

Coastal Regulation Zone (Amendment) Notification
MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION II

New Delhi, the 16th August, 1994

S.O. 595 (E).- Whereas by the notification of the Government of India in the Ministry of Environment and Forest No. S.O. 114 (E), dated the 19th February, 1991 (hereinafter referred to as the said notification) Coastal Stretches were declared Coastal Regulation Zones and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zone;

And whereas the Central Government constituted an Expert Committee under the Chairmanship of Shri. B. B. Vohra to examine the issues relating to tourism and hotel facilities in the coastal zones;

And whereas the said Committee submitted its report to the Central Government on 31st day of December 1992 and the Central Government after considering the said report proposes to make certain amendment in the said notification;

And whereas vide no. S.O. 859(E), dated the 11th November, 1993 the objections/suggestions from the public were invited and duly considered and examined by the Central Government;

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 clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules 1986, the Central Government hereby makes the following amendments in the aforesaid notification:-
[Amendment to No. S.O. 114(E), dated the 19th February, 1991]

In exercise of the powers conferred by clause (a) of sub-rule (3) of rule 5 of the Environment Protection Rule, 1986, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Environment and Forests No. S.O. 114(E), dated the 19th February, 1991, namely:-

(a) in paragraph 1, for the portion beginning with the words "For purposes of this notification, the High Tide Line" and ending with the words "width of the creek, river or back water whichever is less", the following shall be substituted, namely:-

"For the purposes of this notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority so authorised by the Central Government in consultation with the Surveyor General of India.

Note: The distance from the High Tide Line shall apply to both sides in the case of rivers, creeks and back waters and may be modified on a case by case basis for reasons to be recorded while preparing the Coastal Zone Management Plans. However, this distance shall not be less than 50 metres or the width of the creek, river or backwater whichever is less. The distance upto which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance upto which the tidal effect of sea is experienced in rivers, creeks or back-waters, as the case may be, and should be clearly identified in the Coastal Zone Management Plans";

(b) In Annexure II, in paragraph 7, in sub-paragraph (I), for item (i), the following items shall be substituted, namely:-

(i) The project proponent shall not undertake any construction within 200 metres in the land ward side from the High Tide Line and within the area between the Low Tide and High Tide Lines:

Provided that the Central Government may, after taking into account geographical features and overall Coastal Zone Management Plans, and for reasons to be recorded in writing, permit any construction subject to such conditions and restrictions as it may deem fit;

(ia) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;

(ib) no flattening of sand dunes shall be carried out;

(ic) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts.

(id) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such

construction will not adversely affect free flow of ground water in that area. The State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

Explanation: Though no construction is allowed in the no development zone for the purposes of calculation of FSI, the area of entire plot including the portion which falls within the no development zone shall be taken into account."

K. K Bakshi, Addl. Secy.