

GOVERNMENT OF KERALA
SCIENCE AND TECHNOLOGY DEPARTMENT

Minutes of the 28th meeting of Kerala Coastal Zone Management Authority

Date & Time : 23rd January, 2009 at 2.30PM

Venue : Sasthra Bhavan, Pattom, Thiruvananthapuram.

List of members present is given as Annexure I

The meeting commenced at 2.30PM. The chairman welcomed all the members to the meeting of the authority. Thereafter, the authority considered the items in the Agenda.

Agenda Item No.1

Confirmation of the minutes of the 26th and 27th meeting of KCZMA.

Confirmed.

Agenda item No.2.

Action Taken Report

The Authority noted the action taken on the decisions of 26th and 27th meeting of KCZMA.

Agenda Item No.3

New proposals for consideration

R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No. 28.3.1
File No. 1869/A3/08/S&TD

Construction of building – CRZ Clearance – Application from Sri.Rishi
Shanghari, Director, Glob Link Hotel, Jamshedpur – reg

The Secretary, Uduma Grama Panchayat , Kasaragod District has forwarded a proposal for the construction of a building (Resort of 32464 Sq.M) with a cost of Rs.17.7 crores by Sri.Rishi Shangari, Director, Glob Links Hotel, Jamshedpur, at Pallikkara Village. The area comprising an extent of 32.35 acres of dry land.

The proposed construction is spread over two sites in Pallikkara Village. The site I lies with in No Development Zone in CRZIII category where no new construction is permissible . The site II has CRZ having No Development Zone of river and construction is proposed outside this. This site lies beyond 500 metre from High Tide Line of Sea . The construction in site II which lies outside CRZ area can be permitted from CRZ angle subject to the following conditions that

- i) the construction is made only outside the No Development Zone and shall be consistent with surrounding landscape and local architectural style.
- ii) No solid wastes/untreated effluence shall be discharged into the sea/river

KCZMA decided to issue CRZ clearance with the above condition.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda item No. 28.3.2

File No. 2101/A3/08/S&TD

Construction of a residential building in Kozhikode Corporation by Sri.K.P.Ali Koya - Instruction for CRZ clearance issued - ratification - reg

The Secretary, Kozhikode Corporation has forwarded a proposal for the construction of a residential building by Sri. K.P. Ali Koya in Ward No.22, Re-survey No. 675,677,678,679,680 & 663 of Kozhikode Corporation.

KCZMA discussed the case in detail and ratified the action. It was also decided to ascertain from the Secretary, Kozhikode Corporation, that any CRZ I area is not present in the proposed site.

Agenda Item No.28.3.3

File No.2273/A2/08/S&TD

Construction of building in CRZ area in Pallippuram Grama Panchayath - Application of Smt.Geetha - reg.

Secretary, Pallippuram Grama Panchayath forwarded the proposal for the construction of a dwelling unit in CRZ area by Smt.Geetha who belongs to traditional fishermen community. The plot is at 58m from the High Tide Line of Kayal. The area belongs to CRZ III and is No Development Zone where constructions are not permissible. The petitioner belongs to traditional fishermen community.

KCZMA discussed the matter in detail and decided to recommend the case to Government of India with all supporting documents.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

It was also decided to constitute a Committee with Dr.Madhusoodana Kurup, Member KCZMA, Dr.K.V.thomas, Scientist, CESS and Dr.Kamalakshan Kokkal, PSO, KSCSTE as members. Dr.Kamalakshan Kokkal will be the convenor of the above Committee. The Committee will examine in particular whether

- i) Construction of dwelling units for traditional inhabitants in pokkali area can be permitted.***
- ii) CRZ I(i) buffer zone around the pokkali in the Kerala Coastal Zone Management Plan is required or not***
- iii) And issues on No Development Zone of the rivers and backwaters for traditional inhabitants.***
- iv) Any other issue relevant to the subject matter.***

Agenda Item No.28.3.4

File No.2362/A2/08/S&TD.

Construction of a hotel at Silver Sand Island near Vyttila Junction by M/s.Backwater Hotels & Resorts Pvt. Ltd.

Deputy Director, Ministry of Environment And Forests, Government of India vide letter dated 7.10.08 directed KCZMA to furnish comments on the proposal of M/s.Backwater Hotels & Resorts Pvt. Ltd., for construction of a Hotel at Silver Sand Island (near Vyttila Junction). A Field visit was conducted on this by a team of Technical Experts.

KCZMA discussed the matter in detail and accepted the site inspection report. The Authority pointed out that the area has to be included in the CRZ though it lies outside CRZ area in Kerala Coastal Zone Management Plan. Hence action may be initiated to reexamine the CRZ Status of the area and to forward the recommendations to the MoEF for approval.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No.28.3.5

File No.2412/A2/08/S&TD.

Request for regularisation of the reconstructed building in Perinad Grama Panchayath, Kollam District – Application of Smt. Sheela and Shri.Joy – reg.

Smt.Sheela and Shri.Joy, Aswini Nivas, Chemmakkad, Perinad, Kollam have informed that the Secretary, Perinad Grama Panchayath, Kollam District rejected their application for issuing building number to the reconstructed building situated at a distance of 65m from the High Tide Line of backwater on the reason that, the building is within the No Development Zone. The petitioner stated that the construction was not a new one, but it was the reconstruction of an authorized building which had been existing for the last 80 years. It is requested that building number may be allotted to the reconstructed building.

As per CRZ Notification, 1991 Modification/ repair of existing authorized building can be permitted in No Development Zone subject to the condition that there is no increase of existing plinth area, FSI and density.

KCZMA discussed the case in detail and decided to grant CRZ clearance for the above reconstruction on condition that there is no increase of existing plinth area, FSI and density.

Agenda Item No.28.3.6

File No.2419/A2/08/S&TD

Setting up of Coastal Police Stations under CRZ Notification, 1991 – guidelines issued – reg.

The CRZ Notification, 1991 provides for regulation of activities which require water front or foreshore facilities for developmental and infrastructure

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Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

projects. The Coastal Police Stations which are intended for defence, policing and vigilance purposes in coastal areas require waterfront and foreshore facilities due to their nature of work.

In Letter No.II-83/2005-IA III dated 3.12.2008, Government of India have informed that in view of the need to strengthen coastal security, coastal Police Station may be considered as projects requiring waterfront as per CRZ Notification and has directed the State Coastal Regulation Zone Authorities to consider projects of coastal Police Stations with investment upto Rs.5 crores, and if it is more than Rs.5 crores, to forward the same to Ministry of Environment and Forests, Government of India.

KCZMA has discussed the case in detail and authorized the Chairman, KCZMA to take suitable decisions in similar cases without further reference to the Authority.

Agenda Item No.28.3.7

File No.2458/A2/08/S&TD

Proposal for the construction of a building for Pump house in CRZ-I area

The Secretary, Edavanakkad Grama Panchayath, Ernakulam district vide letter dated 18.11.2008 requested to clarify whether CRZ clearance can be issued for the construction of a building for Pump house at a distance of 7m from the banks of filtration ponds in CRZ I area.

KCZMA has discussed the matter in detail and decided to issue CRZ clearance for the construction of a Pump house subject to the following conditions:

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Deputy Secretary,
Science and Technology Dept.

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Dr.E.P.YESODHARAN,
Chairman, KCZMA.

- 1. Construction should be exclusively for a Pump hosue for agricultural purpose.**
- 2. Area of the construction should be limited to 100 sq.ft. and the height shall be limited to the minimum required.**
- 3. Panchayath Authorities should ensure that there is no deviation from the above conditions.**
- 4. In case the construction used for any other purpose, the permission will be withdrawn summarily and appropriate measures as per CRZ rules will be initiated.**

Agenda Item No.28.3.8

File No.2459/A2/08/S&TD.

**Construction of residential building near Pokkali fields in CRZ-I area –
Application received from Shri.Shanmughan, Mulavukad –reg.**

Secretary, Mulavukad Grama Panchayath vide letter dated 25.8.2008 has pointed out a case where a house was constructed by a traditional fisherman in CRZ I and applied for building number. The Panchayat has requested to issue clarifications on the following points on the basis of CRZ Notification 1991.

1. Whether building number can be issued to the house situated at 10m from the side of a marshy land which was a pokkali field 30 years back.
2. Whether building number can be issued in the above case on the basis of the relaxations allowed to fishermen and if so the procedure therefore.

KCZMA has discussed the matter in detail and decided to examine the issue further by a Sub Committee consisting of Dr.Mudhusoodana Kurup, Dr.K.V.Thomas(representing Director, CESS), and Dr.Kamalakshan Kokkal, (representing MS,KSCSTE). The Committee will review the recommendation in the site inspection report and the possibility of recategorisation of Pokkali fields from CRZ I(i)category to CRZ III category will be further examined and submit its recommendation.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No. 28.3.9
File No. 2472/A3/08/S&TD

Construction of Anganwady building in Mangalam Grama Panchayat , Tirur Taluk - CRZ Clearance – reg

The Secretary, Mangalam Gramapanchayat has forwarded a proposal for the construction of an Anganwady building in Mangalam Gramapanchayat in Tirur Taluk. The proposed construction is in 3 cents of land in Re-survey No. 240/07 and the estimated cost is 3,50,000/- rupees which is allotted to the Panchayat Authorities under Tsunami Rehabilitation Programme.

The proposed site lies 175Metres from the High Tide Line of sea. The area comes under CRZ III in No Development Zone.

KCZMA discussed the case in detail and decided to issue CRZ clearance for the above proposal.

Agenda Item No.28.3.10

File No.86/A2/09/S&TD.

Cadastral Scale maps for Kozhikode Corporation and Varkala Municipality – Final Report – reg.

The CESS has prepared the final report of Cadastral scale CRZ maps for Kozhikode Corporation and Varkala Municipality under the KSCSTE project on “Cadastral Scale CRZ Maps for Urban Areas in Kerala Phase I”.

KCZMA has discussed the matter in detail and approved the Cadastral scale maps prepared by CESS for Kozhikode corporation and Varkala Municipality.

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R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No.28.3.11

File No.1676/A2/08/S&TD

Construction of a five star Hotel 'Crown Plaza' at Kundannur, Maradu, Kochi.

Deputy Director, Ministry of Environment and Forests, Government of India directed to furnish comments on the construction of a five star hotel 'Crown Plaza' at Kundannur, Maradu. The proposed construction on the banks of Kundannur Thodu, which is part of Vembanadu backwater, influenced by tidal action. The site is covered in Map.No.34 of the Coastal Zone Management Plan of the State. A site inspection has been conducted by a team of Technical Experts.

KCZMA discussed the matter in detail and accepted the site inspection report and decided to furnish views to Government of India.

Agenda Item No.28.3.12

File No.2163/A2/08/S&TD.

Establishment of a Chitin Unit by M/s.A.S.Traders in CRZ area – Punnapra Grama Panchayath

Secretary, Punnapra Grama Panchayath vide letter dated 11.11.2008 requested to issue CRZ clearance for establishing a Chitin Unit. The proposed industry is in No Development Zone of CRZ-III(within 200m from the High Tide Line). It is proposed to utilize the already existing building and no new construction is involved.

KCZMA deferred the item to the next meeting for detailed discussion.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No.28.3.13

File No.2385/A2/08/S&TD

**Construction of building 'Prestige Forum Mall' Maradu Grama Panchayath
by M/s.Thomsun Realtors - reg.**

Secretary, Maradu Grama Panchayath vide letter dated 17.9.2008 submitted a proposal for the construction for 40 lakh sq.ft. building 'Prestige Forum Mall' in Sy.No.138/1,2,3,4,5,6,9,11,12,13,14,15,16; 139/1,3,4; 140/2,3,4,5; 141/11,13,14; 145/4,6,7,8; 176/21; 179/1,10,11,25,26 of Maradu Village Ernakulam District. On detailed examination, it is seen that the proposed area is the No Development Zone of CRZ III. Water body reclamation is also proposed in the site which is a prohibited activity as per CRZ Notification 1991. From the Status Report prepared by CESS, it is clear that part of the area is filtration ponds which are classified as CRZ I. Hence the entire area of the proposed project is coming under the No Development Zone. Hence the proposals was rejected vide Govt.Ir.No.1851/A2/08/S&TD dated 15.10.2008. As per the letter dated 4.12.2008, the Secretary, Maradu Grama Panchayath again submitted the same proposal, in the same location. The argument of the project proponent is that the salinity of water in the area is only 300ppm and hence it is outside CRZ.

KCZMA has discussed the matter in detail and decided to constitute a Sub Committee to examine the case in detail with Dr.N.R.Menon(Member KCZMA) and Dr.P.Harinarayanan, Scientific Officer, KSCSTE as members.

Agenda Item No.28.3.1 4

File No.2194/A2/08/S&TD

Construction of building in CRZ area in Orumanayoor Grama Panchayat -

Application of Smt. Femina Shamsuddin - reg

Secretary, Orumanayoor Grama Panchayat has requested to clarify whether clearance may be issued to a building proposed to be constructed at 87metre from the banks of a lake, where the width is more than 100m.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

The above proposal is reconstruction of a two storied tiled house into a concrete house. The inspection team the examine the case has recommended to issue permission to the above, subject to the following conditions :-

1. The plinth area should not be exceeded from the existing house.
2. The old house may be demolished after completing the present construction.

The team also recommended that the KCZMA take a decision (1) to reduce the No Development Zone to 40% of the width of the river/creeks

on the banks of river/creeks and backwaters and to permit construction landward to the existing buildings in the No Development Zone of CRZ area, subject to conditions as stipulated in CRZ III.

KCZMA deferred the case to the next meeting for detailed discussion.

Agenda Item No.28.3.15

File No.105/A2/09/S&TD

**Mining of heavy mineral sand at Alappad, Ponmana and Ayanivelikulangara,
Kollam – Request from IREL-reg.**

IREL, vide letter dated 1.1.2009 requested to issue CRZ clearance for the mining of heavy mineral sand at Alappad, Ponmana and Ayanivelikulangara, Kollam. As per CRZ Notification 1991, mining of beach places is a permissible activity. It can be permitted in CRZ III and CRZ I(ii) areas. The same is not permissible in CRZ I(i) ecologically sensitive areas. As per the CRZ status report, plots in Sy.No.412, 113, 114, 36 &4 are CRZI(i) areas where such mining is not permitted.

KCZMA has discussed the matter in detail and decided to recommend and forward the case to Government of India, in view of the sensitive nature of the minerals for the nation and IRE being a central PSU under the Department of Atomic Energy.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No.28.3.16

File No.114/A2/09/S&TD.

Illegal construction at Pulinkudi within CRZ – reg.

The Secretary, Kottukal Grama Panchayath vide letter dated 6.1.2009 submitted the proposals for CRZ clearance as directed in WP© No.35227/08. It is reported that Sri.Bernard.M.Louis, Bethsaida Heritage, Pulinkudi, Chowara has made certain constructions in violation of CRZ Notification. It is also reported that the constructions made lie within 0-200m of High Tide Line of sea, ie. Within the No Development Zone. The Hon'ble court has ordered to pass final orders within one month from the date of receipt of the application from the respondent Panchayath.

KCZMA has discussed the matter in detail and decided to authorize the Chairman, KCZMA to take a decision on the proposal for the construction of building in the No Development Zone in Kottukal Grama Panchayath by Shri.Bernard.M.Louis of Bethsaida Heritage, Pulinkudi after hearing the Panchayath and the petitioner, in view of the time limit stipulated by the Hon'ble Court.

Agenda item No.28.3.17

File No. 2125/A2/08/S&TD

Govt. LPS, Edakkazhiyoor – Construction of building, Stage and Compound Wall – CRZ clearance issued – Ratification –reg

Head Mistress, GLPS, Edakkazhiyoor, submitted the proposal for construction of computer room, stage and compound wall for the school under TRP assistance and requested for CRZ clearance. The proposed construction is between 200-500m from High Tide Line in CRZ-III area. As per the plan, Compound wall is also requested.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

CRZ clearance is already issued subject to the following conditions taking in view of the urgency of the matter.

a. General

- iii) The construction of structures, if any, may be undertaken as per the plans approved by the local authorities concerned, in conformity with the existing local and central rules and regulation including the provisions of CRZ Notification.
- iv) All safety norms would be ensured and proper arrangements may be made for security of pupils.

b. Specific

- iii) The purpose shall not be changed under any circumstances.
- iv) The project proponent must take necessary arrangements for disposal of solid wastes and for the treatment of effluents/wastes. It must be ensured that untreated effluents/solid wastes are not discharged into the sea.

KCZMA has discussed the matter in detail and ratified the action.

Agenda Item No.28.3.18

File No.104/A2/09/S&TD

Clarification on CRZ Notification 1991 – Request from Ezhikkara Grama Panchayath

Secretary, Ezhikkara Grama Panchayath vide letter dated 29.9.2008 requested to issue clarification on construction of new buildings and the reconstruction of buildings in CRZ areas as per the CRZ Notification 1991. A site inspection has been conducted in the area by a team of technical officers.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

KCZMA has discussed the site inspection report in detail and decided to authorize Sub Committee with Dr.Madhusoodharan Kurup, Dr.K.V.Thomas, and Dr.Kamalakshan Kokkal as members to review the case and offer its recommendations.

Agenda Item No.28.3.19

File No.2413/A2/08/S&TD

Paravur Municipality - Construction of Shed in CRZ area - reg.

Secretary, Paravur Municipality vide letter dated 14.11.2008 submitted application for granting CRZ clearance for the sheds constructed in the area without permission. On examination it is seen that the construction is made in CRZ II area.

As per the CRZ report submitted the construction is made in CRZ II area. The site has CRZ both on sea shore and banks of backwater. The proposed site is landward of approved road on the sea shore in Kerala coastal Zone Management Plan. On the backwater side if the existing government building is approved/authorized(constructed before 19th February, 1991) construction can be permitted on landward side of the same.

KCZMA has discussed the case in detail and decided to ascertain, whether the existing building is an authorized one (such as Building number issued prior to 19th February, 1991.) and decide based on the same.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No.28.3.20

File No.1000/A2/06/S&TD.

Recategorisation of CRZ III area into CRZ II

The recategorization of CRZ III area into CRZ II was discussed by KCZMA in its 20th meeting and a Sub Committee was constituted to examine the possibility of the same. The case was again placed before the Authority in its 23rd meeting. The Authority decided to collect data from the Local Self Government Department. In the meantime, the term of the then Authority was over and it was reconstituted by Government of India. Shri.Raveendran Nair who is a Member of the Sub Committee is not a member of the reconstituted KCZMA.

KCZMA discussed the matter in detail and decided to extend the term of the Committee constituted vide G.O.(Rt)No.38/07/S&TD dated 28.5.2007 by another one year and to nominate Smt.J.Mercykutty Amma, Member, KCZMA to the above Committee in the place of Shri.Raveendran Nair.

Outside Agenda Item.28.3.1

File No.39/A3/09/S&TD.

Thalassery Municipality – Reconstruction and renovation work of Hotel

Victoria in Ward 50, Re.Sy.No.75 – CRZ clearance – reg.

The Secretary, Thalassery Municipality has forwarded a proposal by Smt.P.N.Smayuktha for the reconstruction and renovation work of Victoria Hotel in Ward No.50, Re.Sy.No.75 of Thalassery Municipality. As per the Status Report the area comes under CRZ II.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Earlier a site inspection was conducted on this place based on a petition received from Sri.vijayan Thundiyil, a public. The petitioner alleged that unauthorized construction was taking place. As per the site inspection report, reconstruction and renovation work of an authorized structure (TM.50/129)has being taken up in the area by Smt.P.N.Samyuktha. The building(TM 50/129) is about 6m from the High Tide Line of the sea on the cliff. A few temporary huts were also noted hear to the shoreline.

The matter was discussed as outside agenda item and deferred the item to the next meeting of KCZMA for verification.

The meeting came to an end at 4.30PM.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Annexure – I

Kerala Coastal Zone Management Authority – 25th Meeting at 11.30PM on
16.10.2008

Present:

1. Dr.E.P.Yesodharan, Chairman, KCZMA.
2. Smt.Lovely.V.T., Senior Environmental Engineer, KSPCB(representing
Chairman)
3. Shri.B.Surendran, Additional Secretary, Environment Department.
4. Dr.N.R.Menon, CUSAT
5. Shri.Rajesh.P.R., Town Planner, O/o.Chief Town Planner.
6. Dr.K.V.Thomas, Scientist, CESS.
7. Prof.B.Madhusoodana Kurup, CUSAT.
8. Smt.V.V.Suseela, Deputy Secretary, Revenue Department.
9. Shri.R.S.Girish, Deputy Secretary, Science and Technology Department.
10. Dr.Kamalakshan Kokkal, PSO, KSCSTE.

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R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

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Dr.E.P.YESODHARAN,
Chairman, KCZMA.
