

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 3rd May, 2017

S.O.1393(E). – Whereas, a draft notification further to amend the notification of the Government of India in the erstwhile Ministry of Environment and Forests number. S O. 19(E), dated the 6th January, 2011 (hereinafter referred to as the Coastal Regulation Zone, Notification, 2011) was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* notification number S.O. 1497(E) dated the 25th April, 2016, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, 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 Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 25th April, 2016;

And whereas, objections and suggestions received in response to the said draft notification have been considered 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 said Environment (Protection) Act, (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the Coastal Regulation Zone Notification, 2011, namely:—

In the Coastal Regulation Zone Notification, 2011,-

(a) in paragraph 4, in sub-paragraph 4.2, for clause (iii), (vi), (v) and (vi), the following clauses shall be substituted, namely:-

“(iii) MoEFCC or SEIAA shall consider such projects for clearance based on the recommendations of the concerned CZMA within a period of sixty days.

(iv) In case the CZMAs are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union territory Administrations, who are the custodian of the Coastal Zone Management Plans of respective States or Union Territories to provide comments and recommend the proposals in terms of the provisions of the said notification to the Ministry of Environment, Forest and Climate Change.

(v) The clearance accorded to the projects under the CRZ notification shall be valid for the period of five years from the date of issue of the clearance for commencement of construction and operation.

(vi) For Post clearance monitoring.—

(a) it shall be mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on 1st June and 31st December of each calendar year and all such compliance reports submitted by the project proponent shall be published in public domain and its copies shall be given to any person on application to the concerned CZMA.

(b) the compliance report shall also be displayed on the website of the concerned regulatory authority.

(vii) To maintain transparency in the working of the CZMAs it shall be the responsibility of the CZMA to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon’ble Court as also the approved CZMPs of the respective State Government or Union Territory”.

(b) in paragraph 8, in sub-paragraph (V),

(i) in clause 1 relating to CRZ areas falling within municipal limits of the Greater Mumbai, in sub-clause (i), after item (B), following item shall be inserted, namely:-

“C. The construction of sewage treatment plants in CRZ-I for the purpose of treating the sewage from the municipal area shall be taken only by the municipal authorities in exceptional circumstances, where no alternate site is available to set up such facilities, subject to recommendations of the concerned CZMA

and approval by the Central Government. Three times the number of mangroves destroyed or cut during construction process shall be replanted”;

(ii) in clause 3 relating to CRZ of Goa, after item (iii), the following item shall be inserted, namely:-

“(iii) such structures shall not be removed and dismantled during the month of June to August:

Provided that the facilities available in these structures shall remain non-operational during the month of June to August”.

[F.No.19-27/2015-IA-III]

ARUN KUMAR MEHTA, Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 19 (E) dated the 6th January, 2011 and subsequently amended as follows:—

1. S.O. 2557 (E), dated the 22nd August, 2013;
2. S.O. 1244 (E), dated the 30th April, 2014;
3. S.O. 3085 (E), dated the 28th November, 2014;
4. S.O. 383 (E), dated the 4th February, 2015;
5. S.O. 556 (E), dated the 17th February, 2015;
6. S.O. 938 (E), dated the 31st March, 2015;
7. S. O. 1599 (E), dated the 16th June, 2015;
8. S. O. 3552 (E) dated the 30th December, 2015;
9. S. O. 1212 (E), dated the 22nd March, 2016;
10. S.O. 4162(E), dated the 23rd December, 2016; and
11. S.O. 621(E), dated the 23rd February, 2017.