

**FAQs on Draft Coastal Regulation Zone Notification, 2010 issued vide S.O.No.2291(E), dated 15<sup>th</sup> September, 2010 inviting suggestions and objections within a period of sixty days**

**Q1. Why draft CRZ Notification, 2010?**

**Ans.:** To protect and conserve the coastal environment the Ministry of Environment and Forests has issued Coastal Regulation Zone Notification on 19.2.1991 under Environment (Protection) Act, 1986. Some of the major issues with regard to the Coastal Regulation Zone Notification, 1991 are,-

- Stipulates uniform regulations all along the 5500kms of the coastline of the mainland and 2000kms of the coastline of islands of Andaman & Nicobar and Lakshadweep.
- The Indian coastline including that of the Islands of Andaman and Nicobar and Lakshadweep are highly diverse in terms of biodiversity, geomorphological and geological features, hydrodynamics conditions, demographic patterns and natural resources.
- This fragile coastline is under severe pressure due to increased developmental economic activities and also impacts of climate change i.e., increased frequency of cyclones, floods etc., and sea level rise.
- The Coastal Regulation Zone Notification is a land based Notification which regulates developmental activities in the inter tidal area and 500mts on the landward side. Whereas, the coastal area and the ecosystems such as coral reefs, mangroves, fisheries, etc., are depended upon the coastal waters.
- The Coastal Regulation Zone Notification does not provides for steps to be taken in view of the natural hazards such as cyclones, storms, surges, etc.
- No concrete steps are indicated in the Coastal Regulation Zone Notification with regard to the pollution from land based activities that has serious impacts on the coastal and marine environment.
- Several stretches of the coastline is undergoing serious to moderate erosion because of various anthropogenic activities and natural events. The Coastal Regulation Zone Notification does not take into account these issues.
- The restrictive nature of the Coastal Regulation Zone Notification has caused hardships to the communities/people living in certain coastal stretches which includes the slum dwellers and people living in unsafe buildings in Mumbai, communities living in islands within backwaters of Kerala, local communities along Goa and the traditional inhabitants living within ecologically sensitive areas.
- The Coastal Zone Management Plan is critical to the implementation of the Coastal Regulation Zone Notification. Lack of clarity and non-availability of the Coastal Zone Management Plans to the communities has been instrumental in causing hardship to the communities. In addition, this has been one of the reasons for increase-in violation of the Notification.
- The Coastal Regulation Zone Notification, 1991 has been amended almost about 25 times after taking into consideration the request made by various State Governments, Central Ministries, NGOs etc., **in addition there are several office order issued by Ministry of Environment and Forests clarifying certain provisions.**

- Hence, the Ministry of Environment and Forests has issued the draft Coastal Regulation Zone Notification, 2010 which takes into account all the above issues in a comprehensive manner, including the recommendations made in “Final Frontier” and the outcome of the eleven consultations held in various coastal States and Union territory.

**Q2. What are the objectives of the draft Coastal Regulation Zone Notification, 2010?**

**Ans.:** The objective of the Coastal Regulation Zone Notification, 2010 is *to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas, to conservation and protection of coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming.* There was no objective mention in the CRZ Notification, 1991.

**Q3. What is the Jurisdiction of the draft Coastal Regulation Zone Notification, 2010?**

**Ans.:** The Coastal Regulation Zone Notification, 1991 mainly is a land based Notification. But the hydrodynamics of the sea determines the existence of the coastal zone and its environment. Further, the pollution released from the land based activities are drained into the coastal waters being at sea level.

Hence, the draft CRZ Notification, 2010 includes not only the area covered under CRZ Notification, 1991 i.e., 500mts from the high tide line on the landward side including the intertidal area on the seafront and 100mts or width of the creek whichever is less from the high tide line on the landward side along the tidal influenced water bodies (earlier the Coastal Zone Management Plans demarcated a slab system of 150mts, 100mts or width of the creek which led to lots of confusion) **but also** the land area which falls in the hazard zone beyond 500mts and also the aquatic area upto 12 nautical miles in the territorial waters and the tidal influenced water bodies.

**Q4. What is a hazard line?**

**Ans.:** The hazard line shall be demarcated by Ministry of Environment and Forests through Survey of India taking into account tides, waves, sea level rise and shoreline changes. The work has already been commissioned and the mapping would be completed by Survey of India within two years i.e., 2012 and within three years thereafter the pillars would be erected with geo codes. An amount of Rs.125crores has been earmarked and sanctioned for the project. The methodology adopted for hazard line demarcation has been based on international practices and the methodology prepared in consultation with Survey of India, Department of Ocean Development, Centre for Earth Science Studies, Thiruvananthapuram and Space Application Centre, Ahmedabad.

**Q5. What are prohibited activities?**

**Ans.:** Similar to the Coastal Regulation Zone Notification, 1991 and its amendments i.e.,-

- (i) Setting up of new industries and expansion of industries except atomic power, non-polluting industries of SEZ and green field airport at Navi Mumbai;
- (ii) Manufacture and handling of hazardous substance;
- (iii) Expansion of fish processing units ;
- (iv) Disposal of wastes ;
- (v) Land reclamation except for foreshore activities;
- (vi) Mining of sand.

**Q6. What are the steps taken to prevent pollution of coastal areas/coastal waters?**

**Ans.:** As per para 3(iv), (v), (vi), (vii), (viii) and (ix), disposal of wastes and effluents is a prohibited activity. The coastal States shall ensure that the existing practice of discharging untreated waste is phased out within two years; dumping of solid waste is phased out within one year; a action plan to be prepared submitted to MoEF within six months including budget allocation; the action plan approved by MoEF shall be implemented in a time bound manner; MoEF/CPCB shall monitor the implementation.

Such measures are not provided for in the CRZ Notification, 1991.

**Q7. What are the steps taken to prevent shoreline change due to manmade activities?**

**Ans.:** In para “(xi)(a) of the draft CRZ Notification, 2010, MoEF through reputed scientific institution shall undertake a study to determine the coastal stretch that are undergoing shoreline changes, and classify such coastal stretches as ‘high eroding sites’, ‘medium eroding sites’ and ‘low or stable sites’. MoEF with State Authorities or Government Departments and scientific institutions shall identify the causes of such shoreline changes and take necessary measures to minimise such erosion within a stipulated period of time not exceeding two years from the date of issue of this notification.

*(b) Till issue of this notification no port projects shall be permitted in the high eroding sites.*

*(c) These classifications of the stretches indicating the shoreline changes shall be mapped on the Coastal Zone Management Plans.”*

A study has already been assigned to Institute of Ocean Management, Chennai to map the coastline of the entire country based on time series satellite images and demarcate high eroding, medium eroding and stable beaches. The mapping has been

completed for Gujarat coast. For Tamil Nadu, Puducherry, Orissa shall be completed by November, 2010.

Such measures are not provided for in the CRZ Notification, 1991.

**Q8. What are the permissible activities?**

**Ans.:** All activities are similar to CRZ Notification, 1991 and its amendments. The waterfront and foreshore requiring facilities are permissible including,-

- (i) Atomic power projects
- (ii) Defence projects
- (iii) Breakwaters, lighthouse
- (iv) Pipelines,
- (v) Housing schemes
- (vi) Mining of rare minerals
- (vii) SEZ projects
- (viii) Non-conventional energy

**Q9. Why construction of more than 20,000 sq mts has been permitted?**

**Ans.:** In the CRZ Notification, 1991, construction less than Rs.5crores were regulated by the concerned State Governments while all constructions of many dimensions above Rs.5crores are permitted in the CRZ-II area with MoEF clearance. For such projects EIA studies are not mandatory. In order to streamline and bring it on par with the EIA Notification, 2006 which stipulates 20,000 sq mts built-up to be cleared under the EIA Notification, 2006, this proviso has been inserted and the financial criteria removed. Under this proviso all projects more than 20,000 sq mts would be cleared under EIA Notification, 2006 after being recommended by the concerned CZMA. This would ensure that there will be no duplication of the clearance procedures.

**Q10. What are the clearance procedures laid down?**

**Ans.:** In the CRZ Notification, 1991, there are no clearance procedure laid down and no times lines stipulated. Further, there was no format for applying for clearance. In para 4(2)(i) of the draft CRZ Notification, 2010,-

All projects attracting this notification shall be accorded clearance as per the following procedure, namely:-

(i) The project authorities shall submit the proposal to the concerned State/Ut CZMA alongwith the following details/reports,-

- (a) Form-1 (Annexure-IV of the Notification);
- (b) rapid EIA Report including marine and terrestrial EIA. Comprehensive EIA for port and foreshore requiring projects as per guidelines issued by MoEF from time to time;
- (c) Disaster Management Report and Risk Management Report;
- (d) CRZ map indicating HTL and LTL demarcated by an authorized agency (1:4000scale);

- (e) Project layout superimposed on the above map indicated at (d) above;
  - (f) The CRZ map shall cover 7km radius around the project site.
  - (g) The CRZ map shall indicate the CRZ-I, II, III and IV areas;
  - (h) No Objection Certificate from the concerned Pollution Control Boards or Committees for the projects which envisage discharge of effluents, solid wastes, sewage etc. (NOC from the Pollution Control Boards or Committees has been made mandatory in view to minimize pollution in the coastal waters)
- (ii) The concerned CZMA shall examine the above documents in accordance with the approved CZMP and CRZ notification and make recommendations within a period of forty five days from date of receipt of above document to,-
- (a) SEAC or EAC in case of the project attracting EIA Notification, 2006;
  - (b) MoEF or State Government for the project attracting CRZ Notification;
- (iii) MoEF or State Government shall consider such projects based on the recommendations of the concerned CZMA within a period of sixty days.

**Q11. What is the validity of the clearance?**

**Ans.:** The clearance accorded to the projects under CRZ notification shall be valid for the period of five years from date of issue of the clearance.

**Q12. What is the post clearance monitoring mechanism?**

**Ans.:** As per para 4.2(v), the clearance accorded to the projects under CRZ Notification, 2010, - (a) it shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year; (b) all such compliance reports submitted by the project management shall be public documents; (c) copies of the same shall be given to any person on application to the concerned regulatory authority; (d) the latest such compliance report shall also be displayed on the website of the concerned regulatory authority shall be valid for the period of five years from date of issue of the clearance.

The CRZ Notification, 1991 does not provide for post clearance monitoring.

**Q13. What is the procedure for transparency?**

**Ans.:** As per para 4.2(vi), - 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 agendas, minutes, decision taken, clearance letters, violations, action taken, court cases etc., including the CZMPs.

Such provisions were not provided for in the CRZ Notification, 1991.

**Q14. How are CZMPs prepared?**

**Ans.:** The CRZ Notification, 1991 does not provide any guidelines for preparation of the CZMPs which is the critical part of the CRZ Notification, 1991. The hardships

faced by the coastal people are due to the non-availability and lack of transparency in the CZMP, which demarcates the CRZ area into I, II, III and IV. Further, there is no clarity in the scale of maps that are required to be produced for clearance purpose. Adequate care has been taken in the draft CRZ Notification, 2010 to provide for detailed guideline for preparation of the macro level map in 1:25,000 scale and micro level plan in 1:10,000 scale. Para 5 and Annexure-I provides detailed guidelines in the draft CRZ Notification, 2010 to prepare the CZMP.

The most important aspect of the draft CRZ Notification, 2010 is the CZMPs that are to be prepared needs to be first put up to the public for seeking comments under Environment (Protection) Act, 1986. Thereafter, the CZMPs can be finalized after obtaining MoEF's approval. The time period for the clearance are also indicated.

Such provisions were not provided for in the CRZ Notification, 1991 which is a major cause of hardship to the local communities.

**Q15. What are the mechanism of enforcement?**

**Ans.:** The CRZ Notification, 1991 did not indicate the enforcement mechanism. This is one of the major reasons for the large number of violations. Para 6 of the draft CRZ Notification, 2010 details out the agencies and the time frame for taking action against the violations. The CZMAs at the State level and the NCZMA shall be strengthened in a time bound manner and their capacities enhanced by MoEF for effectively mentoring and enforcing the notification.

**Q16. What are the classification of draft CRZ Notification, 2010?**

**Ans.:** In the CRZ Notification, 1991, the CRZ area was classified as CRZ-I (ecological sensitive), CRZ-II (built-up area), CRZ-III (Rural area), CRZ-IV (islands). In the draft CRZ Notification, 2010 the above classification is retained except CRZ-IV which includes the water areas upto the territorial waters and the tidal influenced water bodies. A separate draft Island Protection Zone Notification has been issued for protection of the islands of A&N and Lakshadweep under EPA, 1986.

**Q17. What are CRZ-I?**

**Ans.:** The draft CRZ Notification, 2010 clearly lists out the eco-sensitive areas which are as follows:-

- (a) Mangroves, in case mangrove area is more than 1000 sq mts, a buffer area of 50 meters shall be provided;
- (b) Corals and coral reefs and associated biodiversity;
- (c) Sand Dunes;
- (d) Mudflats which are biologically active;
- (e) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986); including Biosphere Reserves;
- (f) Salt Marshes;

- (g) Turtle nesting grounds;
- (h) Horse shoe crabs habitats;
- (i) Sea grass beds;
- (j) Nesting grounds of birds;
- (k) Areas or structures of archaeological importance and heritage sites;
- (l) The area between Low Tide Line and High Tide Line; and
- (m) The areas prone for inundation due to sea level rise.

**Q18. What are the activities permissible in CRZ-I?**

**Ans.:** The activities permissible are as per CRZ Notification, 1991 as amended from time to time which included the following:-

- (i) no new construction shall be permitted in CRZ-I except, -
  - (a) projects relating to Department of Atomic Energy;
  - (b) pipelines, conveying systems including transmission lines;
  - (c) facilities that are essential for activities permissible under CRZ-I;
  - (d) installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department;
  - (e) construction of trans harbour sea link and roads on stilts or pillars without affecting the tidal flow of water, between LTL and HTL.
  - (f) development of green field airport at Navi Mumbai shall be undertaken subject to detailed scientific study for incorporating adequate environmental safeguard measures required for neutralizing damage to coastal environment as may be appropriate to the Navi Mumbai region;
- (ii) Between LTL and HTL in areas which are not ecologically sensitive and important the following may be permitted, namely:-
  - (a) exploration and extraction of natural gas;
  - (b) construction of dispensaries, schools, public rainshelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA.
  - (c) necessary safety measure shall be incorporated while permitting such developmental activities in the area falling in the hazard zone;
  - (d) salt harvesting by solar evaporation of seawater;
  - (e) desalination plants;
  - (f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;
  - (g) construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water.

**Q19. What are CRZ-II areas?**

**Ans.:** The areas which are developed and falling within municipal limits.

**Q20. What are the activities permissible in CRZ-II areas?**

**Ans.:** Buildings are permissible on the landward side of the existing authorized structure and other activities such as desalination plants and storage of non hazardous cargo are permissible. The Floor Space Index and Floor Area Ratio for construction projects shall be as on 19.2.1991 except for those specified in the draft CRZ Notification, 2010 which is mainly for slum redevelopment and redevelopment of dilapidated structures.

**Q21. What are CRZ-III areas?**

**Ans.:** The rural areas are classified as CRZ-III and all activities as listed in the CRZ Notification, 1991 are retained. Between 0-200mts is a No Development Zone where repairs and reconstruction of housing of local communities are provided. Between 200-500mts construction of houses of local communities and tourism projects including green field airport at Navi Mumbai is permissible.

**Q22. What are CRZ-IV areas?**

**Ans.:** The aquatic area upto territorial limits is classified as CRZ-IV including the tidal influenced water body.

**Q23. What are the activities permissible in the CRZ-IV?**

**Ans.:** In CRZ-IV areas,-

- (a) No untreated sewage, effluents or solid waste shall be let of or dumped.
- (b) A comprehensive plan for treatment of sewage generating from the city shall be formulated within a period of one year from the date of issue of this notification and be implemented within two years thereafter.
- (c) There shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

**Q24. What are the areas requiring special consideration?**

**Ans.:** The CRZ Notification, 1991 provides for the uniform regulation of the entire country irrespective of the environmental diversity, socio-economic conditions, developmental pressures etc. In the draft CRZ Notification, 2010 special dispensation has been provide keeping in view the hardships faced by local communities especially those living in slums and old and unsafe buildings in Mumbai, people living in islands in backwaters in Kerala, local communities living gin the coast of Goa and the communities living in ecologically sensitive area such as Sunderbans etc.

**Q25. What are the special dispensation given to Greater Mumbai?**

**Ans.:(i) Greater Mumbai–**

- (a) SPECIAL DISPENSATION FOR SLUM REHABILITATION SCHEMES,- In the Greater Mumbai area there are large slum clusters with lakhs of families residing therein and the living conditions in these slums are deplorable with the civic agencies being unable to provide basic infrastructure facilities such as drinking water, electricity, roads, drainage etc. as these slums have come up in



an unplanned and congested manner. The slums in the coastal area are at great risk in the event of cyclones, storm surges or tsunamis, in view of the difficulties in providing rescue, relief and evacuation. To provide a safe and decent dwelling to the slum dwellers, the State Government may implement slum redevelopment schemes complying with the Floor Space Index or Floor Area Ratio in accordance with the Town and Country Planning Regulations prevailing as on the date on the project being sanctioned. However it shall be ensured that the stake of the State Government or its agencies is not less than 51% in the project.

- (b) **REDEVELOPMENT OF DILAPIDATED, CESSERED AND UNSAFE BUILDINGS:** In Greater Mumbai, there are, also a large number of old, dilapidated and unsafe buildings in the CRZ areas. Due to their age these structures are extremely vulnerable and disaster prone. Therefore there is an urgent need for the redevelopment or reconstruction of these identified buildings. These projects are being made subject to RTI, periodic review by a State Oversight Committee and audit by the office of the CAG.
- (c) **PRESERVATION OF GREEN SPACES:** In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorized as CRZ-III, that is, 'no development zone'.

**Q26. What is the mechanism to ensure that no malpractice takes place on account of such special dispensation for Greater Mumbai?**

**Ans.:** In order to ensure that the above redevelopment of slums and dilapidated structures are done in the most transparent and accountable manner, the following measures are provided:-

1. *Applicability of the Right to Information Act, 2005 to all redevelopment or reconstruction projects granted clearance by the Competent Authorities.*
2. *Performance and fiscal auditing by the office of the Comptroller and Auditor General of India.*
3. *Setting up of a High Level Oversight Committee for periodic review by the Government of Maharashtra which shall include eminent representatives of various Stakeholders, like Architects, Urban Planner, Engineers, and Civil Society, besides the local urban bodies, the State Government and the Central Government.*

**Q27. What are the special dispensation given to Kerala?**

**Ans.:** Kerala has one of the most unique coastal environments wherein more than 300 islands are located within its backwaters. Most of these are islands/narrow land strips. In view of the above difficulties and keeping in view the unique geographical area of Kerala a special dispensation for coastal stretches of Kerala and the stringent provisions of the CRZ Notification, 1991 is proposed to be provided which will include a 50m 'No Development Zone' along all backwater islands.

The reduction of the No Development Zone is for construction/reconstruction of the dwelling units of local communities. **No new constructions shall be**

**carried out. Further, foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs etc., can be taken up within 0-50mts of these backwater islands.**

**Q28. What are the special dispensation given to Sunderbans and other ecologically sensitive areas?**

**Ans.:** Sunderbans is one of the largest mangrove areas in the country with an approximate population of 5 lakhs living within the biosphere. Sunderbans is being affected by the sea level rise. Further, the local communities face hardship due to lack of infrastructure facilities. An integrated management plan is proposed to be drawn up, under the Notification, for Sunderbans and such ecologically important areas such as Gulf of Khambat and Gulf of Kutchchh in Gujarat, Malvan, Achra- Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Bhaitarkanika in Orissa, Coringa, East Godavari and Krishna in Andhra Pradesh. These areas would be declared as Critical Vulnerable Coastal Areas (CVCA) for which an integrated management plan would be prepared with the consultation of local communities.

**Q29. What are the special dispensation given to Goa?**

**Ans.:** A separate Goa state specific provision with stringent regulatory mechanism for sustainable development and ecological protection of coastal areas has been formulated. The traditional occupation of the population living along the coast is mainly the fishing and allied activities. These fishing communities require basic infrastructure facilities for their livelihood which are being provided under the new Notification.

**Q30. What are the benefits given to local communities?**

**Ans.:** (i) Para 8, CRZ-III(xv), *“facilities required for local communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities”.*

*(x) an authority designated by the State Government or Union territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges and the said Authority may also permit construction of schools and dispensaries for local inhabitants of the area for those panchayat, the major part of which, falls within CRZ if no other area is available for construction of such facilities.”*

Para V(iii), for the slum dwellers and people living in unsafe building, special dispensation has been provided relaxing the FSI.

In para V(ii), *NDZ has been reduced to 50mts in backwater islands of Kerala and (v) foreshore facilities such as fishing jetties, fish drying yards, net mending yards fish processing by traditional methods, boat building yards, ice plant, boat repairs etc., can be taken up within 0-50mts of these backwater islands.”*

In para V(iv), for the local communities living in biosphere reserves such as Sunderbans, Chilka etc., “An integrated management plan shall be drawn up within a period of one year from the date of use of this notification keeping in view conservation and management of the mangroves, needs of local communities such as, dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise.”

**Q31. Will the violations carried out under the CRZ Notification, 1991 condoned?**

**Ans.: No.** As per para 6, of draft CRZ Notification, 2010,-

“(i) Violations under Coastal Regulation Zone (CRZ) Notification, 1991,-

- (a) the State or Union territory CZMA shall identify the violations of CRZ Notification, 1991 within a period of three months from date of issue of this notification and take necessary action in accordance with the Environment (Protection) Act, 1986 within a period of six months from the date of issue of this notification;
- (b) all violations of the CRZ Notification, 1991 which have been identified shall be acted upon by the respective State or Union Territory CZMAs within a period of six months from the date of issue of this notification;
- (c) details of all violations of CRZ Notification, 1991 and action taken shall be listed on the website of the concerned CZMA and MoEF specially created for Coastal Zone Management.”

**Q32. What will be the status of the Coastal Zone Management Plan prepared under Coastal Regulation Zone Notification, 1991.**

**Ans.:** As per para 5(xii), “Till such time the new CZMPs in accordance with CRZ, 2010 are approved, the approved CZMPs under Coastal Regulation Zone Notification, 1991 shall be adhered to.”

**Q33. The coastal areas are dynamic and are prone to change. What are the provisions built into the Notification for addressing such dynamics?**

**Ans.:** As per para 5(xi), “Based on the request received by MoEF from the concerned State or Union territory, the CZMPs can be revised after five years from date of finalization.”

**Q34. How the draft Coastal Regulation Zone Notification, 2010 will benefit the fishermen community?**

**Ans.:** The following are the measures taken in the draft Coastal Regulation Zone Notification, 2010 which address the issues relating to fishermen community:-

(i) The objective of the proposed Notification is,-

“to ensure livelihood security to the **fisher communities** and other local communities, living in the coastal areas, to conservation and protection of coastal stretches, its unique environment and its marine area and to promote

*development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming.”*

The draft Coastal Regulation Zone Notification, 2010 has been prepared keeping in view the interest of fishermen communities.

- (ii) Para 2(v) includes, water area upto 12 nautical miles and the tidal influenced water bodies under the jurisdiction of Coastal Regulation Zone Notification. The water area has been included in order to,-
- a) control discharge untreated sewage, effluents, disposal of solid wastes; as such activities destroy fish and their habitats;
  - b) conserve and protect habitats in the marine area such as, corals and coral reefs and associated biodiversity, marine sanctuaries and biosphere reserves, sea grass beds etc., which act as spawning, nursery and rearing grounds for fish and fisheries;
  - c) regulate activities in the marine and coastal waters such as dredging, sand mining, discharge of waste from ships, construction like groynes, breakwaters, etc., including reclamation which have serious impacts on fishing and allied activities;
  - d) enable studies of the coastal and marine waters with regard to the impact of the climate change and the occurrence of disasters which has serious impacts on the life and property of the fishermen communities;

**However, no restrictions are imposed on any fishing activities and allied activities of the traditional fishing communities in the water area [para (iv)(c)].**

- (iii) At several coastal stretches of the country the fishermen and their dwelling units are in danger due to erosion which is occurring due to mostly manmade activities. Such manmade foreshore activities developments shall be regulated as per para 3(xia) after demarcating the coast as high eroding, medium eroding and stable sites.

- (iv) While preparing the Coastal Zone Management Plans as per Annexure-I of the draft Notification, 2010, at para II, item 7 and 9 is as follows,-

*“7. In the CRZ-III areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, etc., shall be indicated on the cadastral scale maps.*

*9. The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.”*

- (v) As per para 5 of the draft Notification, 2010, item (vii), *“The draft CZMPs shall be submitted to the concerned CZMA who shall give wide publicity and invite comments from stakeholders to the draft CZMPs in accordance*

*with the procedure laid down in Environment (Protection) Act, 1986.”*  
This is the first time that the local communities including fishermen communities will have a say in the preparation of the CZMPs.

- (vi) As per para 8, sub-heading Coastal Regulation Zone-III (xv), *“facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities etc.”*
- (vii) Special dispensation have been provided to the fishermen communities living along Goa, the backwater islands of Kerala and Sunderbans and other ecologically sensitive areas. As per para 3 of (V), *CRZ of Goa it is stated that,-*
  - a) *The Government of Goa shall survey and map the fishing villages all along the Goa coast. Facilities required for fishing and fishery allied activities such as traditional fish processing yards, boat building or repair yards, net mending yards, ice plants, ice storage, auction hall, jetties shall be provided.*
  - b) *Reconstruction, repair works of the structures of local communities shall be permissible in CRZ.”*

As per CRZ Notification, 1991, expansion/reconstruction/ repair of dwelling units of local communities are termed as violations if they have not obtained permission. Such units (about 5,000) are to be demolished as per the Orders of the Hon’ble High Court of Bombay.

As per the para V3(i) and (ii) of the draft CRZ Notification, 2010 such units would be regularized.

- (viii) With regard to Kerala at para V(2) it is indicated that,-

*“(v) Foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs etc., can be taken up within 0-50mts of these backwater islands.”*

- (ix) With regard to Sunderbans and other ecologically sensitive areas in order to regulate development in such areas and to take up conservation and protection of the area for the benefit of local communities living in such eco sensitive areas, a integrated management plan would be prepared in consultation with the communities in accordance with para V4(c).

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