

F.No.12-14/2018-IA-III
Government of India
Ministry of Environment, Forest and Climate Change

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Dated: 28.08.2018

PUBLIC NOTICE

Sub: Draft Island Coastal Regulation Zone (ICRZ) Notification, 2018 - reg.

The Ministry of Environment, Forest and Climate Change hereby issues the Draft Island Coastal Regulation Zone (ICRZ) Notification, 2018 for seeking comments / suggestions from all concerned. The aforesaid draft notification is available in this Ministry's website in public domain. Comments / suggestions (if any) may be sent either by e-mail or at the address of the undersigned given above within 60 (sixty) days.



(W. Bharat Singh)
Addl. Director/ Sc 'E'

To

All Stakeholders

DRAFT ICRZ NOTIFICATION 2018

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3,
SUB-SECTION (i)]
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, dated....., 2018

G.S.R.....(E).-Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O.20 (E),dated the 6th January, 2011 (hereinafter referred to as the Island Protection Zone Notification, 2011), the Central Government declared certain coastal stretches of Andaman & Nicobar and Lakshadweep as Island Protection Zone (hereinafter referred to as the IPZ); under Section 3 of Environment (Protection) Act, 1986;

And whereas, the Ministry of Environment, Forest and Climate Change (MoEF&CC) has received representations from Union Territories (UTs) of Lakshadweep and Andaman & Nicobar, besides other stakeholders, regarding certain provisions in the IPZ Notification, 2011 related to management and conservation of marine and coastal ecosystems, development in coastal areas,eco-tourism, livelihood options and sustainable development of coastal communities etc;

And whereas, various stakeholders have requested the MoEF&CC to address the concerns related to Coastal Environment and sustainable development w.r.t. the IPZ Notification, 2011;

Whereas MoEF&CC had constituted a committee under the chairmanship of Dr Shailesh Nayak to examine various issues & concerns of coastal states / Union Territories and various stakeholders, relating to the IPZ Notification 2011 and to recommend appropriate changes in the said Notification;

Whereas the report submitted by Dr Shailesh Nayak Committee has been examined in the Ministry and consultations have been held with various stakeholders in this regard;

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 and in supersession of Island Protection Zone Notification 2011, the Central Government, with a view to conserve and protect the unique environment of coastal stretches and marine areas, besides livelihood security to the fisher communities and other local communities in the coastal areas and to promote sustainable development based on scientific principles taking into account the dangers of natural hazards, sea level rise due to global warming, does hereby, declare the coastal stretches of the ten bigger oceanic islands in Andaman & Nicobar viz Middle Andaman, North Andaman, South Andaman, Great Nicobar, Baratang, Havelock, Little Andaman, Car Nicobar, Neil and Long islands and the water area up to territorial water limits of the country, as the Island Coastal Regulation Zone (hereinafter referred to as the ICRZ) as under:

- (i) The land area from High Tide Line (hereinafter referred to as the HTL) to 500 mts on the landward side along the sea front

For the purposes of this Notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide, as demarcated by the National Centre for Sustainable Coastal Management (NCSCM) or any of the agencies authorized by MoEFCC, in accordance with the laid down procedures.

- (ii) ICRZ shall apply to the land area between HTL to 50 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed and demarcated accordingly in the Island Coastal Regional Zone Plans (hereinafter referred to as the ICRZ Plans) as under.

Criteria	ICRZ Limit along the length
a) Rivers/ Estuaries/ Creeks with mangroves along them	-Landward end of mangrove
b) Creeks with connection only to sea	- Landward end of creek
c) Rivers/Estuary/Creek/Canals without mangroves along them	-2.0 km landward of HTL along the Creek (Distance of 2 km to be measured along the actual course /alignment of the creek and not as a straight line distance from the HTL).

The distance of the ICRZ along the tidal influence water bodies, thus determined, shall be demarcated accordingly in the Island Coastal Zone Management Plans (hereinafter referred to as the ICZMPs).

The ICRZ boundaries along the creeks etc. as above shall however be subject to revision and final approval of the respective ICRZ Plans as per this Notification, framed with due consultative process/ public hearing etc. and environmental safeguards enlisted therein. Till such time the ICRZ Plans to this notification is approved, the limit of 100 mts or width of the creek whichever is less, shall continue to apply.

Explanation: For the purposes of this sub-paragraph the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea in the bays, estuaries, rivers, creeks, backwaters, lagoons and ponds etc. that are connected to the sea.

- (iii) The intertidal zone i.e. land area between the HTL and the Low Tide Line (hereinafter referred to as the LTL).

(iv) The water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

2. Classification of the ICRZ – For the purpose of conserving and protecting the coastal areas and marine waters, the ICRZ area shall be classified as follows, namely:-

2.1 ICRZ-I areas are environmentally most critical and shall be further classified as under:

2.1.1 ICRZ-I A:

(a) ICRZ-I A shall constitute the following ecologically sensitive areas and the geomorphological features which play a role in the maintaining the integrity of the coast viz.:

(i) Mangroves. In case mangrove area is more than 1000 sq. mts, a buffer of 50meters along the mangroves shall be provided and such area shall also constitute CRZ –I A.

(ii) Corals and coral reefs;

(iii) Sand Dunes;

(iv) Biologically active Mudflats;

(v) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, the Forest (Conservation) Act or Environment (Protection) Act; including Biosphere Reserves;

(vi) Salt Marshes;

(vii) Turtle nesting grounds;

(viii) Horse shoe crabs habitats;

(ix) Sea grass beds;

(x) Seaweeds,

(xi) Nesting grounds of birds;

(xii) Fishing villages and areas of traditional rights

(xiii) Areas or structures of archaeological importance and heritage sites;

(b) **A detailed environment management plan shall be formulated by the UTs for such ESAs in respective territories, as mapped out by NCSCM, based on guidelines as contained in Annexure-I and integrated in the ICRZ Plans.**

2.1.2 ICRZ-I B:

The intertidal zone i.e. the area between Low Tide Line and High Tide Line shall constitute the ICRZ-I B.

2.2 ICRZ-II

ICRZ-II shall constitute the developed land areas up to or close to the shoreline, within the existing municipal limits or in other existing legally designated urban areas, which are substantially built-up with a ratio of built up plots to that of total plots being more than 50% and have been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains etc.

Land areas along the creeks or tidal influence water bodies, located in the ICRZ II shall also be earmarked as ICRZ II and the distance upto which the ICRZ is to be reckoned shall be determined in the following manner:

Criteria	ICRZ Limit along the length
a) Rivers/ Estuaries/ Creeks with mangroves along them	-Landward end of mangrove
b) Creeks with connection only to sea	- Landward end of creek
c) Rivers/Estuary/Creek/Canals without mangroves along them	-2.0 km landward of HTL along the Creek (Distance of 2 km to be measured along the actual course /alignment of the creek and not as a straight line distance from the HTL).

2.3 ICRZ-III

Land areas that are relatively undisturbed (viz rural areas etc) and those do not fall under ICRZ-II, shall constitute ICRZ -III.

The area up to 200 mts from the HTL on the landward side shall be earmarked as the No Development Zone (NDZ).

Provided further that the NDZ for development of eco-tourism activities shall be 50 m and the A&N administration shall ensure that the concerns of the fishing community are fully protected.

Land area up to 50 m from the HTL, or width of the creek whichever is less, along the tidal influenced water bodies in the CRZ III, shall also be earmarked as the NDZ and the distance upto which the NDZ is to be reckoned shall be determined in the following manner:.

Criteria	ICRZ Limit along the length
a) Rivers/ Estuaries/ Creeks with mangroves along them	-Landward end of mangrove
b) Creeks with connection only to sea	- Landward end of creek
c) Rivers/Estuary/Creek/Canals without mangroves along them	-2.0 km landward of HTL along the Creek (Distance of 2 km to be measured along the actual course /alignment of the creek and not as a straight line distance from the HTL).

Note: The NDZ shall not be applicable in such areas falling within notified Port limits.

2.4 ICRZ-IV:

The ICRZ - IV shall constitute the water area and shall be further classified as under:

2.4.1 ICRZ- IV A

The water area and the sea bed area between the Low Tide Line up to twelve (12) nautical miles on the seaward side shall constitute ICRZ-IV A.

2.4.2 ICRZ- IV B

ICRZ-IV B areas shall include the water area and the bed area between LTL at the bank of the tidal influenced water body to the LTL on the opposite side of the bank, extending from the mouth of the water body at the sea up to the influence of tide, i.e., salinity of five parts per thousand (ppt) during the driest season of the year.

3. Prohibited activities within ICRZ

The following activities shall be prohibited, in general, within the entire ICRZ. Exceptions to these and other permissible/ regulated activities in specific ICRZ categories viz. ICRZ-I, II, III & IV, shall however be governed by the provisions under para 5 of this Notification:

- (i) Destruction of Corals.
- (ii) Mining of sand from in and around coral areas, nesting and breeding grounds of endemic and endangered species.
- (iii) Shore protection works (hard constructions) on the seaward side of the corals.
- (iv) Setting up of new industries and expansion of existing industries, operations or processes.

- (v) Manufacture or handling of oil, storage or disposal of hazardous substances as specified in the notification of Ministry of Environment, Forest & Climate Change.
- (vi) Setting up of new fish processing units.
- (viii) Land reclamation, bunding or disturbing the natural course of seawater.
- (viii) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements.
- (ix) Dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling.
- (x) Port and harbour projects in high eroding stretches of the coast.
- (xi) Mining of sand, rocks and other sub-strata materials.
- (xii) Dressing or altering active sand dunes.
- (xiii) In order to safeguard the aquatic system and marine life, disposal of plastic into the coastal waters shall be prohibited. Adequate measures for management and disposal of plastic materials shall be undertaken in the ICRZ.
- (xiv) Drawal of ground water.

5. Regulation of permissible activities in the ICRZ

5.1 ICRZ-I

5.1.1. ICRZ-IA

These areas are ecologically most sensitive and generally no activities shall be permitted to be carried out in the ICRZ-I A areas, with following exceptions:

- (i) Eco-tourism activities such as mangrove walks, tree huts, nature trails, etc., in identified stretches areas subject to such eco-tourism plan featuring in the approved ICRZ Plans as per this Notification, framed with due consultative process/ public hearing etc. and further subject to environmental safeguards and precautions related to the Ecologically Sensitive Areas, as enlisted in the ICRZ Plans.
- (ii) In the mangrove buffer, only such activities shall be permitted like laying of pipelines, transmission lines, conveyance systems/mechanisms and construction of road on stilts etc. that are required for public utilities.
- (iii) Construction of roads and roads on stilts, by way of reclamation in ICRZ-I areas, shall be permitted only in exceptional cases for defence , strategic purposes and public utilities, subject to a detailed marine/terrestrial environment impact assessment, to be recommended by the Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case construction of such roads passes through mangrove areas or is likely to damage the mangroves, a minimum three times the mangrove area affected/ destroyed /cut during the construction process shall be taken up for compensatory plantation of mangroves.

5.1.2 ICRZ-I B - The inter tidal areas

Activities shall be regulated /permissible in the ICRZ-I B areas as under:

- (i) Land reclamation and bunding etc. shall be permitted only for activities such as;
 - (a) Foreshore facilities like ports, harbours, Jetties, wharves, quays, slipway, bridges, hover ports for coast guard and sea links etc.
 - (b) Projects for defence, strategic and security purpose;
 - (c) Road on stilts, provided that such roads shall not be authorized for permitting development on the landward side of such roads, till the existing High Tide Line. Provided further that the use of reclaimed land may be permitted only for public utilities such as mass rapid or multimodal transit system, construction and installation of all necessary associated public utilities and infrastructure to operate such transit or transport system including those for electrical or electronic signaling system, transit stopover of permitted designs; except for any industrial operation, repair and maintenance.
 - (d) Measures for control of erosion.
 - (e) Maintenance and clearing of waterways, channels, ports and hover ports for coast guard.
 - (f) Measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.
- (ii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations, Indian coast guard stations and the like.
- (iii) Power by non-conventional energy sources and associated facilities.
- (iv) Transfer of hazardous substances from ships to Ports, terminals and refineries and vice versa.
- (v) Facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II, subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF&CC, provided that such facilities are for receipt and storage of fertilizers and raw materials required for fertilizers, like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid etc.
- (vi) Storage of non-hazardous cargo i.e. edible oil, fertilizers & food grains in notified Ports.
- (vii) Hatchery and natural fish drying.

- (viii) Existing fish processing units may utilize 25% additional plinth area for modernization purposes (only for additional equipments and pollution control measures) subject to the following:
- (a) FSI of such reconstruction not exceeding the permissible FSI permissible as per prevalent town and country planning regulations.
 - (b) Additional plinth area is constructed only to the landward side.
 - (c) Approval of the concerned SPCB/ PCC.
- (ix) Treatment facilities for waste and effluents and conveyance of treated effluents.
- (x) Storm water drains.
- (xi) Projects classified as Strategic, Defence related projects& Projects of Department of Atomic Energy.
- (xii) Manual mining of atomic mineral(s) notified under Part-B of First Schedule of Mining and Minerals (Development) Act, 1957 occurring as such or in association with one or other minerals in the inter-tidal zone by such agencies as authorised by Department of Atomic Energy, as per mining plan approved by the Department of Atomic Energy.
- Provided that the manual mining operations are carried out only by deploying persons using baskets and hand spades for collection of ore or mineral within the intertidal zone and as per approved mining plan, without deploying or using drilling and blasting or Heavy Earth Moving Machinery in the intertidal zone.
- (xiii) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;
- (xiv) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water, intake water for desalination plants etc, and outfall for discharge of treated wastewater or cooling water from thermal power plants, in conformity with the environmental standards notified by MoEF&CC and relevant directions of Central Pollution Control Board (CPCB)/SPCB/PCC.
- (xv) Pipelines, conveying systems including transmission lines.
- (xvi) Weather radar for monitoring of cyclones movement and prediction and associated facilities.
- (xvii) Salt harvesting and associated facilities.
- (xviii) Desalination plants and associated facilities.
- (xix) Mining of sand for Construction purposes:

Provided that the mining of sand shall be permitted by Andaman & Nicobar CZMA in identified non-eco sensitive and approved sites, as identified by IOM, Chennai, subject to the following:

- (a) The mining plans shall stipulate sufficient safeguards to prevent damage to the sensitive coastal eco-system including corals, turtles, crocodiles, bird nesting sites and other protected areas.
- (b) Total quality of sand to be mined shall be fixed taking into consideration the order of Hon'ble Supreme Court, dated 7th May, 2002 in Writ Petition (Civil No.2002 of 1995).
- (c) The sand mining shall be monitored by a constituted Committee by the Lieutenant Governor of Andaman & Nicobar comprising of (1) Chief Secretary, Andaman & Nicobar, (2) Secretary, Department of Environment, (3) Secretary, Department of Water Resources, (4) Secretary, Andaman & Nicobar Public Works Department, (5) Representative from the Regional Office of MoEFCC, Bhubaneshwar and (6) Representative of an NGO based at Andaman & Nicobar.

5.2 ICRZ-II

- (i) Activities as permitted in ICRZ-I B, shall also be permissible in ICRZ-II, as applicable.
- (ii) Construction of buildings for residential purposes, schools, hospitals, institutions, offices, public places etc shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized fixed structures; provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
- (iii) **Buildings permitted as in (ii) above, shall be subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio prevailing as on the date of this Notification. It shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are handled as per respective SWM rules and no untreated sewage is discharged on to the coast or coastal waters.**
- (iv) **Reconstruction of authorized buildings shall be permitted, without change in present land use, subject to the local town and country planning regulations as applicable from time to time, and the norms for the Floor Space Index or Floor Area Ratio, prevailing as on the date of this Notification. It shall be the responsibility of the concerned Town Planning Authority to ensure that the Solid Wastes are handled as per respective SWM rules and no untreated sewage is discharged on to the coast or coastal waters.**

- (v) Development of vacant plots in designated areas for construction of beach resorts/hotels/tourism development projects subject to the conditions / guidelines at Annexure-III.
- (vi) Temporary tourism facilities shall be permissible in the beaches. Such temporary facilities shall only include shacks, toilets/washrooms, change rooms, shower panels; walk ways constructed using interlocking paver blocks etc., drinking water facilities, seating arrangements etc. Such facilities shall however be permitted only subject to the tourism plan featuring in the approved ICRZ Plans as per this Notification, framed with due consultative process/ public hearing etc. and further subject to environmental safeguards enlisted in the ICRZ Plans.

5.3 ICRZ-III

- (i) Activities as permitted in ICRZ-I B, shall also be permissible in ICRZ-III, as applicable.
- (ii) Regulation of activities in the **NDZ**:

Following activities shall be permitted/ regulated in the NDZ:

- (a) No construction shall be permitted within NDZ in ICRZ-III, except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density; for permissible activities under the notification including facilities essential for activities and construction/reconstruction of dwelling units of traditional coastal communities including fisher folk, incorporating necessary disaster management provisions and proper sanitation arrangements.
- (b) Agriculture, horticulture, gardens, pastures, parks, playfields and forestry.
- (c) Construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA.
- (d) Construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee.
- (e) 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 and the like;
- (f) **Wherever there is a national or state highway passing through the NDZ of ICRZ-III areas, temporary tourism facilities such as toilets, change rooms, drinking water facility and temporary shacks can be taken up on the seaward side of the road.**

On landward side of such roads in the NDZ, Resorts / hotels and associated tourism facilities shall be permitted. Such facilities shall, however, be permitted only subject to the incorporation of tourism plan in the approved CZMPs as per this Notification and the conditions / guidelines at Annexure-III, as applicable.

- (g) Temporary tourism facilities shall be permissible in the NDZ and beaches in the ICRZ-III areas. Such temporary facilities shall only include shacks, toilets/washrooms, change rooms, shower panels; walk ways constructed using interlocking paver blocks etc, drinking water facilities, seating arrangements etc. Such facilities shall however be permitted only subject to the tourism plan featuring in the approved CZMPs as per this Notification.
- (iii) For ICRZ-III Areas beyond the NDZ, activities shall be permissible/regulated as under:
- (a) Development of vacant plots in designated areas for construction of beach resorts/hotels/tourism development projects subject to the conditions / guidelines at Annexure-III ;
- (b) Construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages etc. Building permission for such construction or reconstruction will be subject to local town and country planning rules with an overall height of construction not exceeding 9mts. and with only two floors (ground + one floor);
- (c) The local communities including fishermen can be permitted to facilitate tourism through 'home stay' without changing the plinth area/ design or facade of the existing houses.
- (d) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads and bridges etc.
- (e) Limestone Mining:
- Selective mining of limestone minerals may be permitted in specific identified areas under the mining plans, which are adequately above the height of HTL, based on the recommendations of reputed National Institutes in the mining field such as CSIR, Central Mining Research Institute etc. provided that the extraction of minerals is carried out not below a height of 1 mtr. above the HTL and an adequate barrier is created so as to safeguard against saline water incursion and subject to appropriate safeguards related to pollution of coastal waters and prevention of coastal erosion.

- (iv) Drawing of groundwater and construction related thereto shall be prohibited within 200 mts. of HTL except for the use of local communities in areas inhabited by them. In the areas between 200mts.-500 mts. of the HTL, groundwater withdrawal can be permitted only through manual means from ordinary wells for drinking, horticulture, agriculture and fisheries etc. where no other source of water is available. Restrictions for such drawal may be imposed by the designated Authority by UT Administration in the areas affected by sea water intrusion.

5.4 ICRZ-IV

Activities shall be permitted/regulated in the CRZ IV areas as under:

- (i) Traditional fishing and allied activities undertaken by local communities.
- (ii) Land reclamation and bunding etc to be permitted only for activities such as;
 - (a) Foreshore facilities like ports, harbours, Jetties, wharves, quays, slipway, bridges, sea links and hover ports for coast guard etc.
 - (b) Projects for defence, strategic and security purpose including coast guard.
 - (c) Measures for control of erosion.
 - (d) Maintenance and clearing of waterways, channels and ports.
 - (e) Measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structure for prevention of salinity ingress and freshwater recharge.
- (iii) Activities related to waterfront or directly needing foreshore facilities such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, navigational safety facilities, and the like.
- (iv) Power by non-conventional energy sources and associated facilities.
- (v) Transfer of hazardous substances from ships to Ports.
- (vi) Storage of non-hazardous cargo like edible oil, fertilizers and food grains in notified Ports.
- (vii) Facilities for discharging treated effluents into the water course.
- (viii) Projects classified as Strategic and Defence related projects including coast guard coastal security network.
- (ix) Projects of Department of Atomic Energy.
- (x) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;

- (xi) Exploration and mining of atomic minerals notified under part-B of the first schedule of the MMDR Act, 1957, occurring as such or in association with other mineral(s) and of such associated mineral(s)
- (xii) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants. Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants, in conformity with the environmental standards notified by MoEF&CC and relevant directions of CPCB/SPCB/PCC.
- (xiii) Pipelines, conveying systems including transmission lines.
- (xiv) Weather radar for monitoring of cyclone prediction, movement and associated facilities.

6. Island Coastal Regulation Zone Plans (ICRZPs)

- (i) A&N Administration shall revise / update their respective island coastal regulation zone plan (ICRZP) framed under IPZ Notification, 2011, as per provisions of this Notification and submit to MoEF&CC for approval at the earliest. All the project activities attracting the provisions of this Notification shall be required to be appraised as per the updated ICRZ Plans to this Notification. Until and unless the plans are so revised/updated, provisions of this Notification shall not come in force and the CZMPs as per provisions of IPZ Notification, 2011 shall continue to be followed for appraisal and CRZ clearance to such projects;
- (ii) The ICRZ plans may be prepared/updated by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of MoEF&CC and in consultation with the concerned stakeholders;
- (iii) Draft plans shall be prepared in 1:25,000 scale map identifying and classifying the ICRZ areas within the respective territories in accordance with the guidelines given in Annexure-IV of the notification, which involve public consultation;

All developmental activities listed in this notification shall be regulated by the Union Territory Administration, the local authority or the concerned CZMA within the framework of such approved ICRZ plans, as the case may be, in accordance with provisions of this notification;

- (iv) The draft plans shall be submitted to the A&N CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986;
- (v) MoEF&CC shall thereafter consider and approve the plans

- (vi) The ICRZPs shall not normally be revised before a period of five years after which, the concerned State Government or the Union territory may consider undertaking a revision.

7. Areas requiring special consideration: Small Islands of Andaman & Nicobar and Lakshadweep:

- (i) All the smaller Islands in Andaman & Nicobar and Lakshadweep, other than those listed under the ICRZ categories, shall also be covered under this Notification.
- (ii) These smaller islands shall be managed through the respective Integrated Island Management Plans (hereinafter referred to as the IIMP). Integrated Island Management Plans (IIMPs) shall be formulated by respective UTs for all such Islands as per guidelines contained in Annexure IV, and submitted to MoEF&CC for approval at the earliest. Until and unless the IIMPs are framed, provisions of this Notification shall not come in force and the IIMPs as per provisions of IPZ Notification 2011 shall continue to be followed.
- (iii) In view of the unique coastal systems and space limitations in these islands, a No Development Zone (NDZ) of 20 mts. from the HTL on the landward side shall uniformly apply to such islands and activities shall be regulated as under:
- (a) Existing dwelling units of local communities of these islands may be repaired or reconstructed within **20mts** from the HTL. However, no new construction shall be permitted.
- (b) Foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up in NDZ limits subject to due environmental safeguards.
- (c) Activities in the Coastal Water areas, inter-tidal zone and ecologically sensitive areas shall be permitted/regulated as in the ICRZ-I and ICRZ-IV areas under Para 5 of this Notification.
- (d) Development in these Islands beyond 20 mts. of HTL shall be governed by the respective IIMPs and local regulations, as applicable.

8. ICRZ clearance for permissible/regulated activities- Delegations

- (i) All permitted / regulated project activities attracting the provisions of this notification shall be required to obtain ICRZ clearance prior to their commencement.

- (ii) **All development activities/projects in ICRZ-I and ICRZ-IV areas, which are regulated/permmissible as per this notification, shall be dealt with by MOEF&CC for clearance, based on the recommendation of the concerned CZMA.**
- (iii) For all other permmissible/regulated activities as per this Notification, which fall purely in ICRZ-II / ICRZ-III areas, the ICRZ clearance shall be considered by the concerned CZMAs. Such projects in ICRZ -II and III, which also happen to be traversing through ICRZ-I and/or ICRZ-IV areas, ICRZ clearance shall, however be considered only by MoEF&CC, based on recommendations of the CZMA.
- (iv) Projects / activities which attract the provisions of this Notification as also the provisions of EIA Notification 2006, shall be dealt with for a composite Environmental and ICRZ clearance under EIA Notification 2006 by the concerned approving Authority, based on recommendations of concerned CZMA, as per delegations i.e., State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) or MoEF&CC for category 'B' and category 'A' projects respectively.
- (v) In case of building/construction projects with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification, these shall be approved by the concerned local Union Territory Planning Authorities in accordance with this notification, after obtaining recommendations of the CZMA.
- (vi) Only for self-dwelling units up to a total built up area of 300 sq mts, approval shall be accorded by the concerned local Authority, without the requirement of recommendations of the CZMA. Such authorities shall, however, examine the proposal from the perspective of this Notification, before according approval.

9. Procedure for ICRZ clearance for permmissible/regulated activities

- (i) The project proponents shall apply with the following documents to the concerned Union territory Coastal Zone Management Authority for seeking prior clearance under the ICRZ Notification:
 - (a) Project summary details as per Annexure-V of the notification.
 - (b) Rapid EIA Report including marine and terrestrial component, as applicable, except for building construction projects / housing schemes.
 - (c) Comprehensive EIA with cumulative studies for projects, (except for building construction projects / housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification) if located in low and medium eroding stretches, as per the ICRZP to this notification.
 - (d) Risk Assessment Report and Disaster Management Plan except for building construction projects / housing schemes with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification.
 - (e) ICRZ map in 1:4000 scale, drawn up by any of the agencies identified by the MoEF&CC vide its Office order number J-17011/8/92-IA-III dated 14th March 2014 using the demarcation of the HTL or LTL, as carried out by NCSCM.

- (f) Project layout superimposed on the above map duly indicating the project boundaries and the ICRZ category of the project location as per the approved ICZMP of this Notification.
 - (g) The ICRZ map normally covering 7km radius around the project site also indicating the ICRZ-I, II, III and IV areas including other notified ecologically sensitive areas.
 - (h) "Consent to establish" or NOC from the concerned State Pollution Control Boards or Union Territory Pollution Control Committees for the projects involving treated discharge of industrial effluents and sewage. In case prior consent of PCB/PCC is not obtained, the same shall be ensured by the proponent before the start of the construction activity of the project, following the clearance under this Notification.
- (ii) The A&N CZMA shall examine the documents as in (i) above, in accordance with the approved CZMP and in compliance with ICRZ notification and make recommendations within a period of sixty days from date of receipt of complete application as under:-
- (a) For the projects/activities also attracting the EIA Notification, 2006, the CZMA shall forward its recommendations to MoEF&CC or SEIAA for category 'A' and category 'B' projects respectively, to enable a composite clearance under the EIA Notification.
However, even for such Category 'B' projects located in ICRZ-I or ICRZ-IV areas, final recommendation for ICRZ clearance shall be made only by MoEF&CC to the concerned SEIAA to enable it accord a composite EC and ICRZ clearance to the proposal.
 - (b) ICZMAs shall forward their recommendations to MoEF&CC for the projects/activities not covered in the EIA notification, 2006, but attracting ICRZ Notification and located in ICRZ-I or ICRZ-IV areas.
 - (c) Projects/activities not covered in the EIA notification, 2006, but attracting ICRZ Notification and located in ICRZ-II or ICRZ-III areas shall be considered for clearance by the concerned ICZMA within sixty days of the receipt of the complete proposal from the proponent..
 - (d) In case of construction projects attracting CRZ Notification but with built-up area less than the threshold limit stipulated for attracting the provisions of the EIA Notification 2006, CZMAs shall forward their recommendations to the Union territory planning authorities, to facilitate granting approval by such authorities.
- (iii) MoEF&CC, shall consider complete project proposals for clearance under the ICRZ Notification, based on the recommendations of the ICZMA, within a period of sixty days.
- (v) In case the ICZMAs are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the Union territory Administrations, who are the custodian of the ICRZ Plans or IIMPs, to provide comments and recommend the proposals in terms of the provisions of the said notification.
- (vi) The clearance accorded to the projects under this notification shall be valid for a period of seven years, provided that the construction activities are completed and the operations commence within seven years from the date of issue of such clearance.

The validity may be further extended for a maximum period of three years, provided an application is made to the concerned authority by the applicant within the validity period, along with recommendation for extension of validity of the clearance by the concerned Union Territory Coastal Zone Management Authority.

(vii) 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.

(viii) 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.

10. Enforcement of the ICRZ Notification:

- (i) For the purpose of implementation and enforcement of the provisions this notification and compliance with conditions stipulated there under, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF&CC, and the Union territory Administration, NCZMA and SCZMAs;
- (ii) The composition, tenure and mandate of NCZMA and State Government or the Union territory CZMAs have already been notified by MoEF&CC in terms of Orders of Hon'ble Supreme Court in Writ Petition 664 of 1993;
- (iii) The Union territory CZMAs shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the Union Territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned comprising at least three representatives of local traditional coastal communities including from fisherfolk. The State Government may consider further delegation of the enforcement of this notification to the level of respective District Magistrates.
- (iv) The dwelling units of the traditional coastal communities including fisher folk as were permissible under the provisions of the IPZ notification, 2011, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely:-
 - (a) These are not used for any commercial activity.
 - (b) These are not sold or transferred to non-traditional coastal community.
