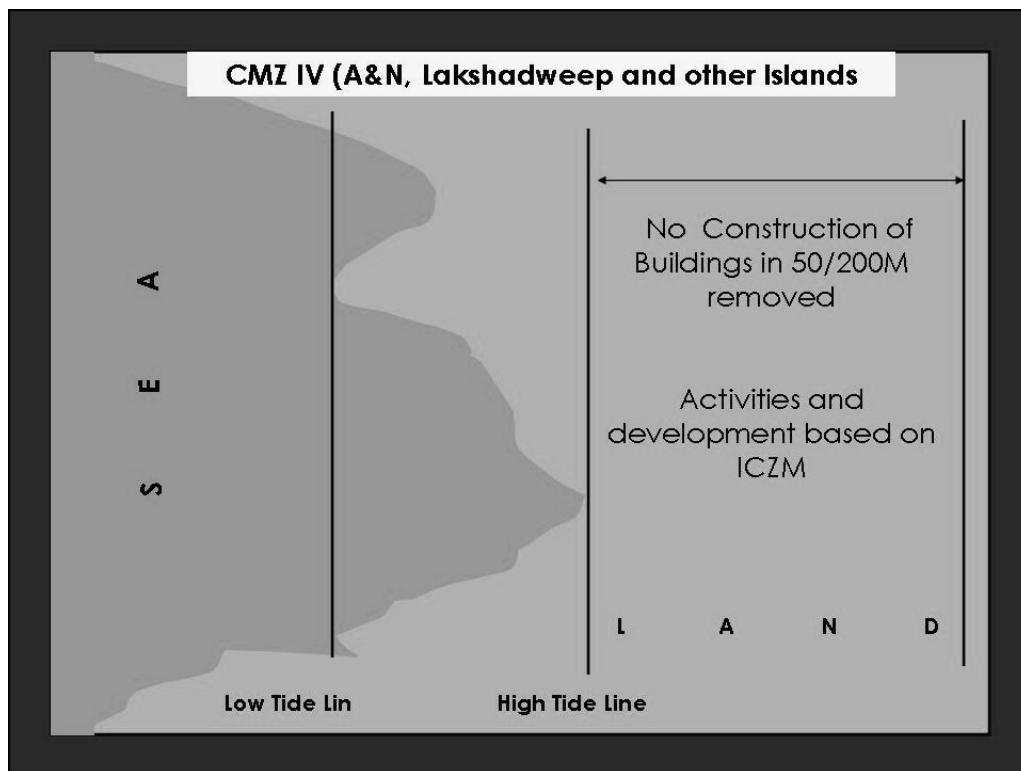
## Pictorial comparison of the provisions of the CRZ and draft CZM Notification











**Annexure 5**  
**TABLE SHOWING COMPARISONS OF CLAUSES OF THE VERSIONS OF THE CMZ NOTIFICATION**

| <b>Initial Draft CZM Notification, May 2007</b>  | <b>MoEF Concept Note (October 2007)</b>   | <b>Shakun version of the CZM Notification</b>  | <b>1<sup>st</sup> May 2008 S.O 1072 (E) from MoEF Website</b>  |
|--|---|--|--|
| Para 1: S.O. No...(E) Whereas the Central Government in the Ministry of Environment and Forests issued the Coastal Regulation Zone Notification vide No. S.O. 114(E) dated the 19th February 1991, under which the coastal stretches were declared Coastal Regulation Zone (CRZ) and restriction were imposed on the setting up and expansion of industries, operations and processes in the said zone for its protection; | The Central Government in the Ministry of Environment and Forests issued the Coastal Regulation Zone Notification vide No. S.O.114(E) dated the 19th February 1991  | Whereas the Central Government in the Ministry of Environment and Forests issued the Coastal Regulation Zone Notification vide No. S.O. 114(E) dated the 19th February 1991, under which the coastal stretches were declared Coastal Regulation Zone (CRZ) and restriction were imposed on the setting up and expansion of industries, operations and processes in the said zone for its protection; | Whereas the Central Government in the Ministry of Environment and Forests issued the Coastal Regulation Zone Notification vide No. S.O. 114(E) dated the 19th February 1991, under which the coastal stretches were declared Coastal Regulation Zone (CRZ) and restriction were imposed on the setting up and expansion of industries, operations and processes in the said zone for its protection; |
| And whereas the said notification has been amended from time to time based on recommendations of various committees, judicial pronouncements, representations from State Governments, Central Ministries, and the general public, etc., consistent with the basic objective of the said notification;  | The said Coastal Regulation Zone Notification 1991 has been amended. from time to time based on recommendations of various committees, judicial pronouncements, representations from State Governments, Central Ministries, and the general public, etc., consistent with the basic objective of the said Notification; | And whereas the said notification has been amended from time to time based on recommendations of various committees, judicial pronouncements, representations from State Governments, Central Ministries, and the general public, etc., consistent with the basic objective of the said Notification;  | And whereas the said notification has been amended from time to time based on recommendations of various committees, judicial pronouncements, representations from State Governments, Central Ministries, and the general public, etc., consistent with the basic objective of the said Notification;  |
| And whereas perceiving the continuing difficulties posed by the Notification in the effective  | In order to the Ministry of Environment and Forests constituted an Expert Committee   | And whereas perceiving the continuing difficulties posed by the Notification in the effective  | And whereas perceiving the continuing difficulties posed by the Notification in its effective  |

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| <p>implementation for the sustainable development of coastal regions as well as conservation of coastal resources, the Ministry of Environment and Forests constituted an expert committee vide an Order No.15 (8)/2004-IA-III, dated 19th July 2004 under the Chairmanship of Prof. M.S.Swaminathan, with experts in the areas of environmental law, marine bio-diversity, marine geology, environmental economics, socio-economics, remote sensing, coastal engineering, urban planning, and marine fisheries to carry out a comprehensive review of the said Notification including all its amendments in the light of findings and recommendations of previous committees, judicial pronouncements, representations of various stakeholders, and suggest suitable amendments, if necessary, to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management;</p> | <p>vide an Order No.15(8)/2004-IA-III, dated 19th July, 2004 under the Chairmanship of Prof. M. S. Swaminathan, with experts members to carry out a comprehensive review of the said Notification including all its amendments in the light of findings and recommendations of previous Committees, judicial pronouncements, representations of various stakeholders, and suggest suitable amendments, if necessary, to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management;</p> | <p>implementation for the sustainable development of coastal regions as well as conservation of coastal resources, the Ministry of Environment and Forests constituted an expert committee vide an Order No.15 (8)/2004-IA-III, dated 19th July 2004 under the Chairmanship of Prof. M.S.Swaminathan, with experts in the areas of environmental law, marine bio-diversity, marine geology, environmental economics, socio-economics, remote sensing, coastal engineering, urban planning, and marine fisheries to carry out a comprehensive review of the said Notification including all its amendments in the light of findings and recommendations of previous committees, judicial pronouncements, representations of various stakeholders, and suggest suitable amendments, if necessary, to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management;</p> | <p>implementation for the sustainable development of coastal regions as well as conservation of coastal resources, the Ministry of Environment and Forests constituted an Expert Committee vide Order No.15(8)/2004-IA-III, dated the 19th July, 2004 under the Chairmanship of Prof. M. S. Swaminathan, with experts in the areas of environmental law, marine biodiversity, marine geology, environmental economics, socioeconomic, remote sensing, coastal engineering, urban planning, and marine fisheries to carry out a comprehensive review of the said Notification including all its amendments in the light of findings and recommendations of previous Committees, judicial pronouncements, representations of various stakeholders, and suggest suitable amendments, if necessary, to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management;</p> |
| <p>And whereas the above Expert Committee had submitted its report to the Ministry of Environment and Forests in</p>  | <p>The above Expert Committee had submitted its report to the Ministry of Environment and Forests in February, 2005 containing specific</p>  | <p>And whereas the above Expert Committee had submitted its report to the Ministry of Environment and Forests in</p>  | <p>And whereas the above Expert Committee had submitted its report to the Ministry of Environment and Forests in</p>  |

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| February, 2005 containing specific recommendations to build on the strengths of existing regulations and institutional structures and fill gaps for conservation and improving the management of the coastal resources by enhancing the living and non-living resources of the coastal zone; by ensuring protection to coastal populations and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihoods of coastal populations <b><u>are not unduly hampered;</u></b> | recommendations to build on the strengths of existing regulations and institutional structures and fill gaps for conservation and improving the management of the coastal resources by enhancing the living and non-living resources of the coastal zone; by ensuring protection to coastal populations and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihoods of coastal populations are not unduly hampered. | February, 2005 containing specific recommendations to build on the strengths of existing regulations and institutional structures and fill gaps for conservation and improving the management of the coastal resources by enhancing the living and non-living resources of the coastal zone; by ensuring protection to coastal populations and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihoods of coastal populations <b><u>are strengthened;</u></b> | February, 2005 containing specific recommendations to build on the strengths of existing regulations and institutional structures and fill gaps for conservation and improving the management of the coastal resources by enhancing the living and non-living resources of the coastal zone; by ensuring protection to coastal populations and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihood security of coastal populations <b><u>is strengthened;</u></b> |
| And whereas the Central Government in the Ministry of Environment and Forests after carefully considering the above report and all the recommendations made therein have decided to accept them in principle for implementation;   | The Ministry of Environment and Forests after carefully considering the above report and all the recommendations made therein have decided to accept them in principle for implementation. The Committee recommended that the existing notification may be replaced with a notification on Coastal Management Zone which inter alia includes regulatory aspects but also management of the area.  | And whereas the Central Government in the Ministry of Environment and Forests after carefully considering the above report and all the recommendations made therein have decided to accept them in principle for implementation;  | And whereas the Central Government in the Ministry of Environment and Forests after carefully considering the above report and all the recommendations made therein have decided to accept them in principle for implementation;   |
| And whereas in accordance with the above decision, the Central Government proposes to bring into fore a new framework for managing and regulating activities   | In accordance with the above decision, the Central Government has prepared a concept note for managing and regulating activities in the coastal and marine areas for  | And whereas in accordance with the above decision, the Central Government proposes to bring into force a new framework for managing and regulating activities   | And whereas in accordance with the above decision, the Central Government proposes to bring into force a new framework for managing and regulating activities  |

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| <p>in the coastal and marine areas for conserving and protecting the coastal resources and coastal environment and by ensuring protection of coastal population and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihoods of coastal populations are not unduly hampered; by replacing the Coastal Regulation Zone Notification, 1991 as amended from time to time;</p>  | <p>conserving and protecting the coastal resources and coastal environment and by ensuring protection of coastal population and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihoods of coastal populations are not unduly hampered;</p> | <p>in the coastal and marine areas for conserving and protecting the coastal resources and coastal environment; and <b>for</b> ensuring protection of coastal population and structures from risk of inundation <b><u>due to natural hazards;</u></b> and <b>for</b> ensuring that the livelihoods of coastal populations <b><u>are strengthened;</u></b> by <b><u>superseding the Coastal Regulation Zone Notification, 1991;</u></b></p>   | <p>in the coastal and marine areas for conserving and protecting the coastal resources and coastal environment; and for ensuring protection of coastal population and structures from risk of inundation due to natural hazards; and for ensuring that the livelihoods of coastal populations are strengthened; by superseding the said Coastal Regulation Zone, Notification, 1991;</p>   |
| <p>And now, therefore, the Central Government in the Ministry of Environment and Forests 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) and as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 proposes to issue a notification to be known as the Coastal Zone Management Notification, 2007, for the information of the public likely to be affected thereby and notice is hereby given that the said draft notification will be taken into consideration by the Central</p> |   | <p>And <b><u>therefore, in exercise of</u></b> 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) <b><u>read with</u></b> sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 <b><u>and in supersession of the notification published vide S.O. 114(E) dated the 19<sup>th</sup> February, 1991, except as respects things done or omitted to be done before such supersession,</u></b> the Central Government proposes to issue a notification to be known as the Coastal Zone Management Notification, 2008, for the information of the public likely to</p> | <p>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-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification published vide S.O.114(E) dated the 19<sup>th</sup> February, 1991, except as respects things done or omitted to be done before such supersession, the Central Government proposes to issue a notification to be known as the Coastal Management Zone (CMZ) Notification, 2008, for the information of the public likely to be affected thereby and notice is</p> |

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| Government on and after the expiry of sixty days from the date of publication of said notification in the Official Gazette.   |  | be affected thereby and notice is hereby given that the said draft notification will be taken into consideration by the Central Government on and after the expiry of sixty days from the date of publication of said notification in the Official Gazette. | hereby given that the said draft Notification will be taken into consideration by the Central Government on and after the expiry of sixty days from the date of publication of said notification in the Official Gazette.  |
|   |  |   | <p><b><u>* “And whereas, in addition to the above the Central Government has decided to consider the proposal for developing green field airports and to undertake expansion and modernisation of existing airports in the coastal areas, without compromising environmental considerations.”.</u></b></p> <p><b><u>Note:- * Amendment issued vide S.O.1120(E), dated 9th May, 2008 to the principal Draft Notification published in the Gazette of India vide S.O.1070(E), dated 1st May, 2008.</u></b></p> |
| Any person interested in making any objections or suggestions on the proposals contained in the draft notification may do so in writing within the period so specified through post to the Secretary, Ministry of Environment and |  | Any person interested in making any objections or suggestions on the proposals contained in the draft notification may do so in writing within the period so specified through post to the Secretary, Ministry of Environment and                           | Any person interested in making any objections or suggestions on the proposals contained in the draft Notification may do so in writing within the period so specified through post to the Secretary, Ministry of Environment and  |

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| Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi – 110003, or electronically at e-mail address: secy@menf.nic.in  |  | Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi – 110003, or electronically at e-mail address: secy@menf.nic.in  | Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi – 110003, or electronically at e-mail address: secy@menf.nic.in   |
| 1. (1) This notification shall be called the Coastal Zone Management Notification, 2007.<br>(2) This notification shall come into force from the date of its final publication in the Official Gazette.  |  | <b>DRAFT</b><br>1. (1) This notification shall be called the Coastal Zone Management Notification, 2008.<br>(2) This notification shall come into force <b>on the date</b> of its final publication in the Official Gazette.   | <b>DRAFT NOTIFICATION</b><br>1. (i) This notification may be called the Coastal Management Zone Notification, 2008.<br>(ii) It shall come into force on the date of its final publication in the Official Gazette.  |
| 2. <b>Objective:</b> The objective of this notification is protection and sustainable development of the coastal stretches and marine environment through sustainable costal zone management practices based on sound, scientific principles taking into account the vulnerability of the coast to natural hazards, sustainable livelihood for local communities, and conservation of ecologically and culturally significant coastal resources. |  | 2. <b>Objective:</b> The objective of this notification is protection and sustainable development of the coastal stretches and marine environment through sustainable costal zone management practices based on sound, scientific principles taking into account the vulnerability of the coast to natural hazards, sustainable livelihood <b>security</b> for local communities, and conservation of ecologically and culturally significant coastal resources. | 2. <b>Objective.-</b><br>The Objective of this Notification is protection and sustainable development of the coastal stretches and marine environment through sustainable coastal zone management practices based on sound scientific principles taking into account the vulnerability of the coast to natural hazards, sustainable livelihood security for local communities, and conservation of ecologically and culturally significant coastal resources. |
| 3. <b>Definitions :</b> In this notification the terms, unless the context otherwise requires, shall have the following meaning in each case:  | <b><u>No separate section on Definitions but included in the text.</u></b> | 3. <b>Definitions :</b> In this notification, unless the context otherwise requires,-  | 3. <b>Definitions.-</b> In this Notification, unless the context otherwise requires,-   |

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| <p>a) <b>‘Coastal Zone’</b> shall mean the area from the territorial waters limit (12 nautical miles measured from the appropriate baseline) including its sea bed, the adjacent land area along the coast and inland water bodies influenced by tidal action including its bed, upto the landward boundary of the local self government/local authority abutting the sea coast, provided in case of ecologically and culturally sensitive areas, the entire biological/physical boundary of the area may be included, <u><b>if necessary, for which specific notification would need to be made.</b></u></p> | <p><b>2. Jurisdiction of the CMZ as suggested in the report of the Prof. M. S. Swaminathan Committee.</b></p> <p>The jurisdiction of the CMZ shall be the area from the territorial waters limit (12 nautical miles measured from the appropriate baseline) including its sea bed, the adjacent land area along the coast, and inland water bodies influenced by tidal action including its bed, up to the landward boundary of the local self government* /local authority abutting the sea coast, provided that in case of ecologically** and culturally sensitive areas, the entire biological/physical boundary of the area may be included.</p> | <p>a) <b>‘Coastal Zone’</b> shall mean the area from the territorial waters limit (12 nautical miles measured from the appropriate baseline) including its sea bed, the adjacent land area along the coast and inland water bodies influenced by tidal action including its bed, upto the landward boundary of the local self government or local authority abutting the sea coast, provided in case of ecologically and culturally sensitive areas, the entire biological/physical boundary of the area may be included, <u><b>as specified in the provisions of the Environment Protection Act, 1986;</b></u></p> | <p>(a) <b>“Coastal Zone”</b> means the area from the territorial waters limit (12 nautical miles measured from the appropriate baseline) including its sea bed, the adjacent land area along the coast, and inland water bodies influenced by tidal action including its bed, upto the landward boundary of the local self government or local authority abutting the sea coast, provided that in case of ecologically and culturally sensitive areas, the entire biological or physical boundary of the area may be included, as specified under the provisions of Environment Protection Act, 1986;</p> |
| <p>b) <b>‘Integrated Coastal Zone Management-(ICZM)’</b> shall mean a process by which decisions are made for sustainable use, development and protection of coastal and marine areas and resources.</p>  | <p># 'Integrated Coastal Zone Management (ICZM)' shall mean a process by which decisions are made for sustainable use, development and protection of coastal and marine areas and resources.</p>   | <p>b) <b>‘Integrated Coastal Zone Management-(ICZM)’</b> shall mean a process by which decisions are made for protection of coastal population and infrastructure, protection and conservation of coastal and marine areas and resources and sustainable development.</p>   | <p>1. <i>“Integrated Coastal Zone Management (ICZM)”</i> means a process by which decisions are made for protection of coastal population and infrastructure, protection and conservation of coastal and marine areas and resources and sustainable development;</p>  |
| <p>c) <b>‘Integrated Coastal Zone Management Plan(ICZMP)’</b> is the land use plan prepared for</p>   | <p>'Integrated Coastal Zone Management Plan (ICZMP)' is the land use plan prepared for</p>   | <p>c) <b>‘Integrated Coastal Zone Management Plan(ICZMP)’</b> is the land use plan prepared for</p>   | <p>2. <i>“Integrated Coastal Zone Management Plan (ICZMP)”</i> is the land use plan or development plan</p>   |

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| implementation of the Integrated Coastal Zone Management.   | implementation of the Integrated Coastal Zone Management.   | implementation of the Integrated Coastal Zone Management.   | prepared for implementation of the Integrated Coastal Zone Management;  |
| d) <b>‘Local Self Government/Local Authority’</b> shall mean a village, panchayat, or a urban local body, or any other body or authority, by what ever name called, for the time being invested by law, for rendering essential services or, with control and management of civic services, within a specified local area abutting the sea coast. | Local Self Government/Local Authority shall mean a village Panchayat, or a urban local body or any other body or authority, by what ever name called, for the time being invested by law, for rendering essential services or, with control and management of civic services, within a specified local area abutting the sea coast. | d) <b>‘Local Self Government/Local Authority’</b> shall mean a village Panchayat, or a urban local body, or any other body or authority, by what ever name called, for the time being invested by law, for rendering essential services or, with control and management of civic services, within a specified local area abutting the sea coast <u>or inland tidal water having action.</u> | 3. “Local Self Government or Local Authority” means a village Panchayat, or a urban local body, or any other body or authority, by what ever name called, for the time being invested by law, for rendering essential services or, with control and management of civic services, within a specified local area abutting the sea coast or inland tidal water having tidal action. |
| e) <b>‘Setback Line’</b> shall mean a line demarcated along the coast, based on its vulnerability to natural hazards as per Guidelines given in this notification in Appendix-I.  | ‘Setback Line’ shall mean a line demarcated along the coast, based on its vulnerability to sea-level rise and shore line changes as per Guidelines given in this notification in Appendix -I.   | e) <b>‘Setback Line’</b> means a line demarcated along the coast, based on its vulnerability to sea level rise, flooding and shoreline changes as per Guidelines given in this notification in Appendix-I.  | 4. ‘Setback Line’ means a line demarcated along the coast, based on its vulnerability to sea-level rise, flooding and shore line changes as per Guidelines given in this notification in Appendix -I.   |
| f) <b>‘Ecologically Sensitive Areas’</b> are those areas of the coastal zone that plan an important role in maintaining the functional integrity of the coast, including acting as natural barriers to coastal hazards and/or harbouring a diverse biodiversity that provide valuable resources to local communities.                             | Ecologically Sensitive Areas are those areas of the coastal zone that play an important role in maintaining the functional integrity of the coast, including acting as natural barriers to coastal hazards and/or harbouring a diverse biodiversity that provide valuable resources to local communities.                           | f) <b>‘Ecologically Sensitive Areas’</b> are those areas of the coastal zone that plan an important role in maintaining the functional integrity of the coast, including acting as natural barriers to coastal hazards and, or harbouring a diverse biodiversity that provide valuable resources to local communities.  | 5. “Ecologically Sensitive Areas” are those areas of the coastal zone that play an important role in maintaining the functional integrity of the coast, including acting as natural barriers to coastal hazards and, or harbouring a diverse biodiversity that provide valuable resources to local communities.   |

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| <p>g) <b>‘Expert’</b> is a person with specialized knowledge in a specified field, with at least a Master’s degree from a recognized university in case of science (including social sciences, economics and management) disciplines; or a professional Bachelor’s degree from a recognized university in case of engineering, technology, medicine, or legal disciplines; or a Post-Graduate Diploma in Forestry from the Indira Gandhi National Forest Academy in case of Forestry; with at least fifteen (15) years of full-time professional experience in the specified field after award of the qualifying degree, in the event of the person concerned possessing, in addition, a higher degree from a recognized university, i.e. Ph.D or D.Sc. in case of science (including social sciences, economics, and management) disciplines; or a M.Tech/MD/LLM degree in case of engineering, technology, medicine, or legal disciplines; the period of full-time professional experience after gaining the higher degree may be ten(10) years.</p> |  | No definition | No definition |
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| h) <b>‘Professional’</b> is a person who possesses the academic qualifications as specified for experts, but does not yet possess the requisite experience.  |   | No definition   |  |
| <b>4. Categorization of the Coastal Zone:</b> For the purpose of management and regulation, the coastal zone shall be divided into four categories;<br>i) Coastal Management Zone – I (CMZ – I) shall consist of areas designated as Ecologically Sensitive Areas (ESA), which are listed generically in Appendix – II.  | <b>3. The Prof. M. S. Swaminathan committee report has suggested the following classification for the management of the coastal areas</b><br>(i) Coastal Management Zone - It shall consist of areas designated as Ecologically Sensitive Areas (ESA), which are listed generically in Appendix -II.  | <b>4. Categorization of the Coastal Zone:</b> For the purpose of management and regulation, the coastal zone shall be divided into four categories;<br>i) Coastal Management Zone – I (CMZ – I) shall consist of areas designated as Ecologically Sensitive Areas (ESA), which are listed generically in Appendix – II.   | <b>4. Categorization of the Coastal Zone.-</b> For the purposes of management and regulation, the coastal zone shall be divided into four categories, namely:-<br>1. Coastal Management Zone - I (CMZ -I) shall consist of areas designated as Ecologically Sensitive Areas (ESA), <b><u>an indicative list</u></b> is given in Appendix –II.  |
| (ii) Coastal Management Zone- II (CMZ – II) shall consist of areas, other than CMZ – I and coastal waters, identified as “Areas of Particular Concern (APC)” such as economically important areas, high population density areas, and culturally/strategically important areas. The administrative boundaries of these “Areas of Particular Concern” would be boundaries of CMZ – II. The generic list of such areas is given in Appendix – III. | (ii) Coastal Management Zone - II shall consist of areas, other than CMZ - I and coastal waters, identified as "Areas of Particular Concern (APC)" such as economically important areas, high population density areas, and-culturally/strategically important areas. The administrative boundaries of these "Areas of Particular Concern" would be boundaries of CMZ - II. The generic list of such areas is given in Appendix -III. | (ii) Coastal Management Zone- II (CMZ – II) shall consist of areas, other than CMZ – I and coastal waters, identified as “Areas of Particular Concern (APC)” such as economically important areas, high population density areas, and culturally <b><u>and or</u></b> strategically important areas. The administrative boundaries of these “Areas of Particular Concern” would be boundaries of CMZ – II. <b><u>A</u></b> generic list of such areas is given in Appendix – III. | (ii) Coastal Management Zone - II (CMZ - II) shall consist of areas, other than CMZ - I and coastal waters, identified as “Areas of Particular Concern (APC)” such as economically important areas, high population density areas, and culturally and, or strategically important areas. The administrative boundaries of these “Areas of Particular Concern” would be boundaries of CMZ - II. A generic list of such areas is given in Appendix –III. |

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| iii) Coastal Management Zone – III (CMZ – III) shall consist of all other open areas including coastal waters, that is all areas excluding those classified as CMZ – I, II and IV.  | (iii) Coastal Management Zone -III shall consist of all other open areas including coastal waters, that is all areas excluding those classified as CMZ - I, II and IV.  | (iii) Coastal Management Zone-III (CMZ-III) shall consist of all other open areas including coastal waters <b><u>and tidal influenced inland water bodies</u></b> , that is, all areas excluding those classified as CMZ-I, II and IV.  | (iii) Coastal Management Zone -III (CMZ - III) shall consist of all other open areas including coastal waters <b><u>and tidal influenced inland water bodies</u></b> , that is, all areas excluding those classified as CMZ - I, II and IV.   |
| iv) Coastal Management Zone – IV (CMZ – IV) shall consist of inlands territories of Andaman and Nicobar, Lakshadweep, and other offshore islands.   | (iv) Coastal Management Zone -IV shall consist of Islands territories of Andaman and Nicobar, Lakshadweep, and other offshore islands.  | iv) a) Coastal Management Zone – IV (CMZ – IV) shall consist of inlands territories of Andaman and Nicobar, Lakshadweep, and other offshore islands.  | (iv) (a) Coastal Management Zone - IV (CMZ - IV) shall consist of island territories of Andaman and Nicobar, Lakshadweep, and other offshore islands.   |
| i) In respect of the islands in coastal backwaters areas which are not included in CMZ – I or CMZ – II, such areas may be included in CMA – IV at the option of the Local Authority; otherwise they would be included in CMA – III. Once exercised, the option of the Local Authority would not be subject to change. | (v) In respect of coastal backwaters areas which are not included in CMZ - I or CMZ - II, such areas may be included in CMZ - IV at the option of the Local Authority; otherwise they would be included in CMZ - III. Once exercised, the option of the Local Authority would not be subject to change. | <b><u>iv) b)</u></b> In respect of the islands in coastal backwaters areas which are not included in CMZ – I or CMZ – II, such areas may be included in CMA – IV at the option of the Local Authority; otherwise they would be included in CMA – III. Once exercised, the option of the Local Authority would not be subject to change. | <b><u>1.</u></b> In respect of the islands in coastal backwaters areas which are not included in CMZ - I or CMZ - II, such areas may be included in CMZ - IV at the option of the Local Authority; otherwise they would be included in CMZ - III. Once exercised, the option of the Local Authority would not be subject to change. |
| <b>4 (i) National Board for Sustainable Coastal Zone Management</b>   | <b>4. For the implementing of the CMZ including addressing the policy and planning issues the Prof. M. S. Swaminathan</b>   | <b><u>5. i)</u> National Board for Sustainable Coastal Zone Management</b><br>This Board consisting of not more   | <b>5. (i) National Board for Sustainable Coastal Zone Management.-</b><br>This Board consisting of not more   |

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| <p>This Board consisting of not more than 31 Members shall have the mandate to provide policy advice to the Central Government on matters relating to coastal zone management. The composition of the Board shall be as given in Appendix – IV. The term of the non-official members of the Board shall be three (3) years, <b><u>and may not be renewed.</u></b></p>   | <p><b>Committee report has suggested the following:</b></p> <p>(a) National Board for Sustainable Coastal Zone Management<br/>This Board shall have the mandate to provide policy advice to the Central Government on matters relating to coastal zone management, but shall not undertake regulatory functions. The composition of the Board shall be as given in Appendix - IV.</p> | <p>than <b><u>32</u></b> members shall have the mandate to provide policy advice to the Central Government on matters relating to coastal zone management <b><u>but shall not undertake regulatory functions.</u></b> The composition of the Board shall be as given in Appendix – IV. The term of the non-official members of the Board <b><u>shall be three years only.</u></b></p> | <p>than <b>thirty two</b> Members shall have the mandate to provide policy advice to the Central Government on matters relating to coastal zone management, but shall not undertake regulatory functions. The composition of the Board shall be as given in Appendix – IV. The term of the non-official members of the Board <b>shall be three years only.</b></p> |
| <p><b>4 (ii) State/UT Coastal Zone Management Authorities</b></p> <p>The <b><u>State/UT Environmental Appraisal Authorities set up under the provisions of the EIA Notification</u></b> dated 14.09.2006, under the Environment (Protection) Act, 1986 shall also be the State/UT Coastal Zone Management Authorities. They shall have the mandate to undertake all regulatory functions at the State/UT level under this notification. These Authorities will, in respect of matters to be considered by the Authority, invariably obtain the scientific advice of the State/UT Environmental Expert</p> | <p>(b) State/UT Coastal Zone Management Authorities</p> <p><b><u>Existing State/UT Coastal Zone Management Authorities set up under the provisions of the Environment (Protection) Act, 1986, for the purpose of monitoring and enforcing the Coastal Regulation Zone 1991, will be retained and strengthened.</u></b></p>  | <p><b>5 ii) National and State or UT Coastal Zone Management Authorities</b></p> <p><b><u>The National and State or Coastal Zone Management Authorities set up under the Environment Protection Act, 1986, shall be the Coastal Zone Management Authorities</u></b></p>   | <p>(ii) National and State or UT Coastal Zone Management Authorities</p> <p>The National and State or Union territory Coastal Zone Management Authorities set up under the Environment (Protection) Act, 1986, shall be the Coastal Zone Management Authorities.</p>   |

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| <p>Committees, also set up under the provisions of the EIA Notification dated 14.09.2006, referred to above. The Chairpersons of the State/UT Environmental Expert Committees may co-opt experts from other relevant disciplines, as necessary in particular cases.</p>   |   |   |  |
| <p><b>5. Management Methodology:</b> The management methodology and approach for the Coastal Management Zone shall be as follows:</p>   | <p><b>5. Methodology:</b> The management methodology and approach for the Coastal Management Zone recommended by the Committee is as follows:</p>   | <p><b>6. Management Methodology:</b> The management methodology and approach for the Coastal Management Zone shall be as follows:</p>   | <p><b>6. Management Methodology.-</b> The management methodology and approach for the Coastal Management Zone shall be as follows:</p>   |
| <p><b>(I) Notification of the Setback Line:</b> The Setback Line, for the entire coast, excluding CMZ – IV areas, will be notified in one or more stretches at a time in a map on cadastral scale by the Central Government <u>in the Ministry of Environment and Forests.</u> For this purpose, the Central Government may issue detailed technical Guidelines, based on the approach set forth in Appendix – I. The notification shall be based on the delineation to be carried out by a competent and established scientific institution specializing in earth surveys and mapping, among a set of such</p> | <p>(i) Setback Line: <u>In place of present uniform distance regulation along the coast a setback line based on the vulnerability of coast to natural hazards is suggested.</u> The Setback Line, for the entire coast, excluding CMZ - IV areas, will be notified in one or more stretches at a time in a map on cadastral scale by the Central Government in the Ministry of Environment and Forests. For this purpose, the Central Government may issue detailed technical Guidelines, based on the approach set forth in Appendix - I. The delineation to be carried out by a</p> | <p><b>(I) Notification of the Setback Line:</b> The Setback Line, for the entire coast, excluding CMZ –I and CMZ – IV areas, will be notified in one or more stretches at a time in a map on cadastral scale by the <u>Central Government.</u> For this purpose, the Central Government may issue detailed technical guidelines, based on the approach set forth in Appendix – I. The notification shall be based on the delineation to be carried out by a competent and established scientific institution specializing in earth surveys and mapping, among a set of such institutions to be notified by <u>the</u></p> | <p><b>1. Notification of the Setback Line:</b> The Setback Line, for the entire coast, excluding CMZ-I and CMZ - IV areas, will be notified in one or more stretches at a time in a map on cadastral scale by the Central Government. For this purpose, the Central Government shall issue detailed technical guidelines, based on the approach set forth in Appendix - I. The notification shall be based on the delineation to be carried out by the competent and established scientific institutions specializing in earth surveys and mapping, among a set of such institutions to be notified by the Central</p> |

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| institutions to be notified by the Central Government <b><u>in the Ministry of Environment and Forests.</u></b>   | competent and established scientific institution specializing in earth surveys and mapping, among a set of such institutions to be identified by the Central Government in the <b><u>Ministry of Environment and Forests.</u></b>   | <b><u>Central Government. Till the Setback Line in respect of area under each local authority as per these technical guidelines is notified by the Central Government the provisions of the Coastal Regulation Zone Notification, 1991 shall prevail.</u></b>   | Government. Till the Setback Line in respect of area under each local authority as per these technical guidelines is notified by the Central Government the provisions of the Coastal Regulation Zone Notification, 1991 shall prevail.  |
| <b>(II) Coastal Management Zone - I</b><br>The ecologically sensitive areas as per generic list given in Appendix – II shall be identified within the coastal zone by the Central Government <b><u>in the Ministry of Environment and Forests</u></b> jointly with the concerned State Government/Union Territory Administration, with the technical assistance provided by one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government. All activities in CMZ – I areas shall be regulated by the State/UT Coastal Zone Management Authority concerned on the basis of an Integrated Coastal Zone Management Plan (ICZMP) to be prepared by the State/UT Administration with the | <b>(ii) Coastal Management Zone - I</b><br><ul style="list-style-type: none"> <li>The ecologically sensitive areas as per generic list given in Appendix - II shall be identified within the coastal zone by the Central Government <b><u>in the Ministry of Environment and Forests</u></b> jointly with the concerned State Government/Union Territory Administration.</li> <li>All activities in CMZ - I areas shall be regulated by the <b><u>State/UT Coastal Zone Management Authority</u></b> concerned on the basis of an Integrated Coastal Zone Management Plan (ICZMP) to be prepared by the State/UT Administration and notified by the Central Government. The ICZMPs would be endorsed by the State/UT Environmental Appraisal Authority concerned. The ICZMPs would thereafter be forwarded for </li></ul> | <b>(II) Coastal Management Zone - I</b><br>The ecologically sensitive areas as per generic list given in Appendix – II shall be identified within the coastal zone by the <b><u>Central Government</u></b> jointly with the concerned State Government/Union Territory Administration, with the technical assistance <b><u>provided by the National Institute for Sustainable Coastal Zone Management or</u></b> one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government. All activities in CMZ – I areas shall be regulated by the State/UT Coastal Zone Management Authority concerned on the basis of an Integrated Coastal Zone Management Plan | <b>(ii) Coastal Management Zone - I :</b><br>The ecologically sensitive areas as per generic list given in Appendix - II shall be identified within the coastal zone by the Central Government jointly with the concerned State Government or Union territory Administration, with the technical assistance provided by the National Institute for Sustainable Coastal Zone Management or one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government. All activities in CMZ - I areas shall be regulated by the State or Union territory Coastal Zone Management Authority concerned on the basis of an Integrated Coastal Zone Management Plan (ICZMP) to be prepared by the concerned |

help of one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government. **The ICZMPs would be endorsed by the State/UT Environmental Appraisal Authority concerned. The ICZMPs would thereafter be forwarded for review by the Central Government in the Ministry of Environment and Forests and given approval ( or rejected) within 60 days of receipt. It would thereafter be notified by the State/UT Administration in terms of the approval given by the Central Government. In the event of the 60 days time limit expiring without decision by Central Government, the State/UT Administration may notify the ICZMP as submitted to the Central Government after endorsement by the State/UT Environmental Appraisal Authority concerned.** The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas

review by the Central Government in the Ministry of Environment and Forests and given approval. It would thereafter be notified by the State/UT Administration in terms of the approval given by the Central Government.

- The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas.
- The implementation of the ICZMP by the State Government/UT Administration shall be monitored by the concerned **Coastal Zone Management Authority.**

(ICZMP) to be prepared by the State/UT Administration with the help of **National Institute for Sustainable Coastal Zone Management or** one or more competent and established scientific research institutions specializing in coastal resources management, **and notified by the Central Government and notified under the Environment (Protection) Act, 1986. The Integrated Coastal Zone Management Plans prepared for CMZ –I areas would be endorsed by the Central Government.** The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas keeping **in view the safety and livelihoods needs of the local communities and essential development. There shall be no restrictions in the fishing and fisheries related activities of the local communities living in the area.** The implementation of the ICZMP by the State Government or UT Administration shall be monitored **by the concerned State or Union territory Coastal**

State or Union territory Administration with the help of National Institute of Sustainable Coastal Zone Management or one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government and notified under Environment (Protection) Act, 1986. The Integrated Coastal Zone Management Plans prepared for CMZ-I areas would be endorsed by the Central Government. The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas keeping in view the safety and livelihood needs of the local communities and essential development. There shall be no restriction in the fishing and fisheries related activities of local communities living in the area. The implementation of the ICZMPs by the State Government or Union territory Administration shall be monitored by the concerned State or Union territory Coastal Zone Management Authority and by the National Coastal Zone

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| <p>keeping in mind <u>technical feasibility and costs, and otherwise consistent with the provision of the National Environment Policy, 2006</u>. The implementation of the ICZMP by the State Government/UT Administration shall be monitored by the concerned <u>District Magistrates</u>.</p>                    |  | <p><u>Zone Management Authority and by the National Coastal Zone Management Authority.</u></p>  | <p>Management Authority.<br/>* <u>Provided that the projects pertaining to the development of green field airports and expansion and modernisation of existing airports shall be undertaken on case to case basis based on detailed scientific study incorporating adequate environmental safeguard measures required for neutralising damage to the coastal environment.”.</u></p> |
| <p><b>(III) Coastal Management Zone – II</b></p> <p>The Local Authority concerned, may, at its option, adhere to one or the other of the following approaches to coastal protection. Once such option is exercised, it would not be subject to change:</p>   | <p><b>(iii) Coastal Management Zone - II</b></p> <p>With regard to items (a) and (b) of the Appendix II, the Local Authority concerned, may, at its option, adhere to one or the other of the following approaches to coastal protection. Once such option is exercised, it would not be subject to change:</p>            | <p><b>(III) Coastal Management Zone – II</b></p> <p><u>(No options are provided)</u></p>  | <p><b>(iii) Coastal Management Zone – II:</b></p>   |
| <p><b>Option A: Areas not covered by Coastal Protection Structures:</b> Except for activities which require shoreline access, <u>listed in Appendix – V</u>, all new physical and social infrastructure, and habitations, are to be located beyond the Setback Line on the landward side. In case of expansion</p> | <p><b>Option A: Areas Not Covered by Coastal Protection Structures:</b> Except for activities which require shoreline access, <u>all new physical and social infrastructure</u>, and habitations, are to be located beyond the Setback Line on the landward side. In case of expansion of existing physical and social</p> | <p><u>In the administrative boundaries of areas of the Coastal Municipalities or Corporation and coastal Panchayat with population density of more than 400 persons per sq km , activities shall be regulated based on an Integrated Coastal Zone Management Plan</u></p> | <p>In the administrative boundaries of areas of the Coastal Municipalities or Corporation and coastal Panchayat with population density of more than 400 persons per sq. km, activities shall be regulated based on an Integrated Coastal Zone Management Plan approved by the Central Government. The</p>  |

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| <p>of existing physical and social infrastructure located on the seaward side of the Setback Line, the entire infrastructure would be relocated to beyond the Setback Line on the landward side.</p> <p>In the case of habitations located on the seaward side of the Setback Line, no increase in covered area would be permissible. However, modernization, repairs, and reconstruction of existing habitations on the seaward side of the Setback Line, without increase in covered area may be undertaken with prior approval as necessary under the Local Authority Laws and Regulations.</p> <p>On the landward side of the Setback Line, in respect of new and existing physical and social infrastructure, and habitations, there would be no additional restrictions under this notification, on construction, modernization, or expansion, beyond those under the Laws and Regulations of the Local Authority.</p> | <p>infrastructure located on the seaward side of the Setback Line, the entire infrastructure would be relocated to beyond the Setback Line on the landward side <b><u>and the constructions carried out as per local Town and country plans.</u></b></p> | <p><b><u>approved by the Central Government. The activities proposed on the seaward side of the setback line in the above administrative boundaries shall be regulated to ensure that no further development takes place other foreshore requiring facilities and basic infrastructure.</u></b></p> <p><b><u>The development on the landward side of the setback shall be as per the local town and country planning rules as existed at the time of this notification. The Integrated Coastal Zone Management Plan prepared for the above areas shall take into account the guidelines laid down in Appendix V.</u></b></p> <p><b><u>With regard to economically and culturally important areas, as identified by the concerned State of Union territory Governments, the activities shall be regulated as per the Integrated Coastal Zone Management Plan prepared. The Integrated Coastal Zone Management Plan will be</u></b></p> | <p>activities proposed on the seaward side of the setback line in the above administrative boundaries shall be regulated to ensure that no further development takes place other than foreshore requiring facilities and basic infrastructure.</p> <p>The development on the landward side of the setback line shall be as per the local town and country planning rules as existed <b><u>on the day</u></b> of this notification. The Integrated Coastal Zone Management Plan prepared for the above areas shall take into account the guidelines laid down in Appendix-V.</p> <p>With regard to economically and culturally important areas as identified by the concerned State or Union territory Governments, the activities shall be regulated as per Integrated Coastal Zone Management Plan prepared. The Integrated Coastal Zone Management Plan will be implemented by the concerned State or Union territory Governments after the plans are approved by the Central Government.</p> |
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|   |  | <p><u>implemented by the concerned State or Union Territory Governments after the plans are approved by the Central Government.</u></p> <p><u>In case of strategically important areas, the Ministry of Defence would prepare an Integrated Coastal Zone Management Plan and submit to the Ministry of Environment and Forests. Such plans would be accorded clearance by a special committee constituted by the Central Government.</u></p> | <p><u>With regard to</u> strategically important areas, the Ministry of Defence would prepare an Integrated Coastal Zone Management Plan and submit to the Ministry of Environment and Forests. Such plans would be accorded clearance by a Special Committee constituted by the Central Government.</p> |
| <p><b>Option B: Areas covered by Coastal Protection Structures:</b><br/>One or more coastal protection structures which provide at least the same measure of protection from coastal hazards as the Setback Line may be constructed by the Local Authority. The detailed engineering design of these structures, together with the delineation of the areas to be provided protection thereby, would be reviewed and endorsed by the State/UT Coastal Management Authority, and submitted thereafter through the State/UT Administration to the Central</p> | <p><b>Option B: Areas Covered by Coastal Protection Structures:</b><br/>One or more coastal protection structures which provide at least the same measure of protection from coastal hazards as the Setback Line. Upon confirmation as above that the coastal protection structures have been satisfactorily completed, all physical and social infrastructures, and habitations, in the areas afforded protection by these structures, be subject to the normal Local Authority Laws and Regulations, and all other Laws and Regulations in force. There are no new restrictions under this</p> | Removed  | Removed  |

Government in the Ministry of Environment and Forests for approval. Such approval or rejection is to be conveyed by the Central Government within sixty (60) days of receipt from the State/UT Administration, failing which the State/UT Administration may convey approval of the detailed engineering design to the Local Authority concerned. Upon completion of construction the State/UT Administration would cause the structures to be inspected by a competent technical authority, and submit the same to the Central Government in the Ministry of Environment and Forests for confirmation that the work has been satisfactorily completed as per approved detailed engineering design. The Central Government, within sixty(60) days of receipt of the technical inspection report from the State/UT Administration, after conducting any further technical inspections as in its opinion may be necessary, confirm or reject the same; if the latter, with detailed technical reasons, to the concerned State/ UT Administration. In the event that

Notification with respect to such areas as are provided protection by the coastal structures.

The coastal protection works shall be taken up only on the landward side of ecological sensitive areas as listed in Annexure I.

With regard to items (c) to (k) of the appendix-III the concerned agencies shall prepare the ICZMP and forward the ICZMPs through the state CZMA to MoEF for approval.

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| <p>the Central Government does not confirm or reject the technical inspection report of the State/ UT Administration within the specified period of sixty (60) days, the State/ UT Administration would confirm satisfactory completion of the structures to the Local Authority concerned.</p> <p>Upon confirmation as above that the coastal protection structures have been satisfactorily completed, all physical and social infrastructures, and habitations, in the areas afforded protection by these structures, be subject to the normal Local Authority Laws and Regulations, and all other Laws and Regulations in force. There are no new restrictions under this notification with respect to such areas as are provided protection by the coastal structures.</p> |  |   |  |
| <p><b>(IV) Coastal Management Zone - III</b></p> <p>Except for activities which require shoreline access, listed in Appendix V, all new physical and social infrastructure, and habitations are to be located beyond the Setback</p>  |  | <p><b>III) (Also numbered as III) Coastal Management Zone III</b></p> <p>The activities that may be permitted or prohibited on the seaward side of the setback line and agencies responsible are given in Appendix – VI. The existing</p> | <p><b>(iii) (Also numbered as III) Coastal Management Zone - III:</b></p> <p>The activities that may be permitted or prohibited on the seaward side of the setback line and agencies responsible are given in Appendix-VI. The existing dwelling</p> |

Line on the landward side. In case of expansion (but not maintenance or repairs) of existing physical and social infrastructure located on the seaward side of the Setback Line, the entire infrastructure would be relocated to beyond the Setback Line on the landward side. In the case of habitations located on the seaward side of the Setback Line, no increase in covered area would be permissible. However, modernization, repairs, and reconstruction of existing habitations on the seaward side of the Setback Line, without increase in covered area may be undertaken with prior approval as necessary under the Local Authority Laws and Regulations. On the landward side of the Setback Line, in respect of new and existing physical and social infrastructure, and habitations, there would be no additional restrictions on construction, modernization, or expansion, beyond those under the Laws and Regulations of the Local Authority and other Laws and Regulations in force.

dwelling units or other infrastructure existing on the seaward side of the setback line shall not be disturbed / relocated. No activities related to fishing by traditional communities shall be disturbed.

units and other infrastructure existing on the seaward side of the setback line shall not be disturbed/relocated. No activities relating to fishing by traditional communities shall be disturbed.

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| <p><b>(V) Coastal Management Zone – IV</b></p> <p>All activities will conform to the approved ICZMPs, which fact will be determined in each case by the concerned State/ UT Coastal Zone Management Authority.</p>   |   | <p><b>IV) Coastal Management Zone – IV</b></p> <p>All activities will conform to the approved Integrated Coastal Zone Management Plans, which <b><u>shall be</u></b> determined in each case by the concerned State/ UT Coastal Zone Management Authority. While preparing the Coastal Zone Management Plans it shall be ensured that no developments are permitted in the corals, mangroves, breeding and spawning of endangered species other than those minimal essential activities required for local communities.</p> | <p><b>(iv) Coastal Management Zone – IV:</b></p> <p>All activities shall conform to the approved Integrated Coastal Zone Management Plans, which shall be determined in each case by the concerned State or Union territory Coastal Zone Management Authority. While, preparing the Integrated Coastal Zone Management Plans it shall be ensured that no developments are permitted in the corals, mangroves, breeding and spawning of endangered species other than those minimum essential activities required for local communities.</p> |
| <p><b>6. Operation of the CRZ Notification 1991</b><br/>The Coastal Regulation Zone Notification, 1991 shall cease to operate within:</p> <p>(a) A CMZ – I area, from the date of notification of the concerned ICZMP.</p> <p>(b) A CMZ – II area, from the date of notification of the Setback Line, <b><u>or satisfactory completion of coastal protection structures, the</u></b></p> | <p><b><u>No mention of the CRZ Notification's operation</u></b></p> | <p><b>7. Operation of the CRZ Notification 1991</b><br/>The Coastal Regulation Zone Notification, 1991 shall cease to operate within:</p> <p>(a) A CMZ – I area, from the date of notification of the concerned ICZMP.</p> <p>(b) A CMZ – II area, from the date of notification of the Setback Line <b><u>and approval of ICZMP.</u></b></p> <p>(c) A CMZ – III area, from the date of notification of the Setback</p>   | <p><b>7. Operation of the Coastal Regulation Zone Notification 1991.-</b><br/>The Coastal Regulation Zone Notification, 1991 shall cease to operate within:</p> <p>(a) CMZ - I area, from the date of Notification of the concerned Integrated Coastal Zone Management Plan.</p> <p>(b) CMZ - II area, from the date of Notification of the Setback Line and approval of Integrated Coastal Zone Management Plan.</p>   |

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| <p><b><u>latter in respect of areas provided protection by such structures.</u></b></p> <p>(c) A CMZ – III area, from the date of notification of the Setback Line.</p> <p>(d) A CMZ – IV area, from the date of notification of the concerned ICZMP.</p> <p><b><u>(e) The approved Integrated Coastal Zone Management Plan shall be reviewed by Ministry of Environment and Forests, based on the request made by the concerned Union Territory/State Government.</u></b></p> |  | <p>Line.</p> <p>(d) A CMZ – IV area, from the date of notification of the concerned ICZMP.</p>   | <p>(c) CMZ - III area, from the date of Notification of the Setback Line.</p> <p>(d) CMZ - IV area, from the date of Notification of the concerned ICZMP.</p>  |
| (F.No.11-83/2005-IA.III)   |  | S.O. 1070(E) F.No.11-83/2005-IA-III  | {F. No. 11-83/2005-IA.III}   |
| <b>Signed by</b> (J. M. Mauskar), Joint Secretary  | <b><u>Circulated in the November 2007 meeting in Mumbai</u></b>  | Signed by Dr. Nalini Bhat, Scientist 'G'   | Signed by Dr. Nalini Bhat, Scientist 'G'   |
| Appendix –I<br>SETBACK LINE  | Appendix-I<br>SETBACK LINE   | Appendix-I<br>SETBACK LINE   | Appendix-I<br>SETBACK LINE   |
| The Setback Lines in the coastal management zones categorized as CMZ – I, II and III will be based on vulnerability of the coast to natural and manmade hazards. This procedure is followed in many countries where the coast has been mapped for vulnerability to coastal   | The Setback Lines in the coastal management zones categorized as CMZ - I, II and III will be based on vulnerability of the coast to natural and manmade hazards. This procedure is followed in many countries where the coast has been mapped for vulnerability to coastal | The Setback Lines in the coastal management zones categorised as CMZ-I, II and III will be based on vulnerability of the coast to natural and manmade hazards. This procedure is followed in many countries where the coast has been mapped for vulnerability to coastal | The Setback Lines in the coastal management zones categorised as CMZ – I, II and III will be based on vulnerability of the coast to natural and manmade hazards. This procedure is followed in many countries where the coast has been mapped for vulnerability to coastal |

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| <p>hazards.</p> <p>For the purpose of mapping the vulnerability of the coast, <b><u>six parameters</u></b> are taken into account: elevation, geomorphology, sea level trends, horizontal shoreline displacement (erosion/accretion), <b><u>tidal ranges, and wave heights.</u></b> A brief on each of the parameters which are to be considered for drawing up the Setback Line are given below:</p>   | <p>hazards.</p> <p>For the purpose of mapping the vulnerability of the coast <b><u>four parameters</u></b> are taken into account: elevation, geomorphology, sea level trends, and horizontal shoreline displacement (erosion/accretion). A brief on each of the parameters which are to be considered for drawing up the Setback Line are given below:</p>   | <p>hazards.</p> <p>For the purpose of mapping the vulnerability of the coast <b><u>four parameters</u></b> are taken into account; elevation, geomorphology, sea level trends, and horizontal shoreline displacement (erosion or accretion). A brief on each of the parameters which are to be considered for drawing up the Setback Line are given below:</p>   | <p>hazards.</p> <p>For the purpose of mapping the vulnerability of the coast four parameters are taken into account: elevation, geomorphology, sea level trends, and horizontal shoreline displacement (erosion or accretion). A brief on each of the parameters which are to be considered for drawing up the Setback Line are given below:</p>   |
| <p>(i) Elevation: The elevation data shall be obtained from the available coastal toposheets and satellite data surveys.</p> <p>(ii) Geomorphology: The land forms will be identified on the maps based on the available toposheet and remote sensing data. Bathymetry to be derived from Naval Hydrographic Charts on location specific surveys.</p> <p>(iii) Sea Level trends: The sea level trend data shall be based on primary data <b><u>published by Survey of India. The median estimate of mean sea level rise in the next one hundred (100) years in terms of the Fourth Assessment Report of the Inter-Governmental Panel on Climate</u></b></p> | <p>(i) Elevation: The elevation data shall be obtained from the available coastal toposheets and satellite data surveys.</p> <p>(ii) Geomorphology: The landforms will be identified on the maps based on the available toposheet and remote sensing data. Bathymetry to be derived from naval Hydrographic Charts on location specific surveys</p> <p>(iii) Sea level trends: The sea level trend data shall be based on primary data published by Survey of India. The median estimate of mean sea level rise in the next one hundred (100) years in terms of the Fourth Assessment Report of the Inter-Governmental Panel on Climate Change (IPCC) shall be taken into</p> | <p>(i) Elevation: The elevation data shall be obtained from the available coastal toposheets and satellite data surveys <b><u>with contour intervals of 0.5 and 1 meter.</u></b></p> <p>(ii) Geomorphology: The land forms will be identified on the maps based on the available toposheet and remote sensing data. Bathymetry to be derived from naval Hydrographic Charts on location specific surveys</p> <p>(iii) Sea level trends: The sea level trend data <b><u>shall be based on the reports of the United Nations Inter-Governmental Panel on Climate Change (IPCC).</u></b></p> <p>(iv) Horizontal shoreline displacement: The erosion or accretion data of horizontal</p> | <p>(i) Elevation: The elevation data shall be obtained from the available coastal toposheets and satellite data surveys with contour intervals of 0.5 and 1 meter.</p> <p>(ii) Geomorphology: The land forms will be identified on the maps based on the available toposheet and remote sensing data. Bathymetry to be derived from naval Hydrographic Charts on location specific surveys</p> <p>(iii) Sea level trends: The sea level trend data shall be based on the reports of the United Nations Inter-Governmental Panel on Climate Change (IPCC).</p> <p>(iv) Horizontal shoreline displacement: The erosion or accretion data of horizontal</p> |

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| <p><b><u>Change (IPCC) shall be taken into account.</u></b></p> <p>(iv) Horizontal Shoreline displacement: The erosion/accretion data of horizontal shoreline displacement shall be obtained from long term information derived from Survey of India Topographic maps (1967) and the latest satellite data. Horizontal shoreline displacement will be estimated (median estimate) over the next 100 years.</p> <p><b><u>(v) Tidal Ranges: Tide tables published by the Survey of India.</u></b></p> <p><b><u>(vi) Wave heights: Wave heights obtained from ship observations published by National Institute of Oceanography or other locally available measured data.</u></b></p> | <p>account.</p> <p>(iv) Horizontal shoreline displacement: The erosion/accretion data of horizontal shoreline displacement shall be obtained from long term information derived from Survey of India Topographic maps (1967) and the latest satellite data. Horizontal shoreline displacement will be estimated (median estimate) over the next 100 years.</p> | <p>shoreline displacement shall be obtained from long term information derived from Survey of India Topographic maps (1967) and the latest satellite data. Horizontal shoreline displacement shall be estimated (median estimate) over the next 100 years.</p> | <p>shoreline displacement shall be obtained from long term information derived from Survey of India Topographic maps (1967) and the latest satellite data. Horizontal shoreline displacement shall be estimated (median estimate) over the next 100 years.</p> |
| <p><b><u>The level of protection to be provided by the Setback Line will correspond to protection from coastal hazards with a one percent (1 %) probability of occurrence in any given year, after accounting for the median estimates of mean sea level rise and horizontal shoreline</u></b></p>   | <p>The level of protection to be provided by the Setback Line will correspond to protection from coastal hazards as per the median estimates of mean sea level rise and horizontal shoreline displacement in the next one hundred (100) years from the coming into force of this Notification.</p>   | <p>Further detailed Technical Guidelines for delineation of the Setback Line may be provided by the Central Government in the Ministry of Environment and Forests.</p> <p><b><u>The setback line shall be demarcated based on the above</u></b></p>            | <p>Further detailed Technical Guidelines for delineation of the Setback Line may be provided by the Central Government in the Ministry of Environment and Forests.</p> <p>The setback line shall be demarcated based on the above</p>                          |

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| <p><b><u>displacement in the next one hundred (100) years.</u></b></p> <p>Further detailed Technical Guidelines for delineation of the Setback Line may be provided by the Central Government in the Ministry of Environment &amp; Forests.</p>   | <p>Further detailed Technical Guidelines for delineation of the Setback Line may be provided by the Central Government in the Ministry of Environment &amp; Forests.</p>   | <p><b><u>parameters using the guidelines as approved by the Ministry for CMZ-II and III areas on cadastral scale by NISCM or any other agency authorised by the Ministry within a period of two years from the date of issue of this notification.</u></b></p>  | <p>parameters using the guidelines as approved by the Ministry for CMZ-II and III areas on cadastral scale by NISCM or any other agency authorised by the Ministry within a period of two years from the date of issue of this notification.</p>   |
| <p>Appendix – II<br/>CMZ – I : GENERIC LIST OF ECOLOGICALLY SENSITIVE AREAS (ESA)</p> <ul style="list-style-type: none"> <li>(i) Mangroves</li> <li>(ii) Coral reefs</li> <li>(iii) Sand Beaches and Sand Dunes</li> <li><b><u>(iv) Inland tidal water bodies, i.e. estuaries, lakes, lagoons, creeks.</u></b></li> <li>(v) Mudflats</li> <li>(vi) Marine Wildlife protected areas under the Wild Life (Protection) Act.</li> <li><b><u>(vii) Coastal fresh water lakes</u></b></li> <li>(viii) Salt Marshes</li> <li>(ix) Turtle nesting grounds</li> <li>(x) Horseshoe crabs habitats</li> <li>(xi) Seagrass beds</li> <li>(xii) Sea weed beds</li> <li>(xiii) Nesting grounds of <b><u>migratory birds.</u></b></li> </ul> | <p>Appendix II<br/>CMZ – GENERIC LIST OF ECOLOGICALLY SENSITIVE AREAS (ESA)</p> <ul style="list-style-type: none"> <li>a. Mangroves</li> <li>b. Coral reefs</li> <li>c. Sand Beaches and Sand Dunes</li> <li><b><u>d. Inland tidal water bodies, i.e. Estuaries, lakes lagoons, creeks</u></b></li> <li>e. Mudflats</li> <li>f. Marine wildlife protected areas under the Wildlife (Conservation) Act</li> <li>g. Coastal fresh water lakes</li> <li>h. Salt Marshes</li> <li>i. Turtle nesting grounds</li> <li>j. Horse shoe crabs habitats</li> <li>k. Sea grass beds</li> <li>l. Sea weed beds</li> <li>m. Nesting grounds of migratory birds</li> </ul> | <p>Appendix-II<br/>CMZ-I: INDICATIVE LIST OF ECOLOGICALLY SENSITIVE AREAS (ESA)</p> <ul style="list-style-type: none"> <li>(i) Mangroves</li> <li>(ii) Coral reefs</li> <li>(iii) Sand Beaches and Sand Dunes</li> <li>(iv) Mudflats</li> <li>(v) Marine wildlife protected areas under the Wildlife (Protection) Act, 1972</li> <li><b><u>(vi) Coastal freshwater bodies such as creeks, lakes etc</u></b></li> <li>(vii) Salt Marshes</li> <li>(viii) Turtle nesting grounds</li> <li>(ix) Horse shoe crabs habitats</li> <li>(x) Sea grass beds</li> <li>(xi) Sea weed beds</li> <li><b><u>(xii) Nesting grounds of birds</u></b></li> </ul> | <p>Appendix-II<br/>CMZ - I: INDICATIVE LIST OF ECOLOGICALLY SENSITIVE AREAS (ESA)</p> <ul style="list-style-type: none"> <li>1. Mangroves</li> <li>2. Coral reefs</li> <li>3. Sand Beaches and Sand Dunes</li> <li>4. Mudflats</li> <li>5. Marine wildlife protected areas under the Wildlife (Protection) Act, 1972</li> <li>6. Coastal freshwater bodies such as creeks, lakes etc</li> <li>7. Salt Marshes</li> <li>8. Turtle nesting grounds</li> <li>9. Horse shoe crabs habitats</li> <li>10. Sea grass beds</li> <li>11. Sea weed beds</li> <li>12. Nesting grounds of birds</li> </ul> |

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| <p>Appendix – III<br/>CMZ – II : LIST OF AREAS OF PARTICULAR CONCERN</p> <p>a) Coastal Municipalities/Corporations (the entire notified area)<br/>b) Coastal Panchayats with population density more than 400 persons per sq km. (the entire notified area) as per the latest Census of India.<br/>c) Ports and Harbours.<br/>d) Notified Tourism Areas<br/>e) Mining sites<br/>f) Notified Industrial Estates<br/>g) <b><u>Special Economic Zones</u></b><br/>h) Heritage areas<br/>i) Notified Archaeological sites under the Protected Monuments Act.<br/>j) Defence areas/installations<br/>k) Power Plants</p> | <p>Appendix III<br/>CMZ – II : LIST OF AREAS OF PARTICULAR CONCERN</p> <p>a. Coastal Municipalities/Corporations (the entire notified area)<br/>b. Coastal Panchayats with population density more than 400 persons per sqkm (the entire notified area) as per the latest Census of India.<br/>c. Ports and Harbours<br/>d. Notified Tourism Areas<br/>e. Mining sites<br/>f. Notified Industrial Estates<br/>g. Special Economic Zones<br/>h. Heritage areas<br/>i. Notified Archeological sites under the Protected Monuments Act<br/>j. Defense areas/installations<br/>k. <b><u>Nuclear</u></b> Power Plants</p> | <p>Appendix- III<br/>CMZ-II: THE <b><u>INDICATIVE</u></b> LIST OF AREAS OF PARTICULAR CONCERN</p> <p>a) Coastal Municipalities/Corporations (the entire notified area)<br/>b) Coastal Panchayats with population density more than 400 persons per sq km (the entire notified area) as per the latest Census of India.<br/>c) Ports and Harbours<br/>d) Notified Tourism Areas<br/>e) Mining sites<br/>f) Notified Industrial Estates<br/>g) <b><u>Foreshore facilities for Special Economic Zones</u></b><br/>h) Heritage areas<br/>i) Notified Archaeological sites under the Protected Monuments Act.<br/>j) Defence areas/installations<br/>k) Power Plants</p> | <p>Appendix- III<br/>CMZ - II: THE INDICATIVE LIST OF AREAS OF PARTICULAR CONCERN</p> <p>1. Coastal Municipalities/Corporations (the entire notified area)<br/>2. Coastal Panchayats with population density more than 400 persons per sq km (the entire notified area) as per the latest Census of India.<br/>3. Ports and Harbours<br/>4. Notified Tourism Areas<br/>5. Mining sites<br/>6. Notified Industrial Estates<br/>7. Foreshore facilities for Special Economic Zones<br/>8. Heritage areas<br/>9. Notified Archaeological sites under the Protected Monuments Act.<br/>10. Defence areas/installations<br/>11. Power Plants<br/><b><u>12. *Green field airports and expansion and modernization of existing airports</u></b></p> |
| <p>Appendix – IV<br/>COMPOSITION OF NATIONAL BOARD FOR SUSTAINABLE COASTAL ZONE MANAGEMENT</p>  | <p>Appendix – IV<br/>COMPOSITION OF NATIONAL BOARD FOR SUSTAINABLE COASTAL ZONE MANAGEMENT</p>   | <p>Appendix-IV<br/>COMPOSITION OF NATIONAL BOARD FOR SUSTAINABLE COASTAL ZONE MANAGEMENT</p>  | <p>Appendix-IV<br/>COMPOSITION OF NATIONAL BOARD FOR SUSTAINABLE COASTAL ZONE MANAGEMENT</p>   |

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| 1. Union Minister for Environment and Forests (Chair)<br>2. Union Minister-in-charge of Ministry of Earth Sciences (Co-Chair)<br>3. Secretary, Ministry of Environment & Forests (Member Secretary).<br>4. Experts (by name) in:<br>Coastal Ecosystems (1)<br>Marine biology (1)<br>Maritime law (1)<br>Meteorology (1)<br>Disaster Management (1)<br>Environmental Economics (1)<br>5. Representative of the National Commission for Women (1)<br>6. Representative of the Ministry of Defence (1)<br>7. Representative of the Ministry of Urban Development (1)<br>8. Representative of the Ministry of Panchayati Raj (1)<br>9. Representatives of community based organizations of the mainland coastal population (3)<br>10. Representatives from fisheries, aquaculture, tourism, industries, mining, ports, sectors (6)<br>11. Representatives of coastal Rural District Panchayats (3)<br>12. Representatives of coastal | 1. Union Minister for Environment and Forests (Chair)<br>2. Union Minister-in-charge of Ministry of Earth Sciences (Co-Chair)<br>3. Secretary, Ministry of Environment & Forests (Member Secretary).<br>4. Experts (by name) in:<br>Coastal Ecosystems (1)<br>Marine biology (1)<br>Maritime law (1)<br>Meteorology (1)<br>Disaster Management (1)<br>Environmental Economics (1)<br>5. Representative of the National Commission for Women (1)<br>6. Representative of the Ministry of Defence (1)<br>7. Representative of the Ministry of Urban Development (1)<br>8. Representatives of community based organizations of the mainland coastal population (3)<br>9. Representatives of community based organizations of the mainland coastal population (10)<br><u><b>(Repeat??)</b></u><br>10. Representatives from fisheries, aquaculture, tourism, industries, mining, ports, sectors (1)<br>11. Representatives of coastal Rural | 1. Union Minister for Environment and Forests (Chair)<br>2. Union Minister in-charge of Ministry of Earth Sciences (Co-Chair)<br>3. Secretary, Ministry of Environment and Forests (Member Secretary)<br>4. Experts (by name) in:<br>Coastal ecosystems (1)<br>Marine biology (1)<br>Maritime law (1)<br>Meteorology (1)<br>Disaster Management (1)<br>Environmental Economics (1)<br><u><b>(Numbering is wrong from here on)</b></u><br>4. Representative of the National Commission for Women (1)<br>5. Representative of the Ministry of Defence (1)<br>6. Representative from Indian Space Research Organization (1)<br>7. Representative of the Ministry of Urban Development (1)<br>8. Representative of the Ministry of Panchayati Raj (1)<br>9. Representatives of community based organizations of the mainland coastal population (3)<br>10. Representatives from fishers (1 male and 1 woman) (2) | 1. Union Minister for Environment and Forests (Chair)<br>2. Union Minister in-charge of Ministry of Earth Sciences (Co-Chair)<br>3. Secretary, Ministry of Environment and Forests (Member Secretary)<br>4. Experts (by name) in:<br>Coastal ecosystems (1)<br>Marine biology (1)<br>Maritime law (1)<br>Meteorology (1)<br>Disaster Management (1)<br>Environmental Economics (1)<br><u><b>(Numbering is wrong from here on)</b></u><br>4. Representative of the National Commission for Women (1)<br>5. Representative of the Ministry of Defence (1)<br>6. Representative from Indian Space Research Organization (1)<br>7. Representative of the Ministry of Urban Development (1)<br>8. Representative of the Ministry of Panchayati Raj (1)<br>9. Representatives of community based organizations of the mainland coastal population (3)<br>10. Representatives from fishers (1 male and 1 woman) (2) |
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| Urban Local Authorities (3)<br>13. Representatives of Andaman & Nicobar and Lakshadweep Islands (3) | District Panchayats (3)<br>12. Representatives of coastal Urban Local Authorities (3)<br>13. Representatives of Andaman & Nicobar and Lakshadweep Islands (3) | 11. Representatives from aquaculture, tourism, industries, mining, ports, sectors (4)<br>12. Representatives of coastal Rural District Panchayats (3)<br>13. Representatives of coastal Urban Local Authorities (3)<br>14. Representatives of Andaman and Nicobar and Lakshadweep Islands (3)   | 11. Representatives from aquaculture, tourism, industries, mining, ports, sectors (4)<br>12. Representatives of coastal Rural District Panchayats (3)<br>13. Representatives of coastal Urban Local Authorities (3)<br>14. Representatives of Andaman and Nicobar and Lakshadweep Islands (3)   |
|   |   | <p>Appendix-V<br/>GUIDELINES FOR PREPARATION OF INTEGRATED MANAGEMENT PLAN FOR CMZ II AREAS</p> <p>(i) The entire notified Corporation, Municipality, Panchayat, revenue area, shall be the outer boundary of the APC.<br/> (ii) ICZMPs shall be prepared for these areas indicating all present and future developments, conservation and preservation schemes.<br/> (iii) The ICZMP shall address vulnerability to human life and property based on setback lines prepared by Ministry of Environment and Forests.<br/> (iv) No constructions shall be permitted on the seaward side of</p> | <p>Appendix-V<br/>GUIDELINES FOR PREPARATION OF INTEGRATED MANAGEMENT PLAN FOR CMZ II AREAS</p> <p>1. The entire notified Corporation, Municipality, Panchayat, revenue area, shall be the outer boundary of the APC.<br/> 2. ICZMPs shall be prepared for these areas indicating all present and future developments, conservation and preservation schemes.<br/> 3. The ICZMP shall address vulnerability to human life and property based on setback lines prepared by Ministry of Environment and Forests.<br/> 4. No constructions shall be permitted on the seaward side of</p> |

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|  | <p>any existing (as on 2008) approved building or a tarred or surfaced road in the area.</p> <p>(v) All the existing roads including the internal roads shall be strengthened, as these roads shall serve for the purpose of livelihood, communication, relief and evacuation measures particularly for fisher communities.</p> <p>(vi) Adequate cyclone shelters shall be constructed taking into account the population of the area.</p> <p>(vii) The new schools, market areas and other public facilities where large number of public congregate shall be located beyond the vulnerable area.</p> <p>(viii) Along the seaward side sufficient bio shield with local vegetation, trees including mangroves shall be planted</p> <p>(ix) The beaches shall be left free of any development.</p> <p>(x) Appropriate coastal protection structures be constructed where ever required on a scientific basis</p> <p>(xi) New houses and settlements shall be planned on landward of the setback line.</p> <p>(xii) Sand dunes, being natural speed breakers in the event of</p> | <p>any existing (as on 2008) approved building or a tarred or surfaced road in the area.</p> <p>5. All the existing roads including the internal roads shall be strengthened, as these roads shall serve for the purpose of livelihood, communication, relief and evacuation measures particularly for fisher communities.</p> <p>6. Adequate cyclone shelters shall be constructed taking into account the population of the area.</p> <p>7. The new schools, market areas and other public facilities where large number of public congregate shall be located beyond the vulnerable area.</p> <p>8. Along the seaward side sufficient bio shield with local vegetation, trees including mangroves shall be planted</p> <p>9. The beaches shall be left free of any development.</p> <p>10. Appropriate coastal protection structures be constructed where ever required on a scientific basis</p> <p>11. New houses and settlements shall be planned on landward of the setback line.</p> <p>12. Sand dunes, being natural speed breakers in the event of hazards, shall be maintained or regenerated</p> |
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|  |  | <p>hazards, shall be maintained or regenerated by planting shrubs or through appropriate measures.</p> <p>(xiii) All the areas notified by the Ministry of Environment and Forests as CMZ I shall be clearly demarcated in the plan for their conservation.</p> <p>(xiv) The ICZMPs shall be approved by the proposed NISCM of the Ministry or any other authorized authorities as approved by the Ministry.</p> <p>(xv) There shall be no regulation with regard to fishing and fishery related activities.</p> <p>(xvi) The enforcement and monitoring will be the responsibility of the concerned State or Union territory Coastal Zone Management Authorities.</p> | <p>by planting shrubs or through appropriate measures.</p> <p>13. All the areas notified by the Ministry of Environment and Forests as CMZ I shall be clearly demarcated in the plan for their conservation.</p> <p>14. The ICZMPs shall be approved by the proposed NISCM of the Ministry or any other authorized authorities as approved by the Ministry.</p> <p>15. There shall be no regulation with regard to fishing and fishery related activities.</p> <p>16. The enforcement and monitoring will be the responsibility of the concerned State or Union territory Coastal Zone Management Authorities.</p> |
| <p>Appendix – V</p> <p>ACTIVITIES REQUIRING ACCESS TO THE SHORELINES</p> <p><b><u>1. Port and Harbours, including refuelling facilities, and dredging and reclamation</u></b></p> <p>2. Fish Landing Sides</p> <p>3. Public Toilets</p> <p><b><u>4. Lighthouses and Light-towers</u></b></p> | <p>Appendix V</p> <p>Activities Requiring Access to the Shoreline</p> <p>The following activities would be permissible on the seaward side of the Setback Line or coastal protection structure, as applicable, in respect of CMZ – II and CMZ III areas, as applicable, subject to all other laws and regulations in</p> | <p>Appendix-VI</p> <p>CMZ III: PERMISSIBLE DEVELOPMENTAL ACTIVITIES ON THE SEAWARD SIDE OF THE SETBACK LINE</p> <p><b>(i) Activities, which are permitted by the local or concerned authorities without CMZ clearance</b></p>  | <p>Appendix –VI</p> <p>CMZ III: PERMISSIBLE DEVELOPMENTAL ACTIVITIES ON THE SEAWARD SIDE OF THE SETBACK LINE</p> <p><b>1. Activities, which are permitted by the local or concerned authorities without CMZ clearance</b></p>  |

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| <p><b><u>5. Beach tourism and water sports facilities</u></b></p> <p><b><u>6. Salt Pans</u></b></p> <p><b><u>7. Mining of minerals other than beach sand, rocks, gravel, and sea-shells</u></b></p> <p><b><u>8. Ship building and repair facilities</u></b></p> <p><b><u>9. Coastal protection structures</u></b></p> <p><b><u>10. Hydrocarbon exploration and production</u></b></p> <p><b><u>11. Defence installations</u></b></p> <p><b><u>12. Discharge pipelines for treated effluent and sewage</u></b></p> <p><b><u>13. Approach roads, railways, pipelines, power transmission and distribution lines to service the above.</u></b></p> | <p>force.</p> <p>Activities</p> <ul style="list-style-type: none"> <li>• Ports and Harbors, including refueling facilities, and dredging and reclamation</li> <li>• <b><u>Fish landing centres including jetties, ice plants, auction halls etc.</u></b></li> <li>• Public Toilets</li> <li>• Lighthouses and Light towers</li> <li>• Beach tourism and water sports facilities</li> <li>• Salt Pans</li> <li>• Mining of minerals other than beach sand, rocks, gravel, and sea-shells</li> <li>• Ship building and repair facilities</li> <li>• Ship breaking facilities</li> <li>• Coastal protection structures</li> <li>• Hydrocarbon exploration and production</li> <li>• <b><u>All projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.</u></b></li> <li>• Discharge pipelines for treated effluent and sewage</li> <li>• Approach roads, railways, pipelines, power transmission and distribution lines to service the above.</li> </ul> | <p><b><u>(a) Boating, shipping and navigation.</u></b></p> <p>(b) Fisheries including traditional fish processing, ice plants and ice crushing facilities.</p> <p>(c) Mariculture including hatcheries and traditional aquaculture.</p> <p>(d) Agriculture and horticulture.</p> <p>(e) Public toilets and rain or cyclone shelters.</p> <p>(f) Repair of existing buildings or infrastructure including reconstruction activities.</p> | <p>1. Boating, shipping and navigation.</p> <p>2. Fisheries including traditional fish processing, ice plants and ice crushing facilities.</p> <p>3. Mariculture including hatcheries and traditional aquaculture.</p> <p>4. Agriculture and horticulture.</p> <p>5. Public toilets and rain or cyclone shelters.</p> <p>6. Repair of existing buildings or infrastructure including reconstruction activities.</p> |
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|  |  | <p>Appendix-VI CMZ III:</p> <p><b>(ii) Activities to be permitted with the approval of State or Union territory Coastal Zone Management Authority</b></p> <p>(a) Construction of boat jetties and fishing harbours to be approved with Environmental Impact Assessment.</p> <p>(b) Saltpans-making salt by solar evaporation of seawater.</p> <p>(c) Temporary construction for tourism facilities.</p> <p>(d) Water sports and recreation facilities.</p> <p>(e) Discharge facilities of treated effluents compiling with the norms.</p> <p>(f) Forest related activities.</p> <p>(g) Boat building including repair and re-fuelling facilities.</p> | <p><b>(ii) Activities to be permitted with the approval of State or Union territory Coastal Zone Management Authority</b></p> <p>1. Construction of boat jetties and fishing harbours to be approved with Environmental Impact Assessment.</p> <p>2. Saltpans-making salt by solar evaporation of seawater.</p> <p>3. Temporary construction for tourism facilities.</p> <p>4. Water sports and recreation facilities.</p> <p>5. Discharge facilities of treated effluents compiling with the norms.</p> <p>6. Forest related activities.</p> <p>7. Boat building including repair and re-fuelling facilities.</p> |
|  |  | <p>Appendix-VI CMZ III:</p> <p><b>(iii) Activities that can be permitted with Environmental Impact Assessment and Environmental Management Plan to be approved by Ministry of Environment and Forests.</b></p> <p>(a) Integrated port, harbour, jetties and moored facilities.</p> <p>(b) Dredging and disposal of dredged materials.</p> <p>(c) Reclamation within port limits and for coastal protection.</p>   | <p><b>(iii) Activities that can be permitted with Environmental Impact Assessment and Environmental Management Plan to be approved by Ministry of Environment and Forests.</b></p> <p>1. Integrated port, harbour, jetties and moored facilities.</p> <p>2. Dredging and disposal of dredged materials.</p> <p>3. Reclamation within port limits and for coastal protection.</p> <p>4. Coastal Protection measures</p>   |

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|  |  | <p>(d) Coastal Protection measures including mangroves and other bioshields.</p> <p>(e) Bridges and sea links and approaches and reclamation therefor.</p> <p>(f) Bunding for the purpose of preventing coastal erosion, salinity ingress, maintenance of waterways.</p> <p>(g) Hydrocarbon exploration and extraction.</p> <p>(h) Mining of placer minerals and offshore mining.</p> <p>(i) Constructions of communication, power supply, lighthouses and water supply.</p> <p>(j) Pipelines for transfer of petroleum or chemicals, storage facilities for storage of petroleum or chemical products and regasification facilities.</p> <p>(k) Defence related projects.</p> <p>(l) Shipbuilding yards.</p> <p>(m) Ship-breaking in existing locations.</p> <p>(n) Non conventional energy including windmills.</p> <p>(o) Any other activity which requires foreshore facilities.</p> | <p>including mangroves &amp; other bioshields.</p> <p>5. Bridges and sea links &amp; approaches &amp; reclamation therefor.</p> <p>6. Bunding for the purpose of preventing coastal erosion, salinity ingress, maintenance of waterways.</p> <p>7. Hydrocarbon exploration and extraction.</p> <p>8. Mining of placer minerals and offshore mining.</p> <p>9. Constructions of communication, power supply, lighthouses and water supply.</p> <p>10. Pipelines for transfer of petroleum or chemicals, storage facilities for storage of petroleum or chemical products &amp; regasification facilities.</p> <p>11. Defence related projects.</p> <p>12. Shipbuilding yards.</p> <p><b>(m)</b>Ship-breaking in existing locations.</p> <p><b>(n)</b>Non conventional energy including windmills.</p> <p><b>(o)</b>Any other activity which requires foreshore facilities.</p> <p><b><u>*(p) Green field airports and expansion a&amp; modernization of existing airports</u></b></p> |
|  |  | Appendix-VI CMZ III: (iv) All other activities not listed above are prohibited.  | Appendix-VI CMZ III: (iv) All other activities not listed above are prohibited.  |

**(To be published in the Gazette of India, Extraordinary, Part-II, and  
Section 3, Sub-section (ii))**

**MINISTRY OF ENVIRONMENT AND FOREST**

**New Delhi, the 1<sup>st</sup> May, 2008**

S.O.No.1070(E).- Whereas the Central Government in the Ministry of Environment and Forests issued the Coastal Regulation Zone Notification vide No. S.O.114(E) dated the 19<sup>th</sup> February 1991, under which coastal stretches were declared Coastal Regulation Zones (CRZ) and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said Zones for its protection ;

And whereas the said notification has been amended from time to time based on recommendations of various committees, judicial pronouncements, representations from State Governments, Central Ministries, and the general public, etc., consistent with the basic objective of the said Notification;

And whereas perceiving the continuing difficulties posed by the Notification in its effective implementation for the sustainable development of coastal regions as well as conservation of coastal resources, the Ministry of Environment and Forests constituted an Expert Committee vide Order No.15(8)/2004-IA-III, dated the 19<sup>th</sup> July, 2004 under the Chairmanship of Prof. M. S. Swaminathan, with experts in the areas of environmental law, marine biodiversity, marine geology, environmental economics, socio-economics, remote sensing, coastal engineering, urban planning, and marine fisheries to carry out a comprehensive review of the said Notification including all its amendments in the light of findings and recommendations of previous Committees, judicial pronouncements, representations of various stakeholders, and suggest suitable amendments, if necessary, to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management;

And whereas the above Expert Committee had submitted its report to the Ministry of Environment and Forests in February, 2005 containing specific recommendations to build on the strengths of existing regulations and institutional structures and fill gaps for conservation and improving the management of the coastal resources by enhancing the living and non-living resources of the coastal zone; by ensuring protection to coastal populations and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihood security of coastal populations is strengthened;

And whereas the Central Government in the Ministry of Environment and Forests after carefully considering the above report and all the recommendations made therein have decided to accept them in principle for implementation;

And whereas in accordance with the above decision, the Central Government proposes to bring into force a new framework for managing and regulating activities in the coastal and marine areas for conserving and protecting the coastal resources and coastal environment; and for ensuring protection of coastal population and structures from risk of inundation due to natural hazards; and for ensuring that the livelihoods of coastal populations are strengthened; by superseding the said Coastal Regulation Zone, Notification, 1991;

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-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification published vide S.O.114(E) dated the 19<sup>th</sup> February, 1991, except as respects things done or omitted to be done before such supersession, the Central Government proposes to issue a notification to be known as the Coastal Management Zone (CMZ) Notification, 2008, for the information of the public likely to be affected thereby and notice is hereby given that the said draft Notification will be taken into consideration by the Central Government on and after the expiry of sixty days from the date of publication of said notification in the Official Gazette.

\* “And whereas, in addition to the above the Central Government has decided to consider the proposal for developing green field airports and to undertake expansion and modernisation of existing airports in the coastal areas, without compromising environmental considerations.”.

Any person interested in making any objections or suggestions on the proposals contained in the draft Notification may do so in writing within the period so specified through post to the Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi – 110003, or electronically at e-mail address: [secy@menf.nic.in](mailto:secy@menf.nic.in)

## DRAFT NOTIFICATION

1. (i) This notification may be called the Coastal Management Zone Notification, 2008.

(ii) It shall come into force on the date of its final publication in the Official Gazette.

### 2. Objective.-

The Objective of this Notification is protection and sustainable development of the coastal **stretches** and marine environment through sustainable coastal zone management practices based on sound scientific principles taking into account the vulnerability of the coast to natural hazards, sustainable livelihood security for local communities, and conservation of ecologically and culturally significant coastal resources.

**3. Definitions.-** In this Notification, unless the context otherwise requires,-

(a) “**Coastal Zone**” means the area from the territorial waters limit (12 nautical miles measured from the appropriate baseline) including its sea bed, the adjacent land area along the coast, and inland water bodies influenced by tidal action including its bed, upto the landward boundary of the local self government or local authority abutting the sea coast, provided that in case of ecologically and culturally sensitive areas, the entire biological or physical boundary of the area may be included, as specified under the provisions of Environment Protection Act, 1986;

1. “*Integrated Coastal Zone Management (ICZM)*” means a process by which decisions are made for protection of coastal population and infrastructure, protection and conservation of coastal and marine areas and resources and sustainable development;

2. “*Integrated Coastal Zone Management Plan (ICZMP)*” is the landuse plan or development plan prepared for implementation of the Integrated Coastal Zone Management;

3. “*Local Self Government or Local Authority*” means a village Panchayat, or a urban local body, or any other body or authority, by what ever name called, for the time being invested by law, for rendering essential services or, with control and management of civic services, within a specified local area abutting the sea coast or inland tidal water having tidal action.

4. “**Setback Line**” means a line demarcated along the coast, based on its vulnerability to sea-level rise, flooding and shore line changes as per Guidelines given in this notification in Appendix -I.

5. “**Ecologically Sensitive Areas**” are those areas of the coastal zone that play an important role in maintaining the functional integrity of the coast, including acting as natural barriers to coastal hazards and, or harbouring a diverse biodiversity that provide valuable resources to local communities.

**4. Categorization of the Coastal Zone.-** For the purposes of management and regulation, the coastal zone shall be divided into four categories, namely:-

1. Coastal Management Zone - I (CMZ -I) shall consist of areas designated as Ecologically Sensitive Areas (ESA), an indicative list is given in Appendix –II.

(ii) Coastal Management Zone - II (CMZ - II) shall consist of areas, other than CMZ - I and coastal waters, identified as “Areas of Particular Concern (APC)” such as economically important areas, high population density areas, and culturally and, or strategically

important areas. The administrative boundaries of these “Areas of Particular Concern” would be boundaries of CMZ - II. A generic list of such areas is given in Appendix –III.

(iii) Coastal Management Zone -III (CMZ - III) shall consist of all other open areas including coastal waters and tidal influenced inland water bodies, that is, all areas excluding those classified as CMZ - I, II and IV.

(iv) (a) Coastal Management Zone -IV (CMZ - IV) shall consist of island territories of Andaman and Nicobar, Lakshadweep, and other offshore islands.

1. In respect of the islands in coastal backwaters areas which are not included in CMZ - I or CMZ - II, such areas may be included in CMZ - IV at the option of the Local Authority; otherwise they would be included in CMZ - III. Once exercised, the option of the Local Authority would not be subject to change.

#### **5. (i) National Board for Sustainable Coastal Zone Management.-**

This Board consisting of not more than thirty two Members shall have the mandate to provide policy advice to the Central Government on matters relating to coastal zone management, but shall not undertake regulatory functions. The composition of the Board shall be as given in Appendix – IV. The term of the non-official members of the Board shall be three years only.

#### **(ii) National and State or UT Coastal Zone Management Authorities**

The National and State or Union territory Coastal Zone Management Authorities set up under the Environment (Protection) Act, 1986, shall be the Coastal Zone Management Authorities.

**6. Management Methodology.-** The management methodology and approach for the Coastal Management Zone shall be as follows:

1. **Notification of the Setback Line:** The Setback Line, for the entire coast, excluding CMZ-I and CMZ - IV areas, will be notified in one or more stretches at a time in a map on cadastral scale by the Central Government. For this purpose, the Central Government shall issue detailed technical guidelines, based on the approach set forth in Appendix - I. The notification shall be based on the delineation to be carried out by the competent and established scientific institutions specializing in earth surveys and mapping, among a set of such institutions to be notified by the Central Government. Till the Setback Line in respect of area under each local authority as per these technical

guidelines is notified by the Central Government the provisions of the Coastal Regulation Zone Notification, 1991 shall prevail.

**(ii) Coastal Management Zone - I :** The ecologically sensitive areas as per generic list given in Appendix - II shall be identified **within the coastal zone** by the Central Government jointly with the concerned State Government or Union territory Administration, with the technical assistance provided by the National Institute for Sustainable Coastal Zone Management or one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government. All activities in CMZ - I areas shall be regulated by the State or Union territory Coastal Zone Management Authority concerned on the basis of an Integrated Coastal Zone Management Plan (ICZMP) to be prepared by the concerned State or Union territory Administration with the help of National Institute of Sustainable Coastal Zone Management or one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government and notified under Environment (Protection) Act, 1986. The Integrated Coastal Zone Management Plans prepared for CMZ-I areas would be endorsed by the Central Government. The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas keeping in view the safety and livelihood needs of the local communities and essential development. There shall be no restriction in the fishing and fisheries related activities of local communities living in the area. The implementation of the ICZMPs by the State Government or Union territory Administration shall be monitored by the concerned State or Union territory Coastal Zone Management Authority and by the National Coastal Zone Management Authority.

\* Provided that the projects pertaining to the development of green field airports and expansion and modernisation of existing airports shall be undertaken on case to case basis based on detailed scientific study incorporating adequate environmental safeguard measures required for neutralising damage to the coastal environment.”.

**(iii) Coastal Management Zone – II:** In the administrative boundaries of areas of the Coastal Municipalities or Corporation and coastal Panchayat with population density of more than 400 persons per sq. km, activities shall be regulated based on an Integrated Coastal Zone Management Plan approved by the Central Government. The activities proposed on the seaward side of the setback line in the above administrative boundaries shall be regulated to ensure that no further development takes place other than foreshore requiring facilities and basic infrastructure.

The development on the landward side of the setback line shall be as per the local town and country planning rules as existed on the day of this notification. The Integrated Coastal Zone Management Plan prepared for the above areas shall take into account the guidelines laid down in Appendix-V.

With regard to economically and culturally important areas as identified by the concerned State or Union territory Governments, the activities shall be regulated as per Integrated Coastal Zone Management Plan prepared. The Integrated Coastal Zone Management Plan will be implemented by the concerned State or Union territory Governments after the plans are approved by the Central Government.

With regard to strategically important areas, the Ministry of Defence would prepare an Integrated Coastal Zone Management Plan and submit to the Ministry of Environment and Forests. Such plans would be accorded clearance by a Special Committee constituted by the Central Government.

**(iii) Coastal Management Zone - III :** The activities that may be permitted or prohibited on the seaward side of the setback line and agencies responsible are given in Appendix-VI. The existing dwelling units and other infrastructure existing on the seaward side of the setback line shall not be disturbed/relocated. No activities relating to fishing by traditional communities shall be disturbed.

**(iv) Coastal Management Zone – IV:** All activities shall conform to the approved Integrated Coastal Zone Management Plans, which shall be determined in each case by the concerned State or Union territory Coastal Zone Management Authority. While, preparing the Integrated Coastal Zone Management Plans it shall be ensured that no developments are permitted in the corals, mangroves, breeding and spawning of endangered species other than those minimum essential activities required for local communities.

## **7. Operation of the Coastal Regulation Zone Notification 1991.-**

The Coastal Regulation Zone Notification, 1991 shall cease to operate within:

- (a) CMZ - I area, from the date of Notification of the concerned Integrated Coastal Zone Management Plan.
- (b) CMZ - II area, from the date of Notification of the Setback Line and approval of Integrated Coastal Zone Management Plan.
- (c) CMZ - III area, from the date of Notification of the Setback Line.
- (d) CMZ - IV area, from the date of Notification of the concerned ICZMP.

## **Appendix-I**

### **SETBACK LINE**

The Setback Lines in the **coastal** management zones categorised as CMZ – I, II and III will be based on vulnerability of the coast to natural and manmade hazards. This procedure is followed in many countries where the coast has been mapped for vulnerability to coastal hazards.

For the purpose of mapping the vulnerability of the coast four parameters are taken into account: elevation, geomorphology, sea level trends, and horizontal shoreline displacement (erosion or accretion). A brief on each of the parameters which are to be considered for drawing up the Setback Line are given below:

- (i) **Elevation:** The elevation data shall be obtained from the available coastal toposheets and satellite data surveys with contour intervals of 0.5 and 1 meter.
  
- (ii) **Geomorphology:** The land forms will be identified on the maps based on the available toposheet and remote sensing data. Bathymetry to be derived from naval Hydrographic Charts on location specific surveys
  
- (iii) **Sea level trends:** The sea level trend data shall be based on the reports of the United Nations Inter-Governmental Panel on Climate Change (IPCC).
  
- (iv) **Horizontal shoreline displacement:** The erosion or accretion data of horizontal shoreline displacement shall be obtained from long term information derived from Survey of India Topographic maps (1967) and the latest satellite data. Horizontal shoreline displacement shall be estimated (median estimate) over the next 100 years.

Further detailed Technical Guidelines for delineation of the Setback Line may be provided by the Central Government in the Ministry of Environment and Forests.

The setback line shall be demarcated based on the above parameters using the guidelines as approved by the Ministry for CMZ-II and III areas on cadastral scale by NISCM or any other agency authorised by the Ministry within a period of two years from the date of issue of this notification.

## **Appendix-II**

### **CMZ - I: INDICATIVE LIST OF ECOLOGICALLY SENSITIVE AREAS (ESA)**

1. Mangroves
2. Coral reefs
3. Sand Beaches and Sand Dunes
4. Mudflats
5. Marine wildlife protected areas under the Wildlife (Protection) Act, 1972
6. Coastal freshwater bodies such as creeks, lakes etc
7. Salt Marshes
8. Turtle nesting grounds
9. Horse shoe crabs habitats
10. Sea grass beds
11. Sea weed beds
12. Nesting grounds of birds

## **Appendix- III**

### **CMZ - II: THE INDICATIVE LIST OF AREAS OF PARTICULAR CONCERN**

1. Coastal Municipalities/Corporations (the entire notified area)
2. Coastal Panchayats with population density more than 400 persons per sq km (the entire notified area) as per the latest Census of India.
3. Ports and Harbours
4. Notified Tourism Areas
5. Mining sites
6. Notified Industrial Estates
7. Foreshore facilities for Special Economic Zones
8. Heritage areas
9. Notified Archaeological sites under the Protected Monuments Act.
10. Defence areas/installations
11. Power Plants
12. \*Green field airports and expansion and modernization of existing airports

**Appendix-IV**  
**COMPOSTION OF NATIONAL BOARD FOR SUSTAINABLE COASTAL  
 ZONE MANAGEMENT**

|   |                  |   |
|---|------------------|---|
| 1. Union Minister for Environment and Forests   | -                |   |
| Chair   |                  |   |
| 2. Union Minister in-charge of Ministry of Earth Sciences                                 | -                |   |
| Co-Chair  |                  |   |
| 3. Secretary, Ministry of Environment and Forests   | -                |   |
|   | Member Secretary |   |
| 4. Experts (by name) in:  |                  |   |
| Coastal ecosystems  | -                | 1 |
| Marine biology  | -                | 1 |
| Maritime law  | -                | 1 |
| Meteorology   | -                | 1 |
| Disaster Management   | -                | 1 |
| Environmental Economics   | -                |   |
| 1   |                  |   |
| 4. Representative of the National Commission for Women                                    | -                |   |
| 1   |                  |   |
| 5. Representative of the Ministry of Defence  | -                |   |
| 1   |                  |   |
| 6. Representative from Indian Space Research Organization                                 | -                | 1 |
| 7. Representative of the Ministry of Urban Development                                    | -                | 1 |
| 8. Representative of the Ministry of Panchayati Raj                                       | -                |   |
| 1   |                  |   |
| 9. Representatives of community based organizations of<br>the mainland coastal population | -                | 3 |
| 10.   |                  |   |
| Representatives from fishers (1 male and 1 woman)   | -                |   |
| 2   |                  |   |
| 11. Representatives from aquaculture, tourism,  |                  |   |

|   |   |   |
|---|---|---|
| industries, mining, ports, sectors                                    | - | 4 |
| 12. Representatives of coastal Rural District Panchayats<br>3         | - |   |
| 13. Representatives of coastal Urban Local Authorities                | - | 3 |
| 14. Representatives of Andaman and Nicobar and<br>Lakshadweep Islands | - | 3 |

## **Appendix-V**

### **GUIDELINES FOR PREPARATION OF INTEGRATED MANAGEMENT PLAN FOR CMZ II AREAS**

1. The entire notified Corporation, Municipality, Panchayat, revenue area, shall be the outer boundary of the APC.
2. ICZMPs shall be prepared for these areas indicating all present and future developments, conservation and preservation schemes.
3. The ICZMP shall address vulnerability to human life and property based on setback lines prepared by Ministry of Environment and Forests.
4. No constructions shall be permitted on the seaward side of any existing (as on 2008) approved building or a tarred or surfaced road in the area.
5. All the existing roads including the internal roads shall be strengthened, as these roads shall serve for the purpose of livelihood, communication, relief and evacuation measures particularly for fisher communities.
6. Adequate cyclone shelters shall be constructed taking into account the population of the area.
7. The new schools, market areas and other public facilities where large number of public congregate shall be located beyond the vulnerable area.
8. Along the seaward side sufficient bio shield with local vegetation, trees including mangroves shall be planted
9. The beaches shall be left free of any development.
10. Appropriate coastal protection structures be constructed where ever required on a scientific basis
11. New houses and settlements shall be planned on landward of the setback line.

12. Sand dunes, being natural speed breakers in the event of hazards, shall be maintained or regenerated by planting shrubs or through appropriate measures.
13. All the areas notified by the Ministry of Environment and Forests as CMZ I shall be clearly demarcated in the plan for their conservation.
14. The ICZMPs shall be approved by the proposed NISCM of the Ministry or any other authorized authorities as approved by the Ministry.
15. There shall be no regulation with regard to fishing and fishery related activities.
16. The enforcement and monitoring will be the responsibility of the concerned State or Union territory Coastal Zone Management Authorities.

### **Appendix –VI**

#### **CMZ III: PERMISSIBLE DEVELOPMENTAL ACTIVITIES ON THE SEAWARD SIDE OF THE SETBACK LINE**

**1. Activities, which are permitted by the local or concerned authorities without CMZ clearance**

1. Boating, shipping and navigation.
2. Fisheries including traditional fish processing, ice plants and ice crushing facilities.
3. Mariculture including hatcheries and traditional aquaculture.
4. Agriculture and horticulture.
5. Public toilets and rain or cyclone shelters.
6. Repair of existing buildings or infrastructure including reconstruction activities.

**(ii) Activities to be permitted with the approval of State or Union territory Coastal Zone Management Authority**

1. Construction of boat jetties and fishing harbours to be approved with Environmental Impact Assessment.
2. Saltpans-making salt by solar evaporation of seawater.
3. Temporary construction for tourism facilities.
4. Water sports and recreation facilities.
5. Discharge facilities of treated effluents compiling with the norms.

6. Forest related activities.
7. Boat building including repair and re-fuelling facilities.

**(iii) Activities that can be permitted with Environmental Impact Assessment and Environmental Management Plan to be approved by Ministry of Environment and Forests.**

1. Integrated port, harbour, jetties and moored facilities.
  2. Dredging and disposal of dredged materials.
  3. Reclamation within port limits and for coastal protection.
  4. Coastal Protection measures including mangroves and other bioshields.
  5. Bridges and sea links and approaches and reclamation therefor.
  6. Bunding for the purpose of preventing coastal erosion, salinity ingress, maintenance of waterways.
  7. Hydrocarbon exploration and extraction.
  8. Mining of placer minerals and offshore mining.
  9. Constructions of communication, power supply, lighthouses and water supply.
  10. Pipelines for transfer of petroleum or chemicals, storage facilities for storage of petroleum or chemical products and regasification facilities.
  11. Defence related projects.
  12. Shipbuilding yards.
- (m) Ship-breaking in existing locations.
- (n) Non conventional energy including windmills.
- (o) Any other activity which requires foreshore facilities.
- \*(p) Green field airports and expansion and modernization of existing airports

**(iv) All other activities not listed above are prohibited.**

{F. No. 11-83/2005-IA.III}

(Dr. Nalini Bhat)

Scientist 'G'

Note:- \* Amendment issued vide S.O.1120(E), dated 9<sup>th</sup> May, 2008 to the principal Draft Notification published in the Gazette of India vide S.O.1070(E), dated 1<sup>st</sup> May, 2008.

**[To be published in the Gazette of India, Extraordinary, Part-II, Section 3,  
Sub-section (ii)]**

**MINISTRY OF ENVIRONMENT AND FORES**

New Delhi, the 9<sup>th</sup> May, 2008.

**NOTIFICATION**

S.O.1120 (E).—Whereas a draft of the notification of the Government of India in the Ministry of Environment and Forests number S.O. 1070(E), dated the 1<sup>st</sup> May, 2008 under 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-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, titled as the Coastal Management Zone (CMZ) Notification, 2008 (hereinafter referred to as the said notification), inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of the Gazette in which that notification was made available to the public was published in the Gazette of India, Part II, Section 3, Sub-Section (ii) on the 1<sup>st</sup> May, 2008;

And Whereas the Central Government has decided to consider the request for developing green field airports and other incidental matters relating thereto;

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-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said draft notification, namely:—

**AMENDMENTS**

1. In the said notification, in the preamble, after paragraph 7, the following paragraph shall be inserted:—

“And whereas, in addition to the above the Central Government has decided to consider the proposal for developing green field airports and to undertake expansion and modernisation of existing airports in the coastal areas, without compromising environmental considerations.”.

2. In the said notification, in paragraph 6, in sub-paragraph (ii) relating to Coastal Management Zone , the following proviso shall be inserted at the end, namely;—

“Provided that the projects pertaining to the development of green field airports and expansion and modernisation of existing airports shall be undertaken on case to case basis based on detailed scientific study incorporating adequate environmental safeguard measures required for neutralising damage to the coastal environment.”.

3. In the said notification, in Appendix-III, after item (k), the following item shall be inserted, namely:—

“l) Green field airports and expansion and modernisation of existing airports.”.

4. In the said notification, in Appendix-VI, in sub-heading (iii) relating to “Activities that can be permitted with Environmental Impact Assessment and Environmental Management Plan to be approved by Ministry of Environment and Forests.”, after item (o), the following item shall be inserted, namely:—

“(p) Green field airports and expansion and modernisation of existing airports.”.

{F. No. 11-83/2005-IA.III}

(Dr. Nalini Bhat)

Scientist ‘G’

Note.—The principal draft notification was published in the Gazette of India *vide* number S.O.1070 (E). dated the 1<sup>st</sup> May, 2008.