

2684/A2/13/KCZMA/STTD

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

61st MEETING

Agenda & Notes

*Venue : Conference Hall, Sasthra Bhavan,
Pattom, Thiruvananthapuram.*

Date : 2.30 P.M on 20th December 2013

**KERALA COASTAL ZONE MANAGEMENT AUTHORITY
SCIENCE & TECHNOLOGY DEPARTMENT,
SASTHRA BHAVAN,
PATTOM, THIRUVANANTHAPURAM -695 004**

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

61st MEETING

Date & Time

Venue

20th December, 2013
2.30 P.M

Sasthra Bhavan
Pattom, Thiruvananthapuram-4.

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Agenda Item No. 61.1

Confirmation of the Minutes of the 60th meeting held on 27.11.2013

The minutes of the 60th meeting (copy at **Annexure -I**) may be considered for approval.

The minutes of the 60th meeting received at Science & Technology Department on 18.12.2013. Hence the **Action taken Report** not included and action as per the decision of KCZMA is under processing.

Agenda Item No. 61.2

Consideration of **Deferred Agenda items** of 60th meeting.

Deferred Agenda Item No. 61.2.1

File No. 208/A2/2011/KCZMA/S&TD

**Report of the Sub Committee constituted to study the CRZ aspects for
construction of Houses under Government Housing Scheme in Edavanakkad
Grama Panchayath**

A Sub Committee was constituted to study the CRZ aspects with regard to the proposal for the construction of Houses under Government Housing Scheme in Edavanakkad Grama Panchayath. Copy of the inspection report may be seen **attached** to this.

KCZMA may discuss the report and advise on the further course of action.

**REPORT ON CRZ SITE VISIT IN EDAVANAKKAD GRAMAPANCHAYATH
AREA, ERNAKULAM DISTRICT**

1. Introduction

Kerala Coastal Zone Management Authority constituted a committee consists of Prof. A. Ramachandran, Registrar, CUSAT and Dr. Kamalakshan Kokkal, Joint Director and Head, KSCSTE vide letter No. 208/A2/2011/KCZMA/S&TD dated 24.05.2013 for verification of the constructions on CRZ/ disaster angles in Edavanakkad Gramapanchayath.

2. Methodology

The committee visited the construction of buildings made in Edavanakkad Gramapanchayath on 16th August 2013 along with officials of Edavanakkad Gramapanchayath. The committee members had a detailed discussion with officials of the Gramapanchayath. Mr. Hari, Librarian of the Panchayath accompanied the Committee for field verification of constructions. The report prepared by CESS on construction of buildings in Edavanakkad Gramapanchayath was verified in the field. All the 22 constructions referred by the Edavanakkad Gramapanchayath are located or proposed to be located in the CRZ (Table 1). Among the constructions five are along the sea coast and the remaining 17 are on the banks of backwater /kayal. The dwelling units are proposed to be constructed under various Govt sponsored programmes including EMS housing scheme. The report prepared by Dr. K.V. Thomas, Scientist from CESS is used for detailed verification of constructions in the Edavanakkad Gramapanchayath. The 54th KCZMA considered the above site inspection report prepared by Dr. K. V. Thomas and constituted the present committee to verify the constructions on CRZ as well as disaster angle.

3. Location

Edavanakkad Gramapanchayath is a part of Vyppin island and is located between Lakshadweep sea and Vembanad kayal in Ernakulam district. Canal such as Aniyil thodu, Pazhayangadi thodu, Chthangad thodu and the backwater kayal divide the panchayath into many islands. The area has number of filtration ponds. All the 22 buildings are located close to the sea, kayal or the filtration ponds.

4. CRZ Status

As per the 2011 notification the backwater islands have a CRZ of 50 m on the landward side of HTL. The 50m CRZ is a No Development Zone in CRZ III. The water body consists of filtration ponds and backwater and the bed are CRZ IV. Along the sea coast CRZ is 500m landward HTL of the sea. The 18 constructions are in the backwater islands lying within 50m of CRZ fall in the no development zone in CRZ III. The 4 constructions are lie within 200m No Development Zone of sea in CRZ III (Photos 1 and 2). Two of the constructions are not for dwelling purposes in which one is a proposed workshop and another one is renovation of an ayurvedic medicine store. The details of constructions and distance from HTL are given in Table 1.

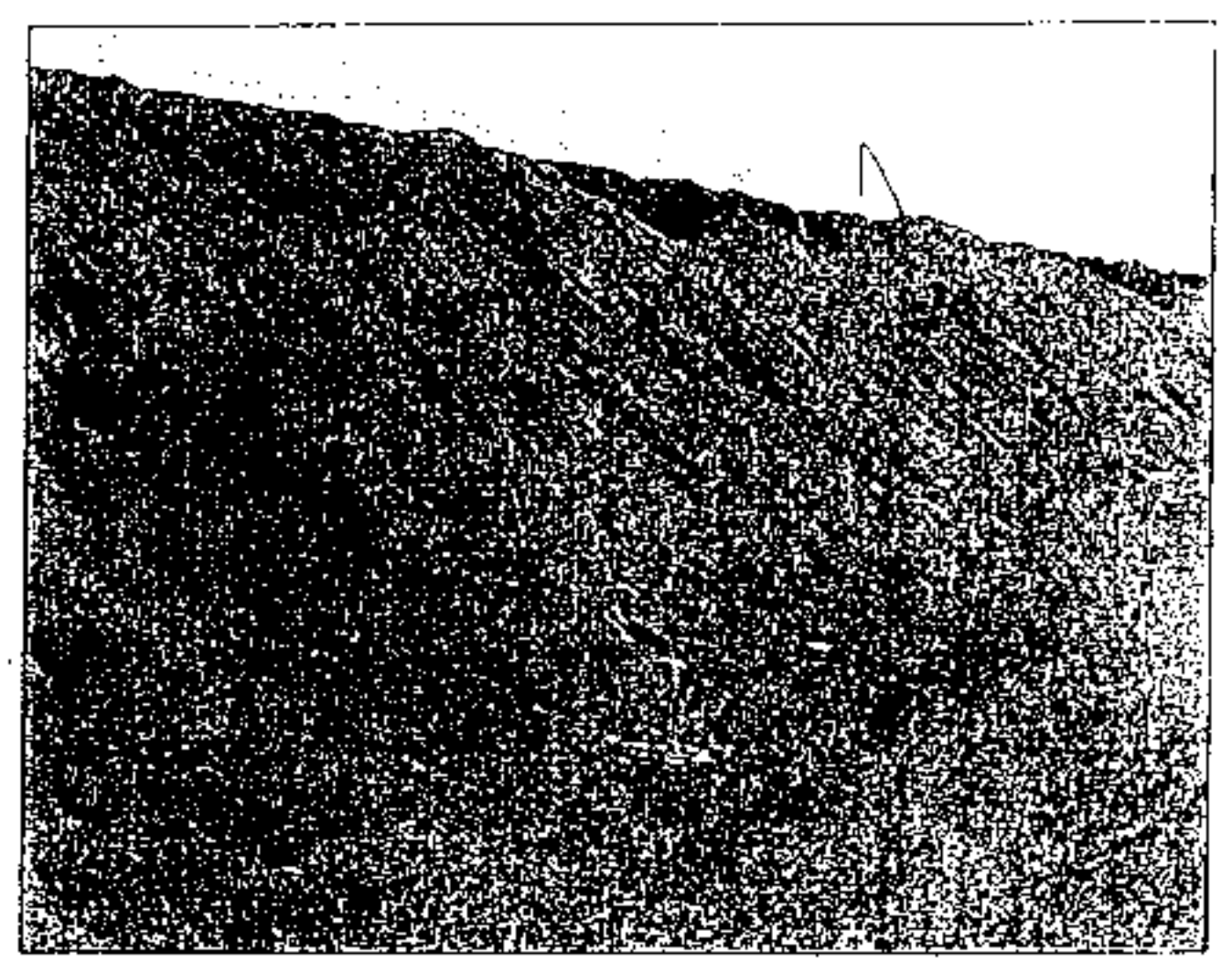
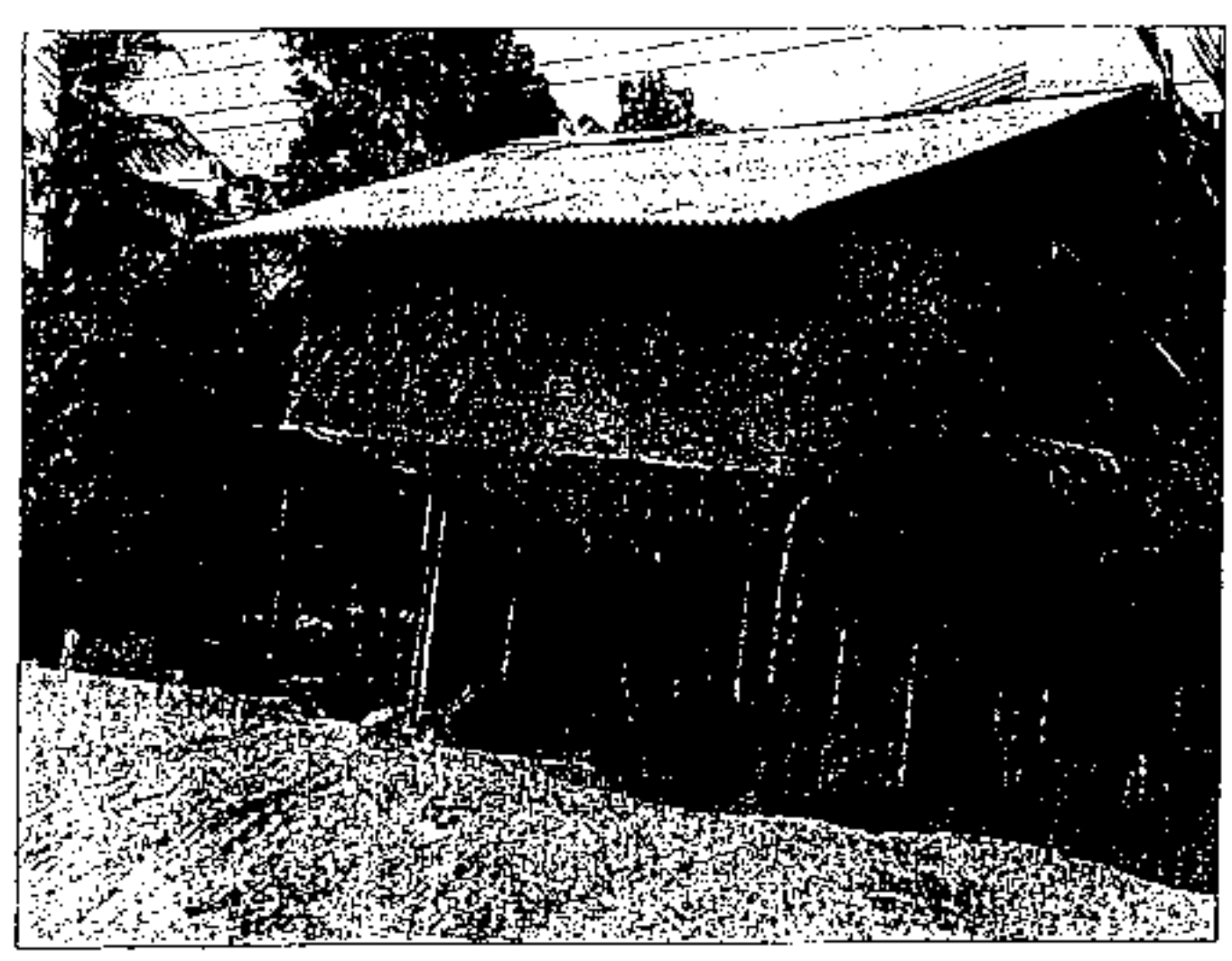


Photo 1 and 2: The buildings within the no development of sea and are vulnerable to hazards from the sea

Table 1: Details of construction under reference

Sl No	Building				Distance (m)	
	New		Renovation		Kayal	Filtration Pond
	House	Others	House	Others		
1						18.00
2						12.00

3						1.30
4						2.50
5						14.00
6	Edwin (Ownership changed)	Two floor completed		50.00		
7		Workshop				17.39
8			✓		125.00	
9			✓		175.00	
10	✓					5.00
11	✓				70.00	
12	✓					18.50
13	✓					17.00
14			✓			30.00
15			✓			16.00
16				Ayurveda store	18.95	
17	✓ (Construction completed regularisation awaited)					12.00
18	✓					20.00
19	✓					6.00

20	✓						12.00
21	✓						5.0
22	✓						8.10

Dwelling Units: The CRZ constructions made/proposed (except 2) are for dwelling purpose. Out of these 5 numbers (Serial NO 6, 8,9, 10 14 and 15 in Table 1) are renovations and the remaining are new constructions. Renovations/ repairs of dwelling units are permissible in CRZ.

In the report prepared by CESS it was reported that Edavanakkad Gramapanchayth has extensive areas covered under filtration ponds and canals. The land area in the panchayath mostly lies on the banks of backwater which are No Development Zone of CRZ III or on the banks of filtration ponds which are categorised as CRZ I in the CZMP (1996) of the state. It may be noted that the community in the panchaytah finds it very difficult to construct dwelling units and other infrastructural facilities. As such more than 90 % of the Panchayath is in the NDZ of CRZIII or on the banks of pokkali field which is in CRZ I. Majority of people depend on the fisheries and may be included under the category of "ecosystem people" as they depend on resources of kayals and backwater for their living.

5. Recommendations

On verification of the 22 constructions made/proposed in the Edavanakkad Gramapanchayath the committee recommended the following for necessary consideration of KCZMA.

(a) As recommended by CESS, five numbers of constructions (Serial No 6, 8, 9, 14 and 15 in Table 1) are renovation of dwelling unit in the No Development Zone of CRZ and which are permissible. However, the buildings No 6, 8 and 9 lie within 200m from HTL of sea (No Developing Zone) and are vulnerable for hazards from sea. Hence the committee recommend the above construction for approval except the building^s under serial No.6, 8 and 9.

(b) Two numbers of constructions (Serial No 7 and 16 in Table 1) are not dwelling units and are made/proposed for other purposes and hence^{are} not permissible.

Besides building No 16 lie within zoom of HTL of sea and vulnerable for hazards from sea. Hence the above two buildings are not recommended for approval.

(b) Remaining 14 are new constructions for dwelling purposes under various Govt sponsored programmes including EMS housing schemes. Further the committee is of the opinion that the owners of the above buildings may be considered as 'ecosystem people' as they depend on backwater and filtration ponds for their living. Further, their constructions are dwelling units having an area of less than 60 sq. m as permitted by KCZMA in certain earlier instances where building constructions are not permissible as per CRZ notifications. Hence the committee

recommend the above constructions for approval. *The building No. 11 is not recommended for approval as it lies within 200m from sea and vulnerable for hazards from sea.*

The committee classified the 22 constructions as per details given in Table 2.

SI No	Constructions	Remarks
(a)	Constructions which are permissible as per CRZ notification	Serial No 6, 8, 9, 14 and 15 in Table 1. The Committee is not recommending the construction with serial no 6, 8, 9 in table 1 as these are vulnerable for hazards from sea and lie within No developing zone. This area was a Tsunami affected area.
(b)	Constructions made/proposed for non-dwelling purpose	Serial No 7 and 16 in Table 1 are not permissible.
(c)	14 constructions made/proposed for dwelling purpose	Serial No 1, 2, 3, 4, 5, 10, 11, 12, 13, 17, 18, 19, 20, 21, and 22 in Table 1 are not permissible as per CRZ notifications while as they belong to "ecosystem"

(d)	Dwelling House in MIDZ of sea	recommended the above construction for approval by following the precedences. Building no. 11 lies in MIDZ
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Submitting the report for kind consideration of KCZMA.

of CRZ-II is vulnerable for hazards from sea and in permissible

Dr. Kamalakshan Kokkal
Joint Director and Head, CED
KSCSTE

Dr. A. Ramachandran
Registrar, CUSAT

Mining of Heavy Mineral Sand from 9.025 acres in Neendakara Village,
Kollam

KCZMA discussed the proposal in the 60th meeting on 27.11.2013 and decided to invite the proponent for a presentation in the forthcoming KCZMA meeting.

Regularisation of Shop building constructed by Sri. T. Vijayan, Vismaya, P.O
Muzhappilangadu, Kannur

- Name of Applicant** : Shri.T.Vijayan, Vismaya, P.O. Muzhappilangadu,
Kannur.
- Project Details** : Regularisation of Shop building.
- Activities proposed** : Constructed a shop building with plinth area of
10.99m². Single floor.
- Location Details** : Re. Sy. No. 65/13 of Muzhappilangad Village.
47m from HTL of Anjarakandy river.
- CRZ of the area** : The area is in the No Development Zone of CRZ-III.
- Provisions of CRZ Notification.** : As per CRZ Notification 2011, Clause 8 III A (ii) No New
constructions can be permitted in the No Development
Zone. Only reconstructions can be permitted for
permissible activity subject to conditions.

Hence the matter is placed before the KCZMA meeting for a decision.

Regularization of Residential building constructed by Sri. Pariyantevida
Kamarudheen, S/o. Asainar, Palakkot.P.O (Via) Vengara, Malappuram

- Name of Applicant** : Sri. Pariyantevida Kamarudheen, S/o. Asainar, Palakkot.P.O, Via Vengara, Malappuram.
- Project Details** : Regularisation of Residential Building.
- Activities proposed** : Constructed a Residential building with plinth area of 125.98m². Two floor (Ground + Stair room), Height less than 9m.
- Location Details** : Re. Sy. No. 1/1A6 of Ramanthali Village. The construction is on the banks of Palakkod River 60m from HTL.
- CRZ of the area** : The area is in the No Development Zone of CRZ-III.
- Provisions of CRZ Notification.** : As per CRZ Notification 2011, Clause 8 III A (ii) No new constructions can be permitted in the No Development Zone of CRZ-III. Only reconstruction can be permitted.
- Comments** : Ramanthali is an Island with sea on the west and backwater / river on other sides. If this Island is considered as Backwater Island then the CRZ will be reduced to 50m from HTL of the Inland water bodies.

Hence the matter is placed before the KCZMA meeting for a decision.

Deferred Agenda Item No. 61.2.5
File No. 1916/A2/2013/KCZMA/S&TD

Suit Notice is filed by Advocates Sri. C.S.Manu & Sri. S.K.Premraj on the illegal construction along the banks of backwater in Ernakulam District

A Suit Notice has been filed by Advocates Sri.C.S.Manu and Sri.S.K.Premraj on the illegal constructions along the banks of backwater in Ernakulam District. The issue of major violations in Cochin Corporation and Maradu Municipal area is dealt within file No. 1803/A2/10/S&TD. Though notice has been issued to the concerned authorities, final report is still pending. The Sub Committee constituted for the identification of violations in the Coastal Districts may consider the issue seriously at the time of site visit. The violations made in Thripunithura Municipality has not been identified so far.

KCZMA may consider the case and suggest suitable measures to document the violations made against the provisions of CRZ Notification.

Establishment of Container Freight Station at Cochin Port Trust

The proposal for the establishment of a Container Freight Station at Cochin Port Trust has been considered by the KCZMA in its 55th and 57th meetings. The Authority decided to obtain specific documents regarding the time of reclamation. Accordingly the Port Trust Authorities furnished a reply. On a close reading of the same it is felt that the environment clearance mentioned therein is in respect of ICTT for which the reclamation of 350 acres was made. The port Trust has come to the conclusion that the reclamation was done prior to November 1984 as derived from the letter of Chief Engineer and Agenda for the meeting of Board of Trustees held as 29th November 1984, wherein the reclamation of 350 acres is mentioned. In the circumstances it may be thought of whether the details of MoEF clearance to the ICTT Project will be relevant to examine the present proposal for establishment of CFS in the part of the land of that 350 acres reclaimed.

The **copies of the resolution attached** there to is not properly authenticated.

KCZMA may consider the case and advise on the further course of action.

60/A2/13/AC2MA

COCHIN PORT TRUST

Meeting No.8 of 1984-85 of the Board of Trustees
to be held on 29th November 1984.

.....

AGENDA ITEM No.6-7

Development of Communication Infrastructure in
the New Reclamation Area in Vallarpadam.

.....

Recently we have reclaimed about 350 acres of land south of Vallarpadam Island utilising the dredged materials from the Ernakulam Channel. This is presently an isolated area and it is essential to provide communication infrastructure in the area for facilitating maintenance of the reclamation area and as part of development of the area.

2. It is proposed to construct one R.C.C. Jetty on the Southern side of the reclamation area and another jetty in front of the north west corner of the reclaimed area. A Four meter gravel Road is proposed to be formed from the new jetty to the Panchayath Road at Vallarpadam near the old Vallarpadam Jetty. One East West cross road is also proposed from this road to the western side of the reclamation area. Behind the jetty proposed at the north west corner, an area of about 6000M² is proposed to be built up utilising the material that would be obtained from the dredging requirements for the jetty. A gravel road is proposed to be provided connecting this jetty to the road in front of the Vallarpadam Church.

3. The Financial Adviser & Chief Accounts Officer has concurred in the proposal.

4. The Chief Engineer has stated that the work is substantially completed and the completion cost of the project will be marginally in excess by about 2%. As such it is expected that the excess will be within the allowable limit of 10% and so revised sanction from the Government is not required for the estimate.

5. The estimated cost of the work amounts to Rs.18,25,000/-. It is proposed to charge this expenditure to the Estimates of I.D.P. Board's approval is requested for taking up the works proposed above charging the cost to the Estimates of I.D.P.

Board has approved this proposal with Rs. 216 of the meeting held on 29.11.1984

Sd/-
26.11.1984
(Dr. D. BABU PAUL)
CHAIRMAN.

CIRCULATED

[Signature]
ASSISTANT SECRETARY.

CRZ violations in Karumkulam Grama Panchayath, Neyyattinkara,
Trivandrum alleged by Sri.T.Joseph

Sri. T. Joseph residing at Lecma Cottage, Kallumukku in Karumkulam Grama Panchayath, Neyyattinkara, Thiruvananthapuram has furnished a petition seeking CRZ clearance for the building being constructed in the Karumkulam Grama Panchayath for conducting an Ayurveda Hospital. In his petition the petitioner has alleged that many CRZ violations have taken place near to his construction site with the permission of the Grama Panchayath. A Committee was constituted vide decision of the 58th meeting of KCZMA held on 27.07.2013 to enquire into the violations. The Committee furnished its report **(copy enclosed)** which recommended that “the proposed site for Ayurvedic Hospital lies in No Development Zone of CRZ III and hence not permissible. Two double storied residential buildings are found to be constructed in CRZ III, adjacent to the proposed site of Shri. T.Joseph. The above buildings obtained permission from Karumkulam Grama Panchayath. Under these circumstances the request of Shri. T. Joseph and the CRZ violations observed in the nearby area may be placed in KCZMA meeting for suitable decision”.

It may also be noted that the proposal has been examined by KCZMA earlier and disposed of vide Government letters No. 1146/A2/09/S&TD dated, 21.01.2010 and 620/A2/2010/S&TD dated, 24.04.2010 **(copy enclosed)**.

Hence the matter is placed before the KCZMA for a decision.



GOVERNMENT OF KERALA
SCIENCE AND TECHNOLOGY (A) DEPARTMENT

1037/A3/12 KC2009/1545

No:1146/A2/09/S&TD.

Sasthra Bhavan, Pattom,
Thiruvananthapuram,
Dated:21.01.2010.

From

The Ex-officio Principal Secretary to Government &
Chairman, Kerala Coastal Zone Management Authority.

To

The Secretary,
Karumkulam Grama Panchayat,
Puthiyathura.P.O.,
Thiruvananthapuram.


Sir,

- Sub:- Construction of Ayurvedic Hospital in Re.sy.No. 268/3, 268/5, 268/5-1, 268/14-2, 268/14-3, 268/14-1 of Kanjiramkulam Village – Application of Sri.T.Joseph, Leema Cottage – Rejected – reg.
- Ref:- 1. Your letters No.A2/ 97/09 dated 5.6.2009 and 24.8.2009.
2. Site inspection report of the Subcommittee on 18.11.2009.

I am to invite attention to the reference cited and to inform that the proposal for the construction of an Ayurvedic Hospital in Re.Sy.No. 268/3, 268/5, 268/5-1, 268/14-2, 268/14-3, 268/14-1 of Kanjiramkulam Village cannot be considered as it is not a permissible activity in the No Development Zone of CRZ III area.

Yours faithfully,
Dr.E.P.YESODHARAN,
Ex-officio Principal Secretary to Government &
Chairman, Kerala Coastal Zone Management Authority.

Approved for Issue:


Section Officer.

Copy to/Sri.T.Joseph, Leema Cottage, Karumkulam, Puthiyathura.P.O.
SF/OC.

1037/A3/12/KCZMA/S47



GOVERNMENT OF KERALA
SCIENCE AND TECHNOLOGY (A) DEPARTMENT

No: 620/A2/10/S&TD.

Sastra Bhavan, Pattom,
Thiruvananthapuram,
Dated: 24.4.2010.

From

The Secretary to Govt. &
Chairman, KCZMA.

To

The Secretary,
Karumkulam Grama Panchayat,
Puthiyathura.P.O.
Thiruvananthapuram.

Sir,

Sub: Construction of Ayurvedic Hospital in Karumkulam Grama Panchayat -
Application of Sri.T.Joseph, Leema Cottage - rejection letter -corrected-reg.
Ref: Govt. letter No. 1146/A2/09/S&TD dated 21.1.2010.

I am to invite attention to the reference cited and to inform that the word Kanjiramkulam
in the letter stands corrected to read as "Karumkulam".

Yours faithfully,

K.N.SATHYAPRASAD,
Deputy Secretary,
For Secretary to Government.&
Chairman, KCZMA.

Approved for Issue:

Section Officer.

Vertical text on the left margin: 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Construction of Residential Building for Shri. Serafin. B, Periyazhikath,
Kureepuzha, 36/16, Thrikkadavoor, Kollam.

- Name of Applicant** : Shri. Serafin.B, Periyazhikath, Kureepuzha, 36/16,
Thrikkadavoor, Kollam.
- Project Details** : Construction of residential building
- Activities proposed** : Construction of residential building with plinth area of
84.78m².
Single Floor, Height : 6m.
- Location Details** : Re. Sy. No. 36/14 of Thrikkadavoor Village.
- CRZ of the area** : The area is in the No Development Zone of CRZ-III
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 III A (ii) no new
constructions can be permitted in the No Development Zone of
CRZ III. Only reconstructions of existing authorized structures
subject to conditions can be permitted.
- Comments** : The applicant belongs to fisherman community and KCZMA
had earlier permitted dwelling units in the area based on
elevation from Mean Sea Level.

Hence the matter is placed before the KCZMA meeting for a decision.

Construction of Residential Building by Mr. Patric Devarev, S/o. Kornely,
Panekkulath House, Njarakkal P.O, Ernakulam

- Name of Applicant** : Mr. Patric Devarev, S/o Kornely, panekkulath House, Njarakkal P.O, Ernakulam
- Project Details** : Construction of residential building.
- Activities proposed** : Construction of residential Building with plinth area of 87.24m², two floor, height 5.70m.
- Location Details** : Re. Sy. No. 589/17 of Njarakkal Village. The construction is 30m from HTL of backwater and 25m from Pokkali field.
- CRZ of the area** : The area is part of Vypeen islands. The CRZ is limited to 50m on the backwater side. This 50m is also No Development Zone.
- Provisions of CRZ Notification** : As per CRZ Notification 2011 Clause 8 V 2 (iii) within 50m from HTL of backwater islands existing dwelling units of local communities may be repaired or reconstructed, however no new construction shall be permitted.

Hence the matter is placed before the KCZMA meeting for a decision.

Regularisation of Construction of Residential Building by Mr. Antony Godfree D'Silva, S/o Gaper D'silva, Oliparambil House, Manjanakkad, Njarakkal P.O, Ernakulam.

- Name of Applicant** : Mr. Antony Godfree D'Silva, S/o Gaper D'silva, Oliparambil House, Manjanakkad, Njarakkal P.O, Ernakulam.
- Project Details** : Regularisation of residential building.
- Activities proposed** : Constructed residential building with plinth area of 82.92m², 2 floors, height 6.00m.
- Location Details** : Re.sy. No.577/6 of Njarakkal Village. The construction is 350m from HTL of backwater and below 50m from the HTL of Pokkali fields.
- CRZ of the area** : The area is part of Vypeen islands. The CRZ is limited to 50m on the backwater side. This 50m is also No Development Zone.
- Provisions of CRZ Notification** : As per CRZ Notification 2011 Clause 8 V 2 (iii) within 50m from HTL of backwater islands existing dwelling units of local communities may be repaired or reconstructed, however no new construction shall be permitted.
- Comments** : Construction is made in violation of provisions of CRZ notification.

Hence the matter is placed before the KCZMA meeting for a decision.

Extention of the term of appointment of Adv. Prakash Vadakkan,
Standing Counsel, KCZMA

Adv. Prakash Vadakkan is presently engaged as the Standing Counsel of KCZMA in Hon'ble High Court. His term of appointment expired on 01.05.2013. As per GO (Rt) No. 75/2012/S&TD dated, 01.10.2012 that says terms and conditions of his appointment, he is eligible for a retainer of Rs.5,000/- (Rupees Five Thousand only) per mensum, Rs.3,000/- (Rupees Three Thousand only) for each case and Rs.1,000/- (Rupees Thousand only) as stationery charges for each case. Besides his duties are also specified in the GO.

2. Now his term of appointment as Standing Counsel has been extended for one more year with effect from 01.05.2013 on existing terms and conditions. However he had proposed the authority to revise his remuneration in the following manner with effect from 01.05.2013.

	Item	Existing Amt.	Proposed Amt.
1.	Retainer fee.	5,000/-	10,000/-
2.	Fee for each case.	3,000/-	7,500/-
3.	Stationery charges	1,000/-	2,000/-

3. Apart from this, he had claimed Rs.2,26,500/- (Rupees Two Lakhs Twenty Six Thousand and Five Hundred only) leaving out his eligible remuneration, for conducting 7 cases (WPs) in which Hon'ble High Court has delivered a land mark judgement (to remove the structures of M/s. Vamika and M/s. Kapico Resorts in two islands in ALP so far as it violates CRZ Rules) connected with the CRZ violations in the State. Claim which is not supported with any documentary evidences or supporting vouchers/bills, states that he had attended 99 days hearings (for which he claim Rs.2,000/- per sitting i.e. Rs.1,98,000/-) and spent 28,500/- as stationery and other charges.

Hence KCZMA may decide on the following.

- (1) Ratification of the action in extending the term of Adv. Prakash Vadakkan as Standing Counsel for one more year w.e.f. 01.05.2013.
- (2) His claim for revision in his remuneration as stated in Para.2.
- (3) His claim of Rs.2,26,000/- for conducting 7 WPs in Hon'ble High Court as stated in para 3.

Deferred Agenda Item No. 61.2.12
File No. 1901/A3/2013/KCZMA/S&TD

**Construction of Residential Building by Smt. Sheeja.S, Shuja Bhavan, Ottur,
Manambur.P.O, Thiruvananthapuram**

- Name of Applicant** : Smt. Sheeja.S, Shuja Bhavan, Ottur, Manambur.P.O,
Thiruvananthapuram.
- Project Details** : Construction of Residential building.
- Activities proposed** : Construction of residential building with plinth area of
478.28m². F.A.R 1.04.
- Location Details** : Re. Sy. No. 501/3-2 of Varkala Village. 120m from HTL of
sea.
- CRZ of the area** : The area is in CRZ-II as per the cadastral CRZ map of Varkala
Municipality.
- Provisions of CRZ
Notification.** : As per CRZ Notification 2011, Clause 8 II (i) & (ii) building
shall be permitted only on the landward side of the existing
road or on the landward side of existing authroised
structures. Building permitted on the landward side of the
existing and proposed roads or existing structures shall be
subject to the existing local town and country planning
regulations including the existing norms of FSI/FAR as on
19th February 1991. Construction of building for Tourism
activity for temporary occupation of tourists will not be
permissible in between 0-200 m from HTL of sea.
- Comments** : The purpose is written as Residential. But the building plan
reflects a Hotel. Hence the condition that Tourism activity
shall not be permitted in the building may be strictly adhered
to. If the building is for Tourism the CRZ clearance from
Ministry of Environment & Forest is mandatory even in CRZ-
II.
- The proponent has remitted Rs.50,000/- as Scrutiny fee for
CRZ clearance.

Hence the matter is placed before the KCZMA meeting for a decision.

Regularisation of building constructed for Commercial purpose by
Sri.Shibu.S, Alisseril, Punnapra.P.O, Alappuzha

CRZ clearance for regularization of Commercial building owned by Sri.Shibu.S, Alisseril, Punnapra.P.O, Alappuzha has already been declined vide letter No. 461/A3/11/KCZMA/S&TD dated, 18.04.2011 **(copy enclosed)** and the Secretary, Punnapra Grama Panchayath was instructed to initiate action to demolish the building. Again, an application of Sri.Shibu.S has been received through the Local Self Government (RA) Department for the same purpose. The Environment Group has remarked **(copy enclosed)** that **“as the construction is made the No Development Zone (NDZ) of CRZ-III and as Commercial building is not permissible in CRZ area, its regularization is not possible”**.

Hence the proposal is placed before the KCZMA for a decision.

1945/A3/13/KCZMA/B47D

OFFICE MEMORANDUM

To: ^{A/b1} (119) KCZMA.

Sub: The ...
Chinnamangalam,
Cochin 684 011.

From

The Chairman, KCZMA.

To

The Secretary
Punnapra South Grama Panchayat
Punnapra P.O.,
Alappuzha - 688004

Sir,

Sub:- Regularisation of construction of Commercial building in CRZ- reg.

Ref: Letter no:A3-129/2011 dt: 10.2.2011

I am to invite your attention to the reference cited and to inform you that no commercial building is permissible in the No Development Zone.

As the construction is made in the NDZ of CRZ III and as commercial building is not permissible in CRZ area, its regularisation is not possible. I am therefore to request you to initiate immediate action to demolish the building.

Yours faithfully
B.V.S.MANI
Under Secretary
for Chairman, KCZMA

Approved for issue

N

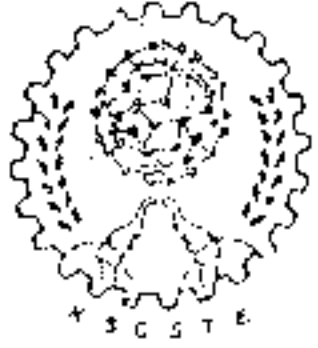
Section Officer

o/c

69 -27-

24

1945/A3/13/S&TD



Kerala State Council for Science, Technology and Environment

070/ENV/11/CZMA

18/11/2013

പ്രേക്ഷിതൻ

ജോയിന്റ് ഡയറക്ടർ
കേരള ശാസ്ത്ര സാങ്കേതിക പരിസ്ഥിതി കൗൺസിൽ

സ്വീകർത്താവ്

എക്സ് ഓഫീഷ്യോ പ്രിൻസിപ്പൽ സെക്രട്ടറി
ശാസ്ത്ര സാങ്കേതിക വകുപ്പ്

Handwritten notes and signatures on the left margin.

സർ,

വിഷയം:- പുനഃപ്രകാശനം ചെയ്ത ശാസ്ത്ര സാങ്കേതിക പരിസ്ഥിതി കൗൺസിൽ CRZ കെട്ടിട നമ്പർ നൽകുന്നതു സംബന്ധിച്ച്

സൂചന നം:- 1. Fndt. No.1945/A3/13/S&TD
2.461/A3/11/S&TD

സൂചനയിലേക്ക് ശ്രദ്ധ ക്ഷണിക്കുന്നു, തിരുമേലയിലെ CRZ III- വേലിയേറ്റ രേഖയിൽ നിന്നും 0- 200 മീറ്ററിനും ഇടയിൽ വികസന രഹിത മേഖലയാണ്. വികസന രഹിത മേഖലയിൽ വാണിജ്യാവശ്യത്തിനുള്ള കെട്ടിട നിർമ്മാണം ക്രമവൽക്കരിക്കുവാൻ തീരുമാനം എടുത്തു. വാണിജ്യാവശ്യത്തിൽ വ്യവസ്ഥ ഇല്ലെന്ന് അറിയിക്കാവുന്നതാണ്.

വിശ്വസ്തതയോടെ,

(ഡോ.കമലാക്ഷൻ കൊക്കൽ)
ജോയിന്റ് ഡയറക്ടർ ആന്റ് സയന്റിസ്റ്റ് എഫ്
സെൻ്റർ സെക്രട്ടറിയുടെ വേണ്ടി

Agenda Item No. 61.3

Consideration of **New Agenda items** for 61st meeting.

Agenda Item No. 61.3.1

File No. 702/A3/2013/KCZMA/S&TD

**CRZ Violations by M/s. Heera Kerala Developers Pvt. Ltd. in Akkulam,
Thiruvananthapuram**

57th meeting of the KCZMA discussed the proposal for construction of Apartment buildings by M/s. Heera Kerala Developers Pvt. Ltd. and noted that there is a disparity in the NOC issued by Pollution Control Board and it is further noted that the proposed construction falls partly in CRZ area where new constructions are prohibited. KCZMA decided that the area which was reclaimed by the proponent need to be restored and initiate action against reclamation of lake by invoking Environment Protection Act, 1986. As per the KCZMA decision Showcause Notice was issued to the proponent Sri.Abdul Rasheed on 12.08.2013 for furnishing reply within 15 days.

Subsequently, on the basis of his request, time limit to furnish the reply was extended upto 30.09.2011 with a condition that no construction shall be done in CRZ area until a decision in this regard is taken. However the proponent has again requested extension of time (upto 31.10.2013) which was rejected and Managing Director, Heera Pvt. Ltd. was directed to furnish the reply by return (on 10.10.2013). However no reply is seen received from the project proponent till date.

KCZMA may advise the future course of action in this matter.

**Construction of Residential Building by Sri.Vimal Deth, Alummoottil, Adinad,
Karunagapally, Kollam**

- Name of Applicant** : Shri. Vimal Deth, Alummoottil, Adinad, Karunagapally, Kollam.
- Project Details** : Construction of Residential Building. Double storied.
- Activities proposed** : A residential building with plinth of 152.41m², Double storied. Height 7.53m.
- Location Details** : Survey No. 284/2-4, 12.89 cents in K.S.Puram Village, Karunagapally.
51m from High Tide Line of the inland waterbody.
- CRZ of the area** : The area is on the banks of Canoly Canal which has tidal influence from sea. The width is more than 100m. The CRZ landward of High Tide Line is 100m. This is also No Development Zone.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 III A (i) no new constructions can be permitted in the area except reconstruction of authorized structures without increase in plinth area, FSI and density..
- Comments** : KCZMA had permitted dwelling unit for the same applicant in same plot vide letter No. 1498/A3/12/KCZMA/S&TD dated, 11.12.2012, with a plinth area of 14m². (79m from HTL).

Hence the matter is placed before the KCZMA meeting for a decision.

**Regularisation of Reconstructed building by Sri. Radhakrishnan and
Smt.Ramani, Thudiyil Thekethil, Perumon, Kollam**

- Name of Applicant** : Sri.Radhakrishnan and Smt.Ramani, Thudiyil Thekethil, Perumon, Kollam.
- Project Details** : Regularisation of reconstructed building.
- Activities proposed** : Constructed a building with a plinth area 37.52m².
Single floor.
- Location Details** : Sy. No. 13/5/3 o Thrikaruva Village & Grama Panchayath.
6.3m from HTL of Ashtamudi River.
- CRZ of the area** : The area is in the No Development Zone of CRZ-III.
- Provisions of CRZ Notification** : Reconstruction of authorized structures can be permitted in the No Development Zone (NDZ) of CRZ-III without increase in existing plinth area, existing FSI and density.
- Comments** : The KCZMA had earlier permitted reconstruction upto a plinth area of 60m².

Hence the matter is placed before the KCZMA meeting for a decision.

**Construction of Residential Building by Smt. Lissy, Thekkevila, Kurakkanni,
Varkala, Thiruvananthapuram**

- Name of Applicant** : Smt. Lissy, Thekkevila, Kurakkanni, Varkala, Thiruvananthapuram.
- Project Details** : Construction of Residential Building.
- Activities proposed** : Construction of Residential Building with plinth area of 183m². Two floor. FAR (not provided).
- Location Details** : Sy. No. 519/13-1-2 of Varkala Village. 6.25 cents. 240m from HTL of sea.
- CRZ of the area** : The area is in CRZ-II as per the cadastral scale CRZ map prepared by CESS.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 II (C) buildings shall be permitted only on the landward side of the existing road and on the landward side of existing authorized structures. Building permitted shall be as per existing norms of FSI / FAR as on 19th February 1991.
- Comments** : The Secretary, Varkala Municipal Council has informed that a 31 year old authorized building is situated in the Western side of the plot proposed for construction.

Hence the matter is placed before the KCZMA meeting for a decision.

CRZ violations around Akkulam Lake, Thiruvananthapuram

While investigating a complaint about alleged CRZ violations in Akkulam area by Heera Builders, Dr.K.V.Thomas, Scientist-G, CESS has reported that few other buildings and apartments on the banks of Akkulam Lake which are under construction or already constructed may also come under the purview of violation of the provisions of CRZ Notification and thus warrants a closer scrutiny. He has also reported that KSUDP has got demarcated the HTL, LTL and CRZ for the Coastal Zone of Akkulam Lake in 1:4000 scale in 2009 under the Theerapatham project. Accordingly, Chief Town Planner and Secretary of Thiruvananthapuram Corporation were advised to refer the above CRZ Map before giving license / permission for construction around Akkulam Lake and also directed the project proponents to get CRZ recommendation for any developmental activities on the banks of Akkulam Lake.

KCZMA may advise on the further course of action on the CRZ violations around Akkulam Lake, Thiruvananthapuram.

**Re-construction of Residential Building by Sri. Sivan & Smt.Shobhana Sivan,
Puthiyaveetil, Panabukkad, Vaikom, Kottayam**

- Name of Applicant** : Sri. Sivan & Smt.Shobhana Sivan, Puthiyaveetil,
Panabukkad, Vaikom, Kottayam.
- Project Details** : Re-Construction of Residential Building.
- Activities proposed** : Re-Construction of Residential Building with a plinth
area of 60.27m². Single floor.
- Location Details** : Sy.No. 144/5 of Naduvilagad Village.
20m from HTL of backwater.
- CRZ of the area** : The area is in the No Development Zone of CRZ-III.
- Provisions of CRZ
Notification** : As per CRZ Notification 2011, Clause 8 III A (ii)
reconstructions of existing authorized structures can be
permitted without increase in existing plinth area, FSI
and density.
- Comments** : The existing building is 40m².

Hence the matter is placed before the KCZMA meeting for a decision.

Interim Order of Hon'ble High Court in WP(C) No. 27463/13 filed by Lazar Paulin, Thiruvananthapuram - Compliance

Sri. Lazer Paulin, Pallithura, Thiruvananthapuram have filed WP(C) No. 27463/13(G) before the Hon'ble High Court for staying the demolition of St.Mary Magdalene's Catholic Church, Pallithura, Thiruvananthapuram. The Hon'ble Court in its interim order dated, 12.11.2013 **(copy attached)** have directed the third respondent, KCZMA to inspect the disputed chapel and submit a report to the Court on the question as to whether it comes within the Coastal Regulation Zone.

In the circumstance, the matter is placed before the KCZMA for taking a decision on the Interim Order of Hon'ble High Court.

- 9 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:
THE HONOURABLE MR. JUSTICE K. SURENDRA MOHAN

2270/A3/13/947D

Tuesday, the 12th day of November 2013/21st Karthika, 1935

WP(C).No.27463/2013(G)

PETITIONER

LAZAR PAULIN, AGED 65 YEARS, S/O. OLYMUPUS
RESIDING AT TC 1/1262, ST. ANTONYS LANE,
PALLITHURA.P.O., THIRUVANANTHAPURAM-695086.

RESPONDENT

1. STATE OF KERALA REPRESENTED BY ITS SECRETARY TO GOVERNMENT, DEPARTMENT OF LOCAL SELF GOVERNMENT GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
2. CORPORATION OF THIRUVANANTHAPURAM REPRESENTED BY ITS SECRETARY, CORPORATION OFFICE, THIRUVANANTHAPURAM-695001
3. KERALA COASTAL ZONE MANAGEMENT AUTHORITY REPRESENTED BY ITS MEMBER SECRETARY, SASTHRA BHAVAN PATTOM, THIRUVANANTHAPURAM-695004.
4. REV. DR. SOOSA PAKIAM, ARCH BISHOP, ARCHBISHOPS HOUSE, P.B. NO. 805, VELLAYAMBALAM, TRIVANDRUM-695003.
5. SECRETARY, ST. MARY MAGDALENES CATHOLIC CHURCH, PALLITHURA, TRIVANDRUM-695586.
6. FR. JEROME ALPHONSE, PAFISH PRIEST, ST.MARY MAGDALENES CATHOLIC CHURCH, PALLITHURA, TRIVANDRUM-695586.

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to pass orders staying the demolition St. Mary Magdalene's Catholic Church, Pallithura or Capella attached to it.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SMT.MARY BENJEMIN, Advocate for the petitioner, GOVERNMENT PLEADER for R1, SRI.P.K MANOJKUMAR Advocate for R2, SRI.K.R.SUNIL, Advocate for R3, the court passed the following

p.t.o


O R D E R


Adv. K.R Sunil appears for the third respondent. Adv.P.K Manoj Kumar appears for the second respondent. Govt. Pleader appears for the first respondent. Issue notice on admission to respondents 4 to 6. The third respondent shall inspect the disputed chapel and shall submit a report to this Court on the question as to whether it comes within Coastal Regularation Zone. In the meantime, there shall not be any demolition of the chapel.

12-11-2013

Sd/- K.SURENDRA MOHAN, JUDGE

/true copy/


ASSISTANT REGISTRAR


12-11-13

**Construction of Residential Building by Sri. Vijayakumar, Thuruthel,
Udayanapuram, Ernakulam**

- Name of Applicant** : Sri. Vijayakumar, Thuruthel, Udayanapuram, Ernakulam.
- Project Details** : Construction of Residential building. He has requested for CRZ clearance to the shed where he stays now so as to construct a new house in that place.
- Activities proposed** : Construction of building with a plinth area of 58.22m².
Single floor, Height : 4.79m.
- Location Details** : Sy. No. 47/16 of Vadakkemuri Village.
28m from HTL of backwater in Edavanakkad Panchayath, Ernakulam.
- CRZ of the area** : The area is in the NDZ of CRZ-III.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 III A (ii) No new constructions can be permitted in the No Development Zone of CRZ-III. Only reconstruction of authorized structures can be permitted.
- Comments** : Applicant belongs to traditional fisherfolk community and holder of BPL ration card. It has also been reported that the applicant has no other property as his own.

Hence the matter is placed before the KCZMA meeting for a decision.

Complaint of Kerala Hotel & Restaurant Association, Thiruvananthapuram
with respect to road constructed by Vizhinjam International Seaport without
CRZ clearance and EIA Clearance

The Kerala Hotel & Restaurant Association, Thiruvananthapuram has submitted a complaint against Vizhinjam International Seaport Ltd alleging that VISL have constructed a road in the Vizhinjam Port area without obtaining CRZ clearance and EIA clearance. The said Association has requested to take action against this violation.

Hence the matter is placed before the KCZMA meeting for taking a decision on the allegation of Kerala Hotel & Restaurant Association.

**Construction of Residential Building by Sri.Ranjith.R, Charuvil Veedu,
Vellimon (W).P.O, Kollam - 691 511**

- Name of Applicant** : Sri.Ranjith.R, Charuvil Veedu, Vellimon (W).P.O, Kollam - 691 511
- Project Details** : Construction of Residential building.
- Activities proposed** : Construction of building with a plinth area of 85.19m².
Two floor, Height : 6.75m.
- Location Details** : Sy. No. 520/6-2 of Perinad Village.
80m from HTL of Ashtamudi backwater.
- CRZ of the area** : The area is on the banks of Ashtamudi Backwater and the area is classified as CRZ-III No Development Zone.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 III A (ii) No new constructions can be permitted in the No Development Zone of CRZ-III. Only reconstruction subject to conditions can be permitted.
- Comments** : KCZMA had earlier permitted construction in these area based on the elevation of the land from HTL on a case to case basis.
The proposed building lies at an elevation of 10m from water level. The elevation of 10m from water level and 80m set back distance from HTL may be considered by KCZMA for CRZ clearance as the proposed new construction is not permissible in the NDZ ie. Within 100m from HTL.

Hence the matter is placed before the KCZMA meeting for a decision.

Regularisation of a Residential Building constructed by Sri. Ernest and Smt. Jessy Madathil Veedu, Kureepuzha, Thrikkaruva

- Name of Applicant** : Sri. Ernest and Smt. Jessy Madathil Veedu, Kureepuzha, Thrikkaruva.
- Project Details** : Regularisation of building constructed for residential purpose.
- Activities proposed** : Constructed a building with plinth area of 39.77m² Single Floor, Height 4.15m.
- Location Details** : Sy. No. 471/359 of Thrikkaruva village site is 36m HTL of backwater.
- CRZ of the area** : The area is in the NDZ of CRZ-III.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 III A (ii) no new construction can be permitted in the No Development Zone of CRZ III. Only reconstruction can be permitted subject to conditions.
- Comments** : KCZMA had permitted construction of dwelling units for traditional inhabitants (ecosystem People) under Housing Schemes with a plinth area of less than 60m² (for ecosystem people).

The applicant belongs to fisher folk community.

Hence the matter is placed before the KCZMA meeting for a decision.

Re-Construction of Residential Building by Smt. Anitha Kumari,
Ponchadazhikathu, Kanjaveli.P.O, Kollam

- Name of Applicant** : Smt. Anitha Kumari, Ponchadazhikathu, Kanjaveli.P.O, Kollam.
- Project Details** : Reconstruction of Residential building.
- Activities proposed** : Reconstruction of Residential building with plinth area of 124.3m²,
Two floors, Height : 6.50m.
- Location Details** : Sy. No. 329/9 of Thrikkaruva Village, Kollam.
The site is 65m from HTL of backwater.
- CRZ of the area** : The area is in the NDZ of CRZ-III.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 III A (ii) reconstruction of authroised structures can be permitted without increase in existing plinth area, FSI and density.
- Comments** : Existing building is 60m² as per the tax receipt. There is 3m elevation from Water level of Ashtamudi backwater.

Existing building is authorized as per the document.

Hence the matter is placed before the KCZMA meeting for a decision.

**Construction of Residential Building by Sri. G. Dayaparan, Karukaparambil,
Punnapra, Alappuzha**

- Name of Applicant** : Sri. G. Dayaparan, Karukaparambil, Punnapra, Alappuzha.
- Project Details** : Construction of residential building.
- Activities proposed** : Construction of residential building with plinth area of 135.60m² · 2 Floor, Height 7.28m.
70m from HTL of sea and seawall.
- Location Details** : Sy. No. 9/5-1 of Punnapra Village.
- CRZ of the area** : The area is in the NDZ of CRZ-III.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 III A (ii). No new construction can be permitted in the No Development Zone of CRZ III. Only reconstruction can be permitted subject to conditions.

Hence the matter is placed before the KCZMA meeting for a decision.

**Construction of Commercial Building by Sri.Symon Perera, Kulangara,
Kadinamkulam, Thiruvananthapuram**

- Name of Applicant** : Sri. Symon Perera, Kulangara, Kadinamkulam,
Thiruvananthapuram.
- Project Details** : Construction of Commercial Building.
- Activities proposed** : Construction of a Commercial Building with plinth area of
144m².
Single floor. Height : 2.7m.
- Location Details** : Sy. No. 317/2-3 of Kadinamkulam Village, the site is 165m
from HTL of sea.
- CRZ of the area** : The area is in the No Development Zone of CRZ-III.
- Provisions of CRZ
Notification** : As per CRZ Notification 2011, Clause 8 III A (ii) No new
constructions can be permitted in the No Development Zone
of CRZ-III.

Hence the matter is placed before the KCZMA meeting for a decision.

**Construction of Residential Building by Smt.Meenakumari, Kuttiyazhikathu
Veedu, Ashtamudi, Thrikkaruva Panchayath, Kollam**

- Name of Applicant** : Smt. Meenakumari, Kuttiyazhikathu Veedu, Ashtamudi, Thrikkaruva Panchayath, Kollam.
- Project Details** : Construction of Residential building.
- Activities proposed** : Construction of building with a plinth area of 190.68m².
Single floor, Height : 3.96m.
- Location Details** : Sy. No. 49/2 of Thrikkaruva Village.
The construction is proposed 25m from HTL of backwater.
- CRZ of the area** : The area is in the No Development Zone of CRZ-III.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 8 III A (ii) No new constructions can be permitted in the No Development Zone of CRZ-III. Only reconstruction of authorized structures can be permitted.

Hence the matter is placed before the KCZMA meeting for a decision.

Renewal of mining lease for Mining of Heavy Sand minerals by mechanized dredge mining at KMML Lease Block-I - Terms of Reference (TOR) approval for conducting EIA

- Name of Applicant** : Managing Director, The Kerala Minerals and Metals Ltd, Sankaramangalam, Chavara, Kollam, Kerala -691 583.
- Project Details** : Renewal of Mining lease for Mining of Heavy sand minerals by mechanized dredge mining at KMML lease Block No.1 covering an area of 34.285 Hectares in Karunagappally (taluk) Kollam (District) Terms of Reference (TOR) approval for conducting EIA requested
- Activities proposed** : Mining is proposed by inland mining using pontoon mounted submersible pumps and by mechanical dredge mining. Dredge mining combined with pontoon mining will also be carried out. The tailings will be refilled in the same land, which will constitute about 83% of the mined mineral.
- Location Details** : Block I Sy. No.25-112A of Neendakara (Village), Neendakara Port (P.O), Karunagappally (Taluk), Kollam (District), Kerala State)
- CRZ of the area** : As per the CRZ maps prepared by CESS the Block I extends from Neendakara inlet towards north upto Puthanthura in Neendakara Panchayat. The CRZ maps are given in 3 sheets. It has the seacoast and also the inlet. The entire coastal stretch of this area is protected by seawall. There are no mining sites operating here. The CRZ of the area belongs to CRZ III. The coastal waters upto 12nm and the bed are CRZ IV.
- Provisions of CRZ Notification** : As per CRZ Notification 2011, Clause 2 X- Mining of sand, those rare minerals not available outside the CRZ area can be permitted only with prior approval of MoEF, Government of India (clause 4(i) (g) of CRZ notification)
- Comments** : KCZMA may consider recommending for approving Terms of Reference (TOR) to MoEF, Government of India for consideration.

Hence the matter is placed before the KCZMA for a decision.

**SCIENCE AND TECHNOLOGY DEPARTMENT, SASTHRA BHAVAN, PATTOM,
THIRUVANANTHAPURAM - 695 004**

Minutes of the 60th Meeting of Kerala Coastal Zone Management Authority.

Date & Time: 27th November, 2013 at 3:00 P.M

Venue : Sasthra Bhavan, Pattom, Thiruvananthapuram

The meeting commenced at 3. P.M.

List of participants :

1. Prof. V.N.Rajasekharan Pillai, Chairman, KCZMA.
2. Dr. K. K. Ramachandran, Member Secretary, KCZMA.

Members

1. Sri. P.K. Mohanty, Additional Chief Secretary, Environment Dept.
2. Dr. A. Ramachandran, Professor and Director, School of Industrial Fisheries, Fine Arts Avenue Cochin-682 016
3. Sri. K. Sajeevan, Chairman, KSPCB
4. Dr. K. Padmakumar, Aquatic Biology, University of Kerala, Thiruvananthapuram 695 581
5. Dr. D. Sajith Babu, Assistant Commissioner, Commissionerate of Land Revenue.
6. Sri. Baby John, Director, MCITRA.
7. Sri. Hari P. Nair, Joint Secretary, Fisheries Department

The Chairman welcomed the members and decided to take up the agenda items.

Agenda Item No. 60.1

Confirmation of the Minutes of the 58th meeting held on 27.07.2013

The minutes of the 58th meeting of the KCZMA held on 27.07.2013 was confirmed.

Agenda Item No. 60.2

Confirmation of the Minutes of the 59th Special Meeting held on 04.09.2013

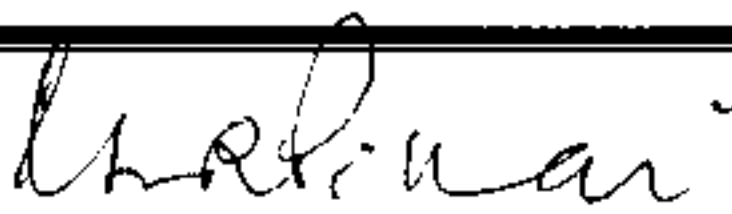
The minutes of the 59th meeting of the KCZMA held on 04.09.2013 was confirmed.

Agenda Item No.60.3

Action Taken Report (57th meeting held on 24.06.2013).

While discussing the action taken report of the 57th meeting of KCZMA, the committee decided that the item under 57.5.19, since the Secretary, Eramala Panchayat has not replied yet to the letter sent by KCZMA, letters can be sent to the Director, Panchayats and the Principal Secretary, LSGD to take action against the delinquent officer.


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

While discussing the action taken on item 57.5.23, the Chairman, PCB has clarified that a letter has been communicated to the KCZMA informing that the said construction of Wood Polishing Centre by Shri. P.T. Shamsuddeen Puhthiyandagi Village, Kozhikode Corporation is an industrial activity and hence the same is not permissible under Section 3 (i) of the CRZ Notification 2011.

Similarly, it was decided that the action taken part of the item No. 57.6.1 shall be modified as 'The matter is again brought to this (60th) meeting as an agenda item incorporating the Site Inspection Report submitted by the Committee constituted by the KCZMA'.

KCZMA also decided that in continuation to the action taken in respect of the 'Other Items' of 57th KCZMA meeting, the Standing Counsel shall be instructed to expedite disposal of the pending 'interim stay' granted by the Hon'ble High Court to the Pentagon Builders. Moreover, intimation shall be sent to the Secretary, LSGD and the Director Urban Affairs to take stringent action against the delinquent then Secretary of the Kozhikode Corporation (by name) who was responsible to issue permit to the three builders (M/s Pentagon, Galaxy and Apollo) violating the provisions of the CRZ Notification 1991.

With the above observations/decisions the committee noted the Action Taken Report of the 57th meeting of the KCZMA.

Agenda Item No. 60.4

Action Taken Report (58th meeting held on 27.07.2013)

The Committee noted the Action Taken Report of the 58th meeting of the KCZMA.

Agenda Item No. 60.5

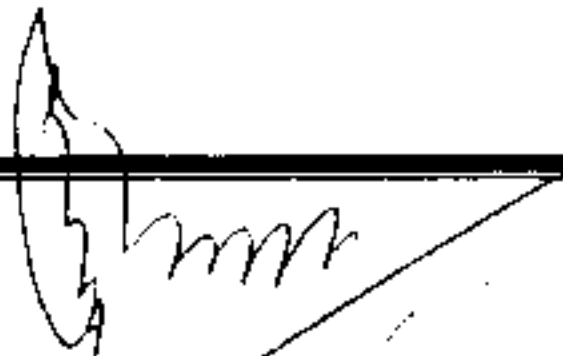
Action Taken Report (59th Special Meeting held on 04.09.2013).

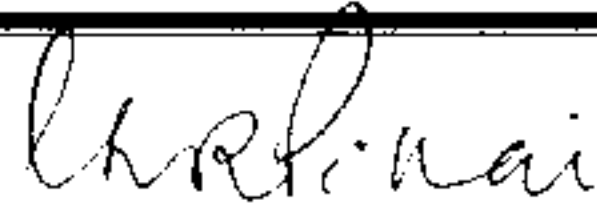
The Committee noted the Action Taken Report of the 59th (Special) meeting of the KCZMA.

Agenda Item No. 60.6

Consideration of New Agenda items.

Then the committee took up the following New Agenda Items for discussion and decision.


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

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Construction of Residential Building by Shri.K.P.John, Kulangara, Thaikkal.P.O, Cherthala, Alappuzha


Shri.K.P.John, Kulangara, Thaikkal.P.O, Cherthala, Alappuzha has proposed construction of residential Building with plinth area of 266.11m², construction of soak pit and septic tank and rain water Harvesting structure. In Sy. No. 453/7A, 1.6 (7.75 cents). The site is 100m from HTL of sea. The area is in the No Development Zone of CRZ-III. Between 100-200m from HTL of sea. As per CRZ Notification 2011, Clause 8 III A(ii) No new constructions shall be permitted in the No Development Zone of CRZ III. Construction of dwelling units of traditional coastal communities including fisher folk may be permitted between 100-200m along sea front in accordance with a comprehensive plan prepared and approved by Ministry of Environment & Forest. The Secretary, Kadakkarappally Grama Panchayath has informed that the applicant belongs to traditional fisher folk community.

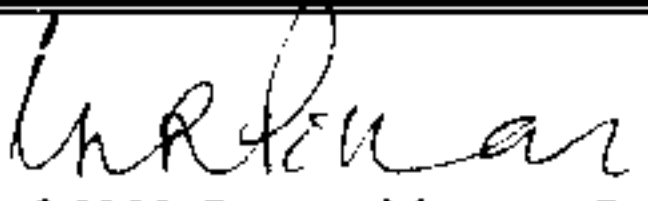
KCZMA discussed the proposal for construction of residential building by Shri.K.P.John, Kulangara, Thaikkal.P.O, Cherthala, Alappuzha with plinth area of 266.11m², construction of soak pit and septic tank and rain water harvesting structure in Sy. No. 453/7A, in detail and decided to decline CRZ clearance for the proposal being proposed just about 100m by the HTL of Sea and the building being double storied with large plinth area.

Construction of Building for Packed Drinking Water and Soda making unit by Sri.Christy Boy / Vijayamma, Mathalayam, Thrikkadavoor, Kollam

Sri. Christy Boy / Vijayamma, Mathalayam, Nediyaazhikath Veedu, Thrikkadavoor, Kollam has proposed construction of building with total plinth area of 253m² (3 blocks) for Packed drinking water and soda making unit (industry). Drawing of ground water from CRZ area is also proposed. The area is Re. Sy. No. 239/4, 5, 7, 14. Ward No.III of Thrikkadavoor. The area is on the banks of Ashtamudi Backwater. 100m landward of HTL is CRZ - No Development Zone.

KCZMA discussed the proposal for construction of building with total plinth area of 253m² (3 blocks) for Packed drinking water and soda making unit (industry) and drawl of ground water from CRZ area and decided to decline CRZ clearance as per CRZ Notification 2011 Clause 3 (i) setting up industry is prohibited in CRZ area, as per Clause 8 III A (ii) No new constructions can be permitted in the No Development Zone of CRZ III, and moreover drawing of ground water in CRZ area using mechanized means is also prohibited.


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

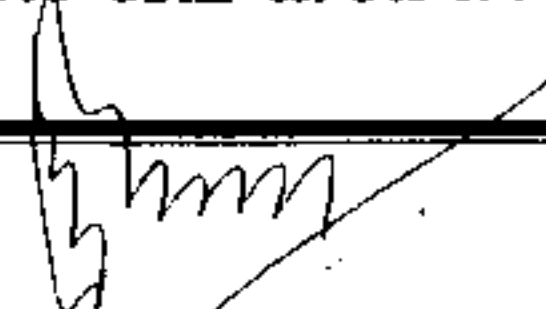
ആദിച്ചനല്ലൂർ പഞ്ചായത്തിൽ ഇത്തിക്കര ആറിന്റെ തീരത്ത് CRZ നിയമം ലംഘിച്ച് ശ്രീ. നജുമുദ്ദീൻ ഷോപ്പിംഗ് കോംപ്ലക്സ് പണിയുന്നതായി ശ്രീ.കെ.ശ്രീകുമാർ, സെക്രട്ടറി, മൈലക്കാട് പൗരസമിതിയുടെ പരാതി.


ആദിച്ചനല്ലൂർ പഞ്ചായത്തിൽ ഇത്തിക്കര ആറിന്റെ തീരത്ത് CRZ നിയമം ലംഘിച്ച് ശ്രീ.നജുമുദ്ദീൻ എന്നയാൾ ഷോപ്പിംഗ് കോംപ്ലക്സ് പണിയുന്നതായി മൈലക്കാട് പൗരസമിതി സെക്രട്ടറി ശ്രീ.കെ.ശ്രീകുമാർ പരാതി സമർപ്പിച്ചിട്ടുണ്ട്. ഇത്തിക്കര ആറിൽ നിന്നും 15 മീറ്റർ ദൂരപരിധിയിൽ ഉൾപ്പെടുന്ന സ്ഥലത്താണ് കെട്ടിട നിർമ്മാണമെന്നും, നിലവിലുള്ള കടമുറി പൊളിച്ചു മാറ്റിയിട്ടാണ് പുതിയ നിർമ്മാണത്തിന് അപേക്ഷ നൽകിയതെന്നും, എന്നാൽ CRZ അനുമതി ലഭിക്കാതെ പ്രവർത്തനങ്ങൾ തുടങ്ങിയതിനാൽ പഞ്ചായത്ത് നിരോധന ഉത്തരവ് നൽകിയിട്ടുണ്ടെന്നും 02.01.2012-ലെ കത്ത് പ്രകാരം പഞ്ചായത്ത് സെക്രട്ടറി അറിയിച്ചിരുന്നു. എന്നാൽ തദ്ദേശ സ്വയംഭരണ വകുപ്പിൽ നിന്നും ലഭിച്ച നിർദ്ദേശത്തിന്റെ അടിസ്ഥാനത്തിൽ പൊളിച്ചുമാറ്റിയ പഴയ കെട്ടിടത്തിന്റെ അതേ വിസ്തൃതിയിൽ (56m²) പുനർ നിർമ്മാണത്തിന് അനുമതി നൽകിയിട്ടുണ്ടെന്നും ആയത് പുനർ നിർമ്മിച്ചിട്ടുണ്ടെന്നും 09.07.2012-ലെ കത്ത് പ്രകാരം പഞ്ചായത്ത് സെക്രട്ടറി അറിയിച്ചിട്ടുണ്ട്.

CRZ-III-ൽ പഴയ കെട്ടിടത്തിന്റെ plinth area, Density, Floor Space Index (FSI) എന്നിവയിൽ വ്യത്യാസം വരുത്താതെയുള്ള പുനർ നിർമ്മാണം അനുവദനീയ പ്രവർത്തനമാണ് എങ്കിലും CRZ വിജ്ഞാപനം പ്രകാരം CRZ പ്രദേശത്തുള്ള ഏതു തരം നിർമ്മാണ പ്രവർത്തനങ്ങളും വികസന പ്രവർത്തനങ്ങളും, KCZMA / MoEF / NCZMA-യുടെ മുൻകൂർ അനുമതിയോട് കൂടി മാത്രമേ നടത്താൻ പാടുള്ളൂ. എന്നാൽ മേൽ വിവരിച്ച നിർമ്മാണം സംബന്ധിച്ച് Local Self Government Department-ന്റെ നിർദ്ദേശ പ്രകാരം പുനർ നിർമ്മാണത്തിന് പഞ്ചായത്ത് അനുമതി നൽകിയിട്ടുണ്ട്.

ഇത്തരത്തിനുള്ള നിർദ്ദേശങ്ങൾ CRZ വിജ്ഞാപനത്തിന്റെ അന്തസ്സത്തയ്ക്ക് വിരുദ്ധമായതിനാൽ മേൽ വിജ്ഞാപന പ്രകാരം CRZ ക്ലിയറൻസ് നൽകുന്നതിനുള്ള അധികാരം KCZMA-യിൽ മാത്രമാണോ നിക്ഷിപ്തമായിരിക്കുന്നതെന്നും, അതോ മേൽ വിജ്ഞാപനത്തിന്റെ നിയമാവലികൾ പാലിച്ചു കൊണ്ട് Local Self Government Department-ന് ഇത്തരത്തിനുള്ള നിർദ്ദേശങ്ങൾ നൽകാവുന്നതാണോയെന്നും പരിശോധിക്കേണ്ടതുണ്ട്.

KCZMA decided to inform the LSGs, the Director Panchayats, the Director Urban Affairs and the Secretary LSGD on the provisions of CRZ Notification and requirement of permission from KCZMA/NCZMA/MoEF on activities within the CRZ area irrespective of the activities.


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

Agenda Item No. 60.6.4

File No. 1210/A3/2013/KCZMA/S&TD

Regularisation of Construction of dwelling unit by Smt. Ambujam, Puthen Paramba, Purakkad, Alappuzha

Smt. Ambujam, Puthen Paramba, Purakkad, Alappuzha has requested for regularisation of construction of dwelling Unit. The construction is made in the year 1990 in Sy. No. 28/7-2-2, 28/7.3 of purakkad Vilage.30m from HTL of sea. The area is in the NDZ of CRZ III. As per CRZ Notification 2011 clause 8 III A (ii) no new construction can be permitted in the No Development Zone of CRZ III. The construction as per the application submitted is shown as 1990 and it has not been regularised till date.

KCZMA discussed the proposal for regularisation of construction of dwelling Unit made by Smt. Ambujam, Puthen Paramba, Purakkad, Alappuzha and decided to grant CRZ clearance for regularizing of the dwelling unit as the communication from the Panchayat has confirmed that the construction was made in the year 1990.

Agenda Item No. 60.6.5

File No. 1399/A3/2013/KCZMA/S&TD

Construction of Office Building for Purakkad Grama Panchayath, Purakkad P.O, Alappuzha.

The Secretary, Purakkad Grama Panchayat. Has proposed construction of Office Building with plinth area of 540m², Two floors, height Below 9m in Re. Sy. No. 200/13 Block 18 of Purakkad village which is 75m from HTL of sea. The area is in the NDZ of CRZ III. As per CRZ Notification 2011 No new constructions can be permitted in the No Development Zone of CRZ III. Only reconstruction can be permitted. The Panchayat states that the construction is to be made after demolishing the PHC building. The Panchayath has informed that the existing building was constructed in 1960 and its plinth area is 69.06m². The plinth area of the proposed building exceeds the plinth area of the old building.

KCZMA discussed the proposal for construction of Purakkad Grama Panchayath Office Building with plinth area of 540m² in the NDZ of CRZ III and decided that CRZ clearance can be granted for reconstruction limited to 69.06m² area of the old building existed in the location.


Agenda Item No. 60.6.6

File No. 1486/A3/2013/KCZMA/S&TD

Construction of Marine diesel outlet by Shri. Lixon Xavior & Smt. Mercy Lixon, Bethel, Thrikkadavur, Kureepuzha P.o, Kollam.

Shri. Lixon Xavior & Smt. Mercy Lixon, Bethel Thrikadavur, Kureepuzha P.O, Kollam proposed to establish marine diesel outlet in Re. Sy. No. 46/9, 20/115-2


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

and 46/6 of Thrikadavoor village, which is 3m from HTL of backwater. The proposal includes Construction of office building, setting up of fuel tank, dispense etc. The area is in the NDZ of CRZ III. As per provisions of CRZ Notification 2011, facilities for receipt and storage of petroleum products can be permitted in CRZ area subject to implementation of safety regulations including guidelines issued by Oil Industry Safety Directorate in MoEF [Clause 3 (ii)]. The present application is for marine outlet and it is meant for the fisherman community.

The KCZMA discussed the proposal to establish marine diesel outlet in Re. Sy. No. 46/9, 20/115-2 and 46/6 of Thrikadavoor village in detail and decided to grant CRZ clearance subject to implementation of safety regulations including guidelines issued by the oil industry safety directions in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementations of ameliorative and restorative measures in relation to environment as stipulated by MoEF. The clearance is also subject to the following conditions.

- a. Construction of storage of petroleum products or fuels may be undertaken as per approved specifications for constructions with no leakage is permitted to the groundwater in the surrounding areas.**
- b. No effluents from fuel pump station shall be discharged into the Kayals and water bodies around.**
- c. Water requirements, if any, for the fuel pump station shall be met only from rainwater harvesting storage units envisage in the proposal. No groundwater can be used for the above purpose.**

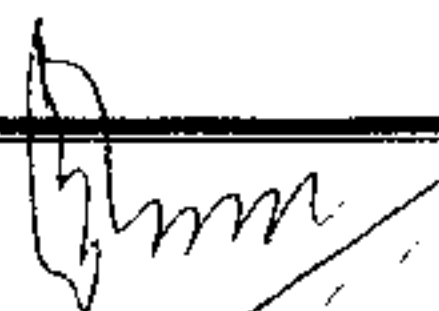
Agenda Item No. 60.6.7

File No. 819/A3/2013/KCZMA/S&TD

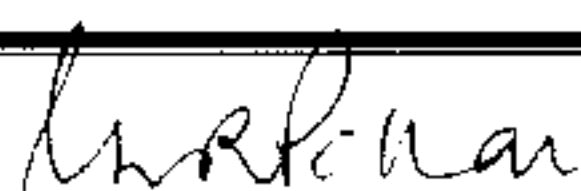
Re-construction of Residential Building by Shri. Suran and others, Kiliyante Mudumbu Veedu, Panthura, Pachalloor P.O, Thiruvananthapuram

Shri. Suran & others, Kiliyante Mudumbu Veedu, Panathura, Pachalloor.P.O, Thiruvananthapuram has proposed reconstruction of dwelling units with plinth area of 53.88m², Height : 4.34m, single floor in Re. Sy. No. 1561/5-1, 1561-5-1-1 (0.69 Arc + 0.81 Arc) which is 50m HTL of sea. As per CRZ Notification 2011, reconstruction of existing authorized structures is permissible in No Development Zone of CRZ III (Clause 8 III A (ii)). The building (A hut bearing T.C No 67/167) existed earlier has been demolished and foundation for the new building has been constructed. The applicant belongs to traditional coastal community.

The KCZMA discussed the proposal for reconstruction of dwelling units with plinth area of 53.88m² in detail and decided to grant CRZ clearance as the reconstruction is a permissible activity in the CRZ III and also the applicant belongs to traditional coastal community.



Dr. K.K. Ramachandran
Member Secretary



Prof. V.N. Rajasekharan Pillai
Chairman

CRZ clearance for proposed expansion at Club Mahindra "Holidays & Resorts" (Ashtamudi Resort) at Thekkumbhagam, Kollam

Sri. Anil Kumar.L, Head Resort Operations, Kerala has furnished a proposal seeking No Objection Certificate for proposed expansion at Club Mahindra 'Holidays & Resorts (Ashtamudi Resort) at Thekkumbhagam, Kollam. The technical report has revealed that the proposed construction lies beyond 50m from HTL of backwater and hence outside CRZ. Similarly, reconstruction made earlier for existing building does not attract CRZ based on Court direction as per Judgement in WP(C) No. 16876 of 2006.

The KCZMA discussed the proposal of CRZ clearance for proposed expansion at Club Mahindra "Holidays & Resorts" (Ashtamudi Resort) at Thekkumbhagam, Kollam in detail and decided to grant CRZ clearance as the new construction proposed is outside the CRZ limits as per the special dispensation of CRZ limit of 50m from HTL in the backwater islands of Kerala.

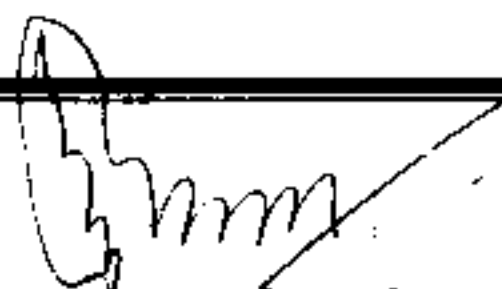
Report of the Sub Committee constituted to study the CRZ aspects for construction of Houses under Government Housing Scheme in Edavanakkad Grama Panchayath

A Sub Committee was constituted to study the CRZ aspects with regard to the proposal for the construction of Houses under Government Housing Scheme in Edavanakkad Grama Panchayath.

This item is deferred for further clarification on the report.

Construction of Commercial Building by Smt.Veena.V.Shenoy, Karuvachery, Nileswar.P.O, Kasargod

Smt. Veena.V.Shenoy, W/o. Vidhyadhar Shenoy, Karuvachery, Nileswar.P.O, Kasargod has proposed construction of a Commercial building with plinth area of 232.43m², FAR 0.23, Single storied. Drilling of a Bore well, Rain Water harvesting tank and Septic tank are also proposed in Re. Sy. No. 659/1B of Kanhangad Village, Extent 25 cents, 26.5m from HTL of river. The area being in Kanhangad Municipality, it is categorized as CRZ-II. As per CRZ Notification 2011, Clause 8 II (i) & (ii) construction of building can be permitted landward of existing authorized structures, subject to condition that existing FAR/FSI as on 19.02.1991 shall only be allowed. Drawl of ground water from CRZ using mechanical means is


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

