

## **The Coastal Regulation Zone Notifications**

The principal notification was published in the Gazette of India vide number S.O. 114(E), dated, the 19<sup>th</sup> February 1991 and subsequently amended vide: -

- i. S.O. 595 (E) dated 18<sup>th</sup> August, 1994 \*
- ii. S.O. 73 (E) dated 31<sup>st</sup> January, 1997
- iii. S.O. 494 (E) dated 9<sup>th</sup> July, 1997 \*
- iv. S.O. 334 (E) dated 20<sup>th</sup> April, 1998
- v. S.O. 873 (E) dated 30<sup>th</sup> September, 1998
- vi. S.O. 1122 (E) dated 29<sup>th</sup> December, 1998
- vii. S.O. 730 (E) dated 4<sup>th</sup> August, 2000
- viii. S.O. 900 (E) dated 29<sup>th</sup> September 2000.
- ix. S.O. 329 (E) dated 12<sup>th</sup> April 2001\*

The primary notification with select amendments is presented here.

Notification I	19 <sup>th</sup> February 1991
Annexure I	Coastal area classification and development regulations
Annexure II	Guidelines for development of beach resorts/hotels
Notification II	16 <sup>th</sup> August 1994
Notification III	9 <sup>th</sup> July 1997
Annexure III	List of petroleum products permitted for storage in port areas
Notification IV	12 <sup>th</sup> April 2001

### **The Coastal Regulation Zone Notifications**

(As amended by notification dated 16.8.1994 and Supreme Court judgement dated 18.4.1996)

#### **MINISTRY OF ENVIRONMENT & FORESTS**

(Department of Environment, Forests and Wildlife)

#### **NOTIFICATION I**

New Delhi, the 19th February, 1991

(Gazetted on 20.2.1991)

Notification under section 3(1) and section 3(2)(v) of the Environment (Protection) Act, 1986 and rule 5(3)(d) of the Environment (Protection) Rules, 1986 declaring Coastal Stretches as Coastal Regulation Zone (CRZ) and Regulating Activities in the CRZ.

**S.O. 114(E).** - Whereas a Notification under Section 3(1) and Section 3(2)(v) of the Environment (Protection) Act, 1986, inviting objections against the declaration of Coastal Stretches as Coastal Regulation Zone (CRZ) and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O. No. 944(E) dated 15th December, 1990.

And whereas all objections received have been duly considered by the Central Government:

Now, therefore, in exercise of the power conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) upto 500 metres from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and the HTL as Coastal Regulation Zone; and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes, etc., in the said Coastal Regulation Zone (CRZ).

<sup>(1)</sup>[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 authorized 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 <sup>(2)</sup>[100] 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.]

**2. Prohibited Activities:** The following activities are declared as prohibited within the Coastal Regulation Zone namely:

(i) setting up of new industries and expansion of existing industries, except those directly related

to water front or directly needing foreshore facilities;

(ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment and Forests No. S.O. 594(E) dated 28th July 1989, S.O. 966(E) dated 27th November, 1989 and GSR 1037(E) dated 5th December, 1989;

(iii) setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);

(iv) setting up and expansion of units/mechanism for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for storm water drains;

(v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;

(vi) dumping of city or town waste for the purposes of land filling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding 3 years from the date of this Notification;

(vii) dumping of ash or any wastes from thermal power stations;

(viii) land reclamation, funding or disturbing the natural course of sea water with similar obstructions, except those required for control of coastal erosion and maintenance or clearing of waterways, channels and ports and for prevention of sandbars and also except for tidal regulators, storm water drains and structures for prevention of salinity ingress and for sweet water recharge;

(ix) mining of sand, rocks and other substrata materials, except those rare minerals not available outside the CRZ areas;

(x) harvesting or drawal of ground water and construction of mechanisms therefore within 200 m of HTL; in the 200 m to 500 m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;

(xi) construction activities in ecologically sensitive areas as specified in Annexure-I of this Notification;

(xii) any construction activity between the LTL and HTL except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and

(xiii) dressing or altering of sand dunes, hills natural features including landscape charges for beautification, recreational and other such purpose, except as permissible under the Notification.

**3. Regulation of Permissible Activities:** All other activities, except those prohibited in para 2 above, will be regulated as under:

(1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.

(2) The following activities will require environmental clearance from the Ministry of Environment and Forests, Government of India, namely:

(i) Construction activities related to Defence requirements for which foreshore facilities are essential (e.g. slip-ways, jetties, etc.); except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ).

(ii) Operational constructions for ports and harbours and light houses requiring water frontage; jetties, wharves, quays, slip-ways, etc. (Residential buildings & office buildings shall not come within the definition of operational activities except in very special cases and hence shall not normally be permitted in the CRZ);

(iii) Thermal power plants (only foreshore facilities for transport of raw materials facilities for in-take of cooling water and outfall for discharge of treated waste water/cooling water); and

(iv) All other activities with investment exceeding rupees five crores.

(3) (i) The coastal States Union Territory Administrations shall prepare, within a period of one year from the date of this Notification. Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment & Forests;

(ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexure-I and II of the Notification; and

(iii) In the interim period till the Coastal Zone Management Plans mentioned in para 3(3)(i) above are prepared and approved, all developments and activities within the CRZ shall not violate the provisions of this Notification. State Governments and Union Territory Administrations shall ensure adherence to these regulations and violations, if any, shall be subject to the provisions of the Environment (Protection) Act, 1986.

**4. Procedure for monitoring and enforcement:** The Ministry of Environment & Forests and

the Government of State or Union Territory and such other authorities at the State or Union Territory levels, as may be designated for this purpose, shall be responsible for monitoring and enforcement of the provisions of this notification within their respective jurisdictions.

[N.K-150 19/1/84-IA-III(Vol.II)]

R. RAJAMANI, Secy.

### **Annexure - I**

#### Coastal Area Classification and Development Regulations

#### **Classification of Coastal Regulation Zone:**

6 (1) For regulating development activities, the coastal stretches within 500 metres of High Tide Line on the landward side are classified into four categories, namely:

#### **Category I (CRZ-I)**

(i) Areas that are ecologically sensitive and important, such as national parks/marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals/coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty/historically/heritage areas, areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as may be declared by the Central Government or the concerned authorities at the State/Union Territory level from time to time.

(ii) Area between the Low Tide Line and the High Tide Line.

### **Category-II (CRZ-II)**

The areas that have already been developed upto or close to the shore-line. For this purpose, "developed area" is referred to as that area within the municipal limits or in other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.

### **Category-III (CRZ-III)**

Areas that are relatively undisturbed and those which do not belong to either Category-I or II. These will include coastal zone in the rural areas (developed and undeveloped) and also areas within Municipal limits or in other legally designated urban areas which are not substantially built up.

### **Category-IV (CRZ-IV)**

Coastal stretches in the Andaman & Nicobar, Lakshadweep and small islands, except those designated as CRZ-I, CRZ-II or CRZ-III.

### **Norms for Regulation of Activities**

6 (2) The development or construction activities in different categories of CRZ area shall be regulated by the concerned authorities at the State/Union Territory level, in accordance with the following norms:

#### **CRZ-I**

No new construction shall be permitted within 500 metres of the High Tide Line. No construction activity, except as listed under 2(xii), will be permitted between the Low Tide Line and the High Tide Line.

#### **CRZ-II**

(i) Buildings shall be permitted neither on the seaward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) nor on seaward side of existing authorized structures. Buildings permitted on the landward side of the existing and proposed road/existing authorized structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of FSI/FAR.

(ii) Reconstruction of the authorised buildings to be permitted subject to the existing FSI/FAR norms and without change in the existing use.

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

#### **CRZ-III**

(i) The area upto 200 metres from the HTL is to be earmarked as 'No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density. However, the following uses may be permissible in this zone-agriculture, horticulture, garden pastures, parks, play fields, forestry and salt manufacture from sea water.

(ii) Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of Ministry of Environment and Forests (MEF) permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

(iii) Construction/reconstruction of dwelling units between 200 and 500 metres of the HTL permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gaothans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling unit shall not be more than twice the number of existing units, total covered area on all floors shall not exceed 33 percent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors (ground floor plus one floor).

(iv) Reconstruction/alterations of an existing authorised building permitted subject to (i) to (iii) above.

#### **CRZ-IV**

##### **Andaman & Nicobar Islands:**

(i) No New construction of buildings shall be permitted within 200 metres of the HTL;

(ii) The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and first floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

(iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purpose;

(v) Dredging and underwater blasting in and around coral formations shall not be permitted; and

(vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III with the prior approval of Ministry of Environment and Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

##### **Lakshadweep and small Islands:**

(i) For permitting construction of buildings the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects erosion and ecological sensitivity;

(ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style;

(iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;

(v) Dredging and underwater blasting in and around coral formations shall not be permitted; and

(vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment & Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

## Annexure - II

Guidelines for Development of Beach Resorts/Hotels in the Designated areas of CRZ-III for Temporary Occupation of Tourist/Visitors, with prior approval of the Ministry of Environment & Forests.

7(1) Construction of beach resorts/hotels with prior approval of MEF in the designated areas of CRZ-III for temporary occupation of tourists/visitors shall be subject to the following conditions:

(i) The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward side) from the High Tide Line and within the area between the Low Tide and High Tide Line;

<sup>(3)</sup>[(ia) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subjects 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 structure 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 purpose of calculation of FSI, the area of entire plot including <sup>(4)</sup>[50% of] the portion which falls within the no development zone shall be taken into account.

(ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33. The open area shall be suitably landscaped with appropriate vegetal cover;

(iii) The construction shall be consistent with the surrounding landscape and local architectural style;

(iv) The overall height of construction upto highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);

(v) Ground water shall not be tapped within 200 m of the HTL; within the 200 metres-500 metres zone, it can be tapped only with the concurrence of the Central/State Ground Water Board;

(vi) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building swimming pool shall not be permitted within 500 metres of the High Tide Line;

(vii) The quality of treated effluents, solid wastes, emissions and noise levels, etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986;

(viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent/solid waste shall be discharged on the beach;

(ix) To allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and

(x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with.

(xi) Approval of the State/Union Territory Tourism Department shall be obtained.

7(2) In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other areas as may notified by the Central/State Government /Union Territories) construction of beach resorts/hotels shall not be permitted.

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## 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.**

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## Ministry of Environment and Forests

### Notification III

**S.O. 494(E)**, dated July 9, 1997, published in the Gazette of India, Extra., Part II, Section 3(ii), dated 9th July, 1997, pp. 4-6 No.393 [No. H-11011/6/97-IA-III]

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

And whereas some State Governments have drawn attention of the Central Government to the difficulties being faced by the local people and also for construction of essential facilities in the coastal zone;

And whereas these issues have been examined by the Government of India in the Ministry of Environment and Forests and discussed with other concerned authorities;

And whereas the Central Government is of the opinion that the said notification should be amended;

And whereas sub-rule (4) of Rule 5 of the Environment (Protection) Rules, 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of the said rules;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of Rule 5 of the said rule for amending the said notification;

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-rules (3) and (4) of Rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the aforesaid notification.

#### **2. In the said notification, in Paragraph 2, -**

(1) in sub-paragraph (ii) the following words and proviso shall be inserted at the end, namely:-

"except transfer of hazardous substances from ships to ports, terminals and refineries and vice versa, in the port areas:

Provided that Government of India in the Ministry of Surface Transport , on a case to case basis, may permit storage of the petroleum products as specified in Annexure III appended to this notification within the existing port limits of existing ports and harbours and in those areas of ports that have not been classified as CRZ-I subject to implementation of safety regulations including guidelines issued by Oil Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas after ensuring proper location of site and availability of necessary equipment to meet the safety norms and the exigencies arising due to any accident or spillage";

(2) in sub-paragraph (iii) the following provision shall be inserted at the end, namely:-

"Provided that existing fish processing units for modernisation purposes may utilise twenty-five per cent additional plinth area required for additional equipment and pollution control measures only subject to existing Floor Space Index/Floor Area Ratio norms and subject to the condition that the additional plinth area shall not be towards seaward side of existing unit and also subject to the approval of State Pollution Control Board or Pollution Control Committee";

(3) for sub-paragraph (viii) the following shall be substituted, namely:-

"(viii) land reclamation, bunding or disturbing the natural course of sea water except those required for construction of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge.";

(4) in sub-paragraph (x), for the proviso the following proviso shall be substituted, namely:-

"Provided that drawal of ground water is permitted, where no other source of water is available and when done manually through ordinary wells or hand pumps, for drinking and domestic purposes, in the zone between 50 to 200 m from High Tide Line in case of seas, bays and estuaries and within 200m or the CRZ, whichever is less, from High Tide Line in case of rivers, creeks and back waters subject to such restrictions, as may be deemed necessary, in areas affected by sea water intrusion, that may be imposed by an authority designated by State Government/Union Territory Administration".

**3. In Paragraph 3, sub-paragraph (2), for clauses (ii) and (iv) the following shall be substituted, namely:-**

"(ii) Operational constitutions for ports and harbours and light houses and constructions for activities such as jetties, wharves, quays and slipways:

Provided that for expansion or modernisation of existing ports and harbours including fishing harbours operational constructions for ports and harbours and construction jetties, wharves, quays, slipways, single point mooring and single buoy mooring and for reclamation for facilities essential for operational requirements of ports and harbours in areas within the existing port limits, except the areas classified as category CBZ -I(i) , shall require environmental clearance from Government of India is the Ministry of Surface Transport, which shall take decision on these activities on the basis of Environmental Impact Assessment Report:

Provided further that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible";

"(iv) All other activities with investment exceeding rupees five crores except those activities which are to be regulated by the concerned authorities at the State/Union Territory level in accordance with the provisions of Paragraph 6, sub-paragraph (2) of Annexure I of the notification".

**4. In Annexure I, in Paragraph 6, in sub-paragraph (2):-**

(1) under heading CRZ-I the following proviso shall be inserted at the end, namely:-

"Provided that construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Bio-sphere reserve area, West Bengal, may be permitted, on a case to case basis, by an authority designated by the State Government";

(2) under heading CRZ-II, for item (i), the following shall be substituted, namely:-

"Buildings shall be permitted only on the landward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) or on the landward side of existing authorised structures. Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of Floor Space Index/Floor Area Ratio:

Provided that no permission for construction of buildings shall be given on landward side of any new roads (except roads proposed in the approved Coastal Zone Management Plan) which are constructed on the seaward side of an existing road";

(3) under heading CRZ-III,-

(i) in item (i) for the words "No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density" the words "No construction shall be permitted within this zone except for repairs of existing authorised structure not exceeding existing FSI, existing plinth area and existing density, and for permissible activities under the notification including facilities essential for such activities. An authority designated by the State Government/Union Territory Administration may permit construction of facilities for water supply, drainage and sewerage for requirements of local inhabitants" shall be substituted.

(ii) in item (iii) at the end, the following words shall be inserted, namely:-

"Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government /Union Territory Administration may permit construction of public rain shelters,

community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities".

5. After Annexure II to the said notification the following Annexure III shall be inserted, namely:-

**ANNEXURE III**

[See Paragraph 2, sub-paragraph (ii)]

**List of Petroleum Products Permitted for Storage in Port Areas**

- i. Crude Oil;
- ii. Liquified Petroleum Gas;
- iii. Motor Spirit;
- iv. Kerosene;
- v. Aviation Fuel;
- vi. High Speed Diesel;
- vii. Lubricating Oil;
- viii. Butane;
- ix. Propane;
- x. Compressed Natural Gas;
- xi. Naptha;
- xii. Furnace Oil;
- xiii. Low Sulphur Heavy Stock".

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- 1. As amended by notification dated 18.8.1994
  - 2. Amended to 50 metres by notification dated 16.8.1994. Restored to 100 metres by Supreme Court dated 18.4.1996
  - 3. Introduced via amendment dated 16.8.1994.
  - 4. Entire area of non-development zone allowed as per amending notification dated 16.8.1994. Modified by the Supreme Court order dated 18.4.1996 to 50% of non-development.
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# MINISTRY OF ENVIRONMENT AND FORESTS

## NOTIFICATION IV

New Delhi, the 12<sup>th</sup> April, 2001

S.O. 329 (E) - Whereas by the notification of the Government of India in the Ministry of Environment and Forests number. S.O. 114 (E), dated the 19<sup>th</sup> February, 1991 (hereinafter referred to as the said notification), the Central Government declared Coastal Stretches as Coastal Regulation Zone (CRZ) and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zone;

And whereas objections raised by the petitioner in the High Court of Delhi in civil writ petition No.4198/98 relating to delegation of powers have been duly considered by the Central Government;

And whereas issues relating to delegation of powers have been examined by the Central Government in the Ministry of Environment and Forests;

And whereas the Central Government has also considered the requirement of projects relating to Department of Atomic Energy and pipelines, conveying system including transmission lines and other facilities essential for activities permissible under the notification in the CRZ areas;

And whereas the Central Government deems it necessary to harmonise the existing provisions of the notification;

And whereas the Central Government is of the opinion that it is necessary and expedient in the public interest to amend the said notification;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that, "Notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of the said rules;"

And whereas the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) sub-rule (3) of rule 5 for amending the said notification.

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-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the aforesaid notification.

2. in the said Notification, in paragraph 2, -

1. for sub-paragraph (i), the following shall be substituted, namely:-

"(i) setting up of new industries and expansion of existing industries, except (a) those directly related to water front or directly needing foreshore facilities and (b) Projects of Department of Atomic Energy;"

(2) in sub-paragraph (ii), for the existing proviso, the following shall be substituted, namely :-

"Provided that, facilities for receipt and storage of petroleum products and Liquefied Natural Gas as specified in Annexure-III appended to this notification and facilities for regasification of Liquefied Natural Gas, may be permitted within the said Zone in areas not classified as CRZ-I (i), subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Government of India, Ministry of Petroleum and Natural Gas and guidelines issued by the Ministry of Environment and Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated by the Government of India in the Ministry of Environment and Forests;"

(3) for sub-paragraph (viii), the following shall be substituted, namely: -

"(viii) Land reclamation, bunding or disturbing the natural course of sea water except those required for construction or modernisation or expansion of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge:

provided that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible;"

4. for sub-paragraph (ix), the following shall be substituted, namely: -

"(ix) Mining of sands, rocks and other substrata materials, except (a) those rare minerals not available outside the CRZ areas and (b) exploration and extraction of Oil and Natural Gas;"

5. for sub-paragraph (xi), the following shall be substituted, namely: -

" construction activities in CRZ -I except as specified in Annexure -I of this notification;"

3. in paragraph 3, in sub-paragraph 2, -

1. for sub-clause (i), the following sub-clause shall be substituted, namely: -

"(i) Construction activities related to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as. slipways, jetties, wharves, quays; except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ);"

2. for sub-clause (ii), the following sub-clause shall be substituted, namely: -

"(ii) Operational constructions for ports and harbours and light houses and constructions for activities such as jetties, wharves, quays and slipways, pipelines, conveying systems including transmission lines;"

3. in sub-clause (ii) existing provisos shall be omitted.

3. in Annexure-I, in paragraph 6, in sub-paragraph (2), -

1. Under heading CRZ-I, the following shall be substituted, namely:-

"No new construction shall be permitted in CRZ- I except (a) Projects relating to Department of Atomic Energy and (b) Pipelines, conveying systems including transmission lines and (c) facilities that are essential for activities permissible under CRZ-I. Between the LTL and the HTL, activities as specified under paragraph 2 (xii) may be permitted. In addition, between LTL and HTL in areas which are not ecologically sensitive and important, the following may be permitted: (a) Exploration and extraction of Natural Gas, (b) activities as specified under proviso of sub-paragraph (ii) of paragraph 2, and (c) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Bio-sphere reserve area, West Bengal, on a case to case basis, by the West Bengal State Coastal Zone Management Authority".

3. In Annexure-III

(1) in the heading, for the words "Port Areas", the words "Coastal Regulation Zone except CRZ I- (i)" shall be substituted.

1. after item (xiii), the following shall be inserted at the end, namely:-

"(xiv) Liquefied Natural Gas (LNG)"

6. Environmental clearances accorded by the Ministry of Surface Transport from 9<sup>th</sup> July 1997 till the publication of this notification are valid .All proposals for environmental clearance pending with the Ministry of Surface Transport stand transferred to Ministry of Environment and Forests from the date of publication of this notification,

(F. No. H-11011/6/97-IA-III)  
Dr. V. Rajagopalan  
Joint Secretary to the Government of India