

**Agenda Item No.103.01.01**  
**File No: 361 (A)/A2/18/KCZMA**

**Regularization of Residential Building owned by Sri. A.P Subash, Anjalassery House, Kureekuzhy P.O, Thrissur .**

Name of Applicant	: Sri. A.P Subash, Anjalassery House, Kureekuzhy P.O, Thrissur-680681 .
Applicant Status	: The applicant belongs to Traditional Coastal Community
Application details	: Lr. No. A2/7406/16 dated 05.02.18 from The Secretary, Kaipamangalam Grama Panchayat.
Project Details &Activities proposed	: Regularization of residential building with plinth area of 100.24 m <sup>2</sup> , Plot area of 20 cent, Single Floor, FAR: 0.12, Height :4.05 m.
Location Details	: Sy. No. 42/10, 42/4, 42/3 of Kaipamangalam Village, Kaipamangalam Grama Panchayat, Thrissur District. The construction is at a distance of 105 m from the HTL of sea.
CRZ of the area	: The area is in No Development Zone of CRZ III in between 100-200 from sea.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	: The regularisation may be permissible by limiting the plinth area of 100m <sup>2</sup> .

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.02**  
**File No: 728/A1/19/KCZMA**

**Regularization of Residential Building by Shri Solomon and Smt Biyattris, Sofiavilla, Puthanazhikam Thoppu, Thekkumbhagham, Eravipuram, Kollam**

Name of Applicant	: Shri Solomon and Smt Biyattris, Sofiavilla, Puthanazhikam Thoppu, Thekkumbhagham, Eravipuram, Kollam
Application details	: Lr. No. TPEZ/4567/17 dated 06.04.2019 from The Assistant Engineer, Eravipuram Zonal Office, Kollam Corporation.
Project Details &Activities proposed	: Regularization of residential building with plinth area of 165.45 m <sup>2</sup> , Plot area of 4.97 Ares, 2 Floor, FAR: 0.38, Height : 7.15 m.
Location Details	: Re Sy. No 134/42, 134/8/2 of Mundakkal Village, Kollam Corporation, Kollam District. The construction is at a distance of 155 m from Sea.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing

	road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	: The construction is landward to existing Eravipuram-Thanni road. Regularisation is permissible.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.03**

**File No: 297/A1/19/KCZMA**

**Construction of Residential Building by Smt Mary Celin Decruz, Thailakam, Kristuraja Unit, Pallithura P.O, Thiruvananthapuram**

Name of Applicant	: Smt Mary Celin Decruz, Thailakam, Kristuraja Unit, Pallithura P.O, Thiruvananthapuram
Application details	: Lr. No. ZAE/5306/18 dated 31.01.2019 from The Assistant Executive Engineer, LSGD, Corporation of Thiruvananthapuram.
Project Details & Activities proposed	: Construction of residential building with plinth area of 55 m <sup>2</sup> , Plot area of 2.10 ares, Single Floor, FAR: 0.26, Height : 4.45 m.
Location Details	: Re Sy. No 2/8 of Attipra Village, Corporation of Thiruvananthapuram, Thiruvananthapuram District. The proposed construction is at a distance of 50.16 m from the sea.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	: The application is proposed under PMAY Scheme. The authorised road between HTL and proposed building is not shown in plan. But the Assistant Executive Engineer, Thiruvananthapuram Corporation certified that there is a road existing between them. Hence, KCZMA may decide on its approval.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.04**

**File No: 468/A1/19/KCZMA**

**Construction of residential building by Chandrajubin, Veluthedathu, Ezhikkara.P.O, Kadakkara, Ernakulam**

Name of Applicant	:	Chandrajubin, Veluthedathu, Ezhikkara.P.O, Kadakkara, Ernakulam-683513
Application details	:	Lr. No A2-23/2019 dated 05/03/19 from the Secretary, Ezhikkara Grama Panchayat.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 142.80 sqm, Plot area of 13 cents, 2 Floor, Height : 7.70 m, F.A.R-0.27
Location Details	:	Sy. No 132/6-5,118/20-3, Ezhikkara Village, Ezhikkara Grama Panchayat, Ernakulam District. The Proposed construction is at a distance of 25.50m from the HTL of Pokkali Field (75m wide).
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The construction is permissible as per precedence of KCZMA meeting.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.05**

**File No: 548/A1/19/KCZMA**

**Regularisation of Storage Room Fishing Equipments by Smt Lilly Simon, Vallikkathayil, Arthunkal.P.O, Alappuzha.**

Name of Applicant	:	Smt Lilly Simon, Vallikkathayil, Arthunkal.P.O, Alappuzha-688530
Application details	:	Lr. No A3.9060/2018 dated 06/03/18 from the Secretary, Cherthala South Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of Storage Room Fishing Equipments with plinth area of 18.02 sqm, Plot area of 2.83 ares, Single Floor, Height : 4.40 m, F.A.R-0.6
Location Details	:	Re Sy. No 272/1/147, 272/1 Arthunkal Village, Cherthala South Grama Panchayat, Alappuzha District. The construction is at a distance of 20m from the HTL of Sea.
Project Cost	:	Rs 50,000/-
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ Notification 2011 clause 8 III A(iii)] 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 can be permitted in the NDZ of CRZ

	III.
Comments	: Permissible. The purpose of building shall not be changed. The Secretary, Cherthala South Grama Panchayat shall ensure the same.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.06**

**File No: 531/A2/19/KCZMA**

**Regularisation of residential building by Shri Raveendran, Padalil(H),  
Padinjarekkara .P.O Purathur, Malappuram**

Name of Applicant	: Shri Raveendran, Padalil(H), Padinjarekkara .P.O, Purathur, Malappuram
Applicant Status	: Traditional Fisher Folk Community.
Application details	: Lr. No A3-9877/18 dated 08/03/2018 from the Secretary, Purathur Grama Panchayat.
Project Details & Activities proposed	: Regularisation of Residential building with plinth area of 102.76 sqm, Plot area of 12.02 Cents, 2 Floor, Height : 6.11m, F.A.R-0.21
Location Details	: Sy. No 46/2A-5, Purathur Village, Purathur Grama Panchayat, Malappuram District. The construction is at a distance of 125m from the HTL of Sea..
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	: Regularisation may be permissible by limiting the plinth area to 100m <sup>2</sup> .

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.07**

**File No: 527/A1/19/KCZMA**

**Regularisation of First Floor Extension to the Completed residential building by Shri Chokki Jilshan, XXVII/448, Kurakkanni, Varkala, Thiruvananthapuram.**

Name of Applicant	: Shri Chokki Jilshan, XXVII/448, Kurakkanni, Varkala, Thiruvananthapuram-695141
Application details	: Lr. No PW2-B.A/357/18-19 dated 12/3/19 from the Secretary, Varkala Municipality.
Project Details & Activities proposed	: First Floor Extension to the Completed Residential building with (Ground floor-52 sqm+ First floor-52 Sqm) Total plinth area of 104 sqm, Plot area of 1.22 ares, 2 Floor, Height : 7.55m, F.A.R-0.85

Location Details	:	Sy. No 63,64 of Varkala Village, Varakala Municipality, Thiruvananthapuram District. The Constructed building is at a distance of 122.1m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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
Comments	:	The construction is proposed on the landward side of the existing buildings(VMC XXVIII/245(I/140B),Constructed on 1993-94)(VMC XXVIII/241(I/140) Constructed on 1992-1993),Hence Regularisation is permissible.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.08**

**File No: 508/A2/19/KCZMA**

**Regularisation of residential building by Shri Mamu and Smt Kamala, Manappat(H), Valappad Beach.P.O, Thrissur.**

Name of Applicant	:	Shri Mamu and Smt Kamala, Manappat(H), Valappad Beach .P.O, Thrissur-680567
Applicant Status	:	Traditional Coastal Community.
Application details	:	Lr. No A3-306/2019 dated 11/03/2019 from the Secretary, Valappad Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of residential building with plinth area of 27.96 sqm, Plot area of 1.21 ares, Single Floor, Height : 3.5m.
Location Details	:	Re Sy. No 43/5, Valappad Village, Valappad Grama Panchayat, Thrissur District. The construction is at a distance of 140m from the HTL of Sea..
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.09**

**File No: 496/A2/19/KCZMA**

**Regularisation of residential building by Shaju S/o Hamsakutty, Anchamadath, Paravanna.P.O, Malappuram**

Name of Applicant	:	Shaju S/o Hamsakutty, Anchamadath, Paravanna.P.O, Malappuram-676502
Applicant Status	:	Traditional Fisher Folk Community.
Application details	:	Lr. No A4-334/19 dated 19/02/19 from the Secretary, Vettom Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of Residential building with plinth area of 101.54 sqm, Plot area of 5 Cents, 2 Floor, Height : 5.85 m.
Location Details	:	Re Sy. No 347/18, Vettom Village, Vettom Grama Panchayat, Malappuram District. The construction is at a distance of 172m from the HTL of Sea.
CRZ of the area	:	The area is in No Development Zone of CRZ III in between 100-200m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	:	Regularisation may be permissible by limiting the plinth area to 100m <sup>2</sup> .

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.10**

**File No: 587/A2/19/KCZMA**

**Construction of residential building by Shri Abdul Rasaan.K.M.C S/o T. Abdul Rahiman,Near V,G.M.A..L.P School, Thykadappuram.P.O, Nileshwaram, Kasargod.**

Name of Applicant	:	Shri Abdul Rasaan.K.M.C S/o T. Abdul Rahiman,Near V,G.M.A..L.P School, Thykadappuram.P.O, Nileshwaram, Kasargod.-671314
Application details	:	Lr. No E2/B.A-557/18-19 dated 01.02.2019 from the Secretary, Nileshwaram Municipality
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 267.98 sqm, Plot area of 21 Cents, 2 Floor, Height : 7.00m, F.A.R- 0.31
Location Details	:	Re Sy. No 632/1A pt, Nileshwaram Village, Nileshwaram Municipality, Kasargod District. The Proposed

	:	construction is at a distance of 300.79m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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
Comments	:	The construction is proposed on the landward side of the existing municipality road; Hence the construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.11**

**File No: 612/A2/19/KCZMA**

**Construction of residential building by Shri Naseer, Smt Sajitha Naseer, Kaithavalappil(H), Padakulam, Kodungallur.P.O, Thrissur.**

Name of Applicant	:	Shri Naseer, Smt Sajitha Naseer, Kaithavalappil(H), Padakulam, Kodungallur.P.O, Thrissur-680664
Application details	:	Lr. No B.A-247/17-18 METHALA dated 29/01/19 from the Secretary, Kodungallur Municipality.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 480.38 sqm, Plot area of 19.92 ares, 3 Floor, Height : 10.35m, F.A.R- 0.21
Location Details	:	Sy. No 634/3, Pullut Village, Kodungallur Municipality, Thrissur District. The Proposed construction is at a distance of 35.70m from the HTL of Canoli Canal (395m wide).
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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
Comment	:	The construction is proposed on the landward side of the existing building (No:XXIII/30, owned by Chandran and Rima, Parikkasseri(H),H No:30, Constructed before 1994),Hence the construction is permissible as per the

	provisions of CRZ Notification 2011.
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**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.12**

**File No: 583/A2/19/KCZMA**

**Construction of residential building by Smt Moli w/o Sudheer, Thundiparambil, Pullut.P.O, Thrissur.**

Name of Applicant	:	Smt Moli w/o Sudheer, Thundiparambil, Pullut.P.O, Thrissur-680663
Application details	:	Lr. No B A-491/18-19 dated 14.02.2019 from the Secretary, Kodungallur Municipality
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 88.37 sqm, Plot area of 6.100 Cents, Single Floor, Height : 4.55m, F.A.R-0.36
Location Details	:	Sy. No 212/1, Pullut Village, Kodungallur Municipality, Thrissur District. The Proposed construction is at a distance of 1.40m from the HTL of Aqua Farm.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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
Comments	:	The construction is proposed on the landward side of the existing building (No: XIX/354, Constructed Prior 1990), Hence the construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.13**

**File No: 571/A2/19/KCZMA**

**Extension of residential building by Shri Asfak and Smt Shakeela, Kerantakath (H), Thiruvathra, Chavakkad, Thrissur.**

Name of Applicant	:	Shri Asfak and Smt Shakeela, Kerantakath (H), Thiruvathra, Chavakkad, Thrissur.
Application details	:	Lr. No B.A No:318/18-19 date nil from the Secretary, Chavakkad Municipality.
Project Details &Activities proposed	:	Extension of Residential building with plinth area of 48.09 sqm and having a Total Plinth area of 101.74 sqm, Plot area of 5.04 Cents, 2 Floor, Height :5.75 m, F.A.R-0.50
Location Details	:	Re Sy. No 132/6 , Manathala Village, Chavakkad Municipality, Thrissur District. The Proposed extension is at a distance of 18.80 from the HTL of Canoli Canal.
CRZ of the area	:	The area is in CRZ II.



Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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
Comments	:	The construction is proposed on the landward side of the existing buildings (No: 3/383, 20/76(old No:), Constructed prior 1994), Hence the construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.14**

**File No: 569/A2/19/KCZMA**

**Construction of residential building by Shri Jameel and Muhammed Shafeek, Theruvath Veettil, Chavakkad, Thrissur.**

Name of Applicant	:	Shri Jameel and Muhammed Shafeek,Theruvath Veettil, Chavakkad,Thrissur.
Application details	:	Lr. No B.A No: 194/18-19 dated 5/3/19 from the Secretary, Chavakkad Municipality.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 268.51 sqm, Plot area of 930.81 sqm, 2 Floor, Height : 7.00m, F.A.R-0.29
Location Details	:	Re Sy. No 207/1,219/2, Manathala Village, Chavakkad Municipality ,Thrissur District. The Proposed construction is at a distance of 29.50m from the HTL of Canoli Canal.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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
Comments	:	The construction is proposed on the landward side of the existing building (No: 22/279, Constructed before 1994), Hence the construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.15**

**File No: 144/A1/19/KCZMA****Construction of Residential Building by Sri. Joseph & Smt Sherly, Tolil, Sakthikulangara P.O, Kollam**

Name of Applicant	:	Sri. Joseph & Sherly, Tolil, Sakthikulangara P.O, Kollam
Application details	:	Lr. No. SZ/TP/BR/442/18-19 dated 07.01.2019 from The Secretary, Kollam Municipal Corporation
Project Details & Activities proposed	:	Construction of Residential building with plinth area of 121.76 m <sup>2</sup> Plot area of 2.30 Ares, 2 Floor, FAR: 0.52, Height : 7.15 m.
Location Details	:	Sy.No:177/18 of Sakthikulangara Village, Kollam Municipal Corporation, Kollam District. The construction is at a distance of 28 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ II .
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	:	The construction lies landward to existing harbour road. The construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting****Agenda Item No.103.01.16****File No: 357/A1/19/KCZMA****Regularization of shop and shed Building by Andly Andrew, Agnel Andrew, Anitha Andrew & Sherly Andrew, Augustin villa, Pandarathope Saktikulangara P.O, Kollam**

Name of Applicant	:	Andly Andrew, Agnel Andrew, Anitha Andrew & Sherly Andrew, Augustin villa, Pandarathope Saktikulangara P.O, Kollam
Application details	:	Lr. No. SZ/TP/BR/453/18-19 dated 14/02/2019 from The Secretary, Kollam Municipal Corporation
Project Details & Activities proposed	:	Regularization of shop and shed building with plinth area of 38.63 m <sup>2</sup> (shop area: 20.77 m <sup>2</sup> + shed area: 17.86 m <sup>2</sup> ) Plot area of 5.65 Ares, Single Floor, FAR: 0.52, Height : 3.49 m.
Location Details	:	Sy.No: 191/3, 191/8 of Sakthikulangara Village, Kollam Municipal Corporation, Kollam District. The construction is at a distance of 110 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ II .
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised

	structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	: The construction lies landward to existing building no. 4/193 constructed in 1994. The regularisation is permissible.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.17**

**File No: 358/A1/19/KCZMA**

**Regularization of Residential cum professional office room by Shri Kumaran and Smt Shailaja kumari, Komandazhikath, Kizhakathil, Kannimmel, Kavanad P.O, Kollam**

Name of Applicant	: Shri Kumaran and Smt Shailaja kumari, Komandazhikath, Kizhakathil, Kannimmel, Kavanad P.O, Kollam
Application details	: Lr. No. TP/SZ/BR/451/18-19 dated 14.02.2019 from The Secretary, Kollam Municipal Corporation.
Project Details &Activities proposed	: Regularization of residential cum professional office room with plinth area of 48.49 m <sup>2</sup> (residential area: 35.46 m <sup>2</sup> + small professional office room: 13.33 m <sup>2</sup> ), Plot area of 6.78 Ares, Single Floor, FAR: 0.23, Height : 2.60 m.
Location Details	: Re Sy. No 609/20 of Saktikulangara Village, Kollam Municipal Corporation, Kollam District. The construction is at a distance of 168 m from the HTL of sea.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	: The construction lies landward to existing building no.SP14/335, SP14/215 constructed in 1994. The regularisation is permissible.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.18**

**File No: 3493/A2/17/KCZMA**

**Reconstruction of Residential Building by Sri. Babu K, Padinjareummankandi, Chemanchery, Kappad P.O., Kozhikode-673304**

Name of Applicant	: Sri. Babu K, Padinjareummankandi, Kappad P.O, Chemanchery, Kozhikode-673304
Application Status	: The applicant belongs to Traditional Coastal Community.
Application details	: Lr. No. A2/8615/2016 dated 21.01.2017 from The Secretary, Chemanchery Grama Panchayat .
Project Details &Activities proposed	: Reconstruction of Residential building with plinth area of 56.72 m <sup>2</sup> Plot area of 161.88 m <sup>2</sup> , 2 Floor, FAR: 0.35, Height : 5.75 m.
Location Details	: Re Sy. No: 252/2 of Chemanchery Village, Chemanchery Grama Panchayat, Kozhikode District. The construction is at a distance of 35 m from the HTL of Sea.
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	: The 30 years old building no: 17/394 with plinth area 60.86 m <sup>2</sup> , is demolished. Reconstruction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.19**

**File No: 2083/A2/17/KCZMA**

**Construction of Commercial Building by Kottapurayil Muhammed Ali, Jumaila Muhammed Ali, Kottapurayil House, Kottapurayil. P.O, Kottaparamba, Kozhikode**

Name of Applicant	: Kottapurayil Muhammed Ali K.P , Jumaila Muhammed Ali, Kottapurayil House, Kottapurayil.P.O, Kottaparamba, Kozhikode-673008
Application details	: Lr. No. TP6 55367/15 dated 01/04/2019 from The Superintending Engineer, Kozhikode Municipal Corporation.
Project Details &Activities proposed	: Construction of commercial building with Total plinth area of 3549.72 m <sup>2</sup> , Plot area of 12.87 Ares, 5 Floor, FAR: 1.46, Height : 20.00 m. (approx)
Location Details	: Re Sy. No 18/1,18/3 of Kottuly Village, Kozhikode Municipal Corporation, Kozhikode District. The proposed construction is at a distance of 8.50 m from the Canoli canal.
Project Cost	: 4 Crore 65 Lakh
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the

	existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	: The proposed construction is landward to existing building no. 27/2213-A, 27/850 constructed in the year 1972-73 and building no 27/143 constructed in the year 1983-84. The scrutiny fee Rs 4,00,000 has been paid. The construction is permissible

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.20**

**File No: 698/A2/19/KCZMA**

**Regularisation of residential building by Shri Fasal, Mannacheentavida (H),  
Khadeeja Cottage,V,V, Road ,Vatakara,Kozhikode**

Name of Applicant	: Shri Fasal, Mannacheentavida (H), Khadeeja Cottage,V,V, Road ,Vatakara,Kozhikode-673103.
Application details	: Lr. No TP3/B.A-224/12-13 dated 7/3/19 from the Secretary, Vatakara Municipality
Project Details &Activities proposed	: Regularisation of Residential building with plinth area of 408.67 sqm, Plot area of 23.89 ares, 3 Floor, Height : 7.40 m, F.A.R-0.17
Location Details	: Re Sy. No 168/2C, Vatakara Village, Vatakara Municipality , Kozhikode District. The Proposed construction is at a distance of 98.40m from the HTL of Sea.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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
Comments	: The construction is Proposed on the landwardside of the existing buildings (6/75, Constructed Prior 1995), (6/80-B, Constructed Prior 1995), Hence the Construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.21**

**File No: 6709/A1/17/KCZMA**

**Reconstruction of residential building by Smt. Padmini, Puthen Mudumbil (H),  
Edayar, Thiruvallam, Thiruvananthapuram.**

Name of Applicant	:	Smt. Padmini, Puthen Mudumbil (H), Edayar, Thiruvallam, Thiruvananthapuram-695027
Application details	:	Lr. No ZTP1/3027 dated 28.09.2017 from the Assistant Engineer, Thiruvananthapuram Corporation
Project Details &Activities proposed	:	Reconstruction of Residential building with plinth area of 48.30sqm, Plot area of 0.93 ares, Single Floor, Height : 4.35m, F.A.R-0.52
Location Details	:	Sy. No 844/A-5-1, Muttathara Village, Thiruvananthapuram Corporation, Thiruvananthapuram District. The Proposed construction is at a distance of 242m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 200-500m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The existing building (No. 65/771, Plinth area 30 Sqm, year of construction – Documents not available) is to be demolished. The reconstruction / construction is permissible as per the provisions of CRZ Notification 2011, in the area.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.22**

**File No: 42/A2/19/KCZMA**

**Construction of residential building by Shri Sujesh Thiyyath, Subhashini, Pulickal (H), Kadalundi.P.O, Malappuram.**

Name of Applicant	:	Shri Sujesh Thiyyath, Subhashini, Pulickal (H), Kadalundi.P.O, Malappuram-673302
Application details	:	Lr. No A3-31/19 dated 05.01.2019 from the Secretary, Vallikunnu Grama Panchayat.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 355.76 sqm, Plot area of 12.41 ares, 2 Floor, Height : 7.35m, F.A.R-0.28
Location Details	:	Sy. No 132/27-1, 132/9 Ariyallur Village, Vallikunnu Grama Panchayat, Malappuram District. The Proposed construction is at a distance of 320m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ III in between 200-500m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so

		long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.23**

**File No: 619/A2/18/KCZMA**

**Construction of residential building by Smt Binumol, Unnikattuvalappil, Kadavanad, Ponnani, Malappuram.**

Name of Applicant	:	Smt Binumol, Unnikattuvalappil, Kadavanad, Ponnani, Malappuram.
Application details	:	Lr. No E2-B.A-328/16-17 dated 20/10/17 from the Secretary, Ponnani Municipality.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 31.65 sqm, Plot area of 2 cents, Single Floor, Height : 4.15m, F.A.R- 0.39
Location Details	:	Re Sy. No 85/1, Ponnani Nagaram Village, Ponnani Municipality, Malappuram District. The Proposed construction is at a distance of 8m from the HTL of Canoli Canal.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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
Comments	:	The existing 48 yrs old building of Shri Narayanan and Unni, Kattuvalappil (H),(Election 26/54)., Hence the construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.24**

**File No: 655/A1/19/KCZMA**

**Regularisation of Cattle Shed by Shri Ananthkrishnan, and Jyothi, Jagathbhavanam, Thotapally.P.O, Alappuzha.**

Name of Applicant	:	Shri Ananthkrishnan, and Jyothi, Jagathbhavanam, Thotapally.P.O, Alappuzha-688563
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Application details	:	Lr. No A4/8710/2018 dated 20/02/2018 from the Secretary, Purackad Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of Cattle Shed with plinth area of 51.66 sqm, Plot area of 8.25 ares, Single Floor, Height : 2.50m, F.A.R-0.15
Location Details	:	Re Sy. No 308/4, Purackad Village, Purackad Grama Panchayat, Alappuzha District. The construction is at a distance of 120m from the HTL of Sea..
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (a) the following activities may be permitted, agriculture, horticulture, gardens, pasture, parks, play field, and forestry;
Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011, as cattle rearing is an agricultural activity.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.25**

**File No: 646/A1/19/KCZMA**

**Regularisation of Anganwadi building by Shri A.Jayapalan, Deputy General Manager, IRE, Chavara, Kollam.**

Name of Applicant	:	Shri A.Jayapalan, Deputy General Manager, IRE, Chavara, Kollam.
Application details	:	Lr. No N.3-1141/19 dated 21/3/19 from the Secretary, Neendakara Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of Anganwadi building with plinth area of 30.48 sqm, Plot area of 1.28 ares, Single Floor, Height : 4.35 m.
Location Details	:	Sy. No 1/11, Neendakara Village, Neendakara Grama Panchayat , Kollam District. The construction is at a distance of 164 m from the HTL of Sea.
Project Cost	:	Rs 5 Lakhs
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (iii) (j) construction of dispensaries, <b>schools</b> , public rain shelters, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewage, crematoria, cemeteries and electric sub stations which are required for the local inhabitants may be permitted on a case to case basis by CZMA.
Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011. Hence it can be regularised.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.26**

**File No: 394/A2/19/KCZMA**

**Construction of residential building by Shri Ratheesh Kumar, Cheekilpurathu, Chemanchery, Koilandy, Kozhikode.**

Name of Applicant	:	Shri Ratheesh Kumar, Cheekilpurathu, Chemanchery, Koilandy, Kozhikode-673304
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Application details	:	Lr. No A2-5059/18 dated 17/01/2019 from the Secretary Chemanchery Grama Panchayat.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 214.75 sqm, Plot area of 11 Cents, 2 Floor, Height : 8.15m, F.A.R-0.48
Location Details	:	Re Sy. No 9/17, 9/18 Chemanchery Village, Chemanchery Grama Panchayat, Kozhikode District. The Proposed construction is at a distance of 200m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 200-500m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gothans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011, as the distance is 200m from HTL of Sea.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.27**

**File No: 704/A2/19/KCZMA**

**Construction of Commercial building by Smt Krishnendu, Pallintavida, Purankara, Vatakara, Kozhikode.**

Name of Applicant	:	Smt Krishnendu, Pallintavida, Purankara, Vatakara, Kozhikode.
Application details	:	Lr. No TP3/B.A-667/17-18 dated 26/3/19 from the Assistant Engineer, Vatakara Municipality.
Project Details &Activities proposed	:	Construction of Commercial building with plinth area of 19.29 sqm, Plot area of 3.9 ares, Single Floor, Height : 4.00(approx)m, F.A.R-0.44
Location Details	:	Re Sy. No 176/1C, Vatakara Village, Vatakara Municipality, Kozhikode District. The Proposed construction is at a distance of 135m from the HTL of Sea. 44m from River.
Project Cost	:	3 Lakhs
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: 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.
Comments	:	The construction is proposed on the landward side of the existing buildings (No:7/142,owned by Aisha,Chettayil, Vatakara, constructed Prior 1990), (No:7/185,owned by Aishomma, Thykkottathil,Vatakara, constructed Prior 1990) on Sea side and (No. 7/277 owned by Padayan Valappil Selma, constructed prior 1990), (No. 7/272, owned by Nisabi & Harshina, constructed prior 1990) on river side. Hence the construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.28**

**File No: 413/A1/19/KCZMA**

**Regularisation of residential building by Shri Johnson Patrik, Patrik Cottage, Channankara.P.O, Kadinamkulam, Thiruvananthapuram.**

Name of Applicant	:	Shri Johnson Patrik, Patrik Cottage, Channankara.P.O, Kadinamkulam, Thiruvananthapuram.
Application details	:	Lr. No A1 6196/18 dated 13.02.2019 from the Secretary, Kadinamkulam Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of Residential building with plinth area of 222.54 sqm, Plot area of 5.56 ares, 2 Floor, Height : 7.5m, F.A.R-0.73
Location Details	:	Sy. No 345/4-1, Kadinamkulam Village, Kadinamkulam Grama Panchayat, Thiruvananthapuram District. The construction is at a distance of 330 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 200-500m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The regularisation is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.29**

**File No: 443/A1/18/KCZMA**

**Construction of Motor Workshop building by Shri Rajam, Thanal, Nedumam, Kovalam.P.O, Thiruvananthapuram.**

Name of Applicant	:	Shri Rajam, Thanal, Nedumam, Kovalam.P.O, Thiruvananthapuram.
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Application details	:	Lr. No ZTp1/526/19 dated 25/2/19 from the Assistant Executive Engineer, LSGD, Thiruvananthapuram Corporation.
Project Details &Activities proposed	:	Construction of Motor Workshop building with plinth area of 60 sqm, Plot area of 4.15 ares, Single Floor, Height : 4.89m, F.A.R-0.14
Location Details	:	Re Sy. No 564/16 Thiruvallam Village, Thiruvananthapuram Corporation, Thiruvananthapuram District. The Proposed construction is at a distance of 350m from the HTL of Sea..
Project Cost	:	Rs 10 lakh (Scrutiny fee was paid).
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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
Comments	:	The construction is proposed on the landward side of the existing building ((No:T.C 67/257(T.P 6/169) Constructed Prior 1994-1995), KCZMA may decide as existing construction should have been prior to 19 <sup>th</sup> Jan 1991.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.01.30**

**File No: 862/A1/19/KCZMA**

**Construction of Residential Building by Shibhu, Devikripa, N P Vila, Punnamoodu, Varkala, Thiruvananthapuram**

Name of Applicant	:	Shibhu, Devikripa, N P Vila, Punnamoodu, Varkala, Thiruvananthapuram
Application details	:	Lr. No. PW2-BA/122/18-19 dated 13/05/2019 from The Secretary, Varkala Municipality.
Project Details &Activities proposed	:	Construction of residential building with plinth area of 379.48 m <sup>2</sup> , Plot area of 6.84 ares, G+2 Floor, FAR: 0.55, Height : 9.15 m.
Location Details	:	Re Sy. No 37 of Varkala Village, Varkala Municipality, Thiruvananthapuram District. The construction is at a distance of 182 m from Sea.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised

	structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	: The construction is landward to existing building no. VMC I/161A, I/160 constructed in 1992. The construction is permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.01**

**File No: 1063/A1/18/KCZMA**

**Regularisation of Residential Building by Shri Sunil Kumar and Smt Nandini Sunil Kumar, Neelima, Poonkunnam, Thrissur**

Name of Applicant	: Shri Sunil Kumar and Smt Nandini Sunil Kumar, Neelima, Poonkunnam, Thrissur
Application details	: Lr. No. KPR1-36 /12 dated 15/12/2018 from The Assistant Executive Engineer, East Zonal Office, Kochi Municipal Corporation.
Project Details &Activities proposed	: Regularisation of residential building with Total plinth area of 383.78 m <sup>2</sup> , Plot area of 22.10 cents, 2 Floor, FAR: 0.40, Height : 9.22 m.
Location Details	: Re Sy. No 1069/3, 1479/3 of Poonithura Village, Kochi Municipal Corporation, Ernakulam District. The proposed construction is at a distance of 25.65 m from the Chilavanur Kayal.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	: The plan is not certified by Secretary, Kochi Corporation. The application also forwarded by Assistant Executive Engineer Kochi corporation. Hence KCZMA may decide on its approval.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.02**

**File No: 764/A1/19/KCZMA**

**Construction of Residential Building by Smt Faseela, Thekkemalapuram, Kurakkanni, Varkala, Thiruvananthapuram**

Name of Applicant	: Smt Faseela, Thekkemalapuram, Kurakkanni, Varkala, Thiruvananthapuram
Application details	: Lr. No. PW2-BA/571/18-19 dated 25/04/2019 from The Secretary, Varkala Municipality.
Project Details &Activities proposed	: Construction of residential building with plinth area of 217.95 m <sup>2</sup> , Plot area of 4.55 ares, 2 Floor, FAR: 0.47, Height : 6.65 m.
Location Details	: Sy. No 61 of Varkala Village, Varkala Municipality, Thiruvananthapuram District. The construction is at a distance of 75 m from Seacliff.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: 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.
Comments	: The authorised road/ structures does not exist hence it is not permissible

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.03**

**File No: 727/A2/19/KCZMA**

**Regularization of Residential Building by Shri. Damodara C Aila, Manimunda, Hanuman Nagar, Uppala P.O, Kasargode**

Name of Applicant	: Shri. Damodara C Aila, Manimunda, Near Railway Station, Uppala P.O, Kasargode
Applicant Status	: Applicant belong to traditional coastal community.
Application details	: Lr. No. A3/10528/16 dated 11/04/19 from The Secretary, Mangalpady Panchayat.
Project Details &Activities proposed	: Regularization of residential building with plinth area of 115.60 m <sup>2</sup> , Plot area of 10 cent, Single Floor, FAR: 0.29, Height :4.20 m.
Location Details	: Re Sy. No 103/14B pt of Uppala Village, Mangalpady Grama Panchayat, Kasargode District. The proposed construction is at a distance of 105 m from the HTL of Sea.
CRZ of the area	: The area is in No Development Zone of CRZ III in between 100-200 from sea
Provisions of CRZ Notifications	: As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted

	between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF
Comments	: Regularisation is not permissible

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.04**

**File No: 491/A1/19/KCZMA**

**Construction of residential building by Smt Juliet, Arattukulangara, Kattoor.P.O, Alappuzha.**

Name of Applicant	: Smt Juliet, Arattukulangara, Kattoor.P.O, Alappuzha 688 522
Application details	: Lr. No A4-9065/19 dated 01.03.19 from the Secretary, Mararikkulam South Grama Panchayat.
Project Details &Activities proposed	: Construction of Residential building with plinth area of 105 sqm, Plot area of 4.98 ares, 2 Floor, Height : 6.91m, F.A.R-0.21
Location Details	: Sy. No 53/2, Kalavoor Village, Mararikkulam South Grama Panchayat, Alappuzha District. The Proposed construction is at a distance of 3.01m from the HTL of River (25m) and 168m from the HTL of Sea.
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	: The construction is not permissible as per the provisions of CRZ Notification 2011

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.05**

**File No: 494/A1/19/KCZMA**

**Occupancy Change of Changed Shop building(Stiching Unit) by Smt Jainamma, Kizhakkemangalath, Kattoor.P.O, Alappuzha.**

Name of Applicant	: Smt Jainamma, Kizhakkemangalath, Kattoor.P.O, Alappuzha 688 522
Application details	: Lr. No A4.1092/19 dated 22.02.19 from The Secretary, Mararikkulam South Grama Panchayat.
Project Details &Activities proposed	: Occupancy Change of Changed Shop with plinth area of 42.2 sqm, Plot area of 2.02 ares, Single Floor, Height : 4.20 m, F.A.R-.20
Location Details	: Sy. No 214/3-4-1, Kalavoor Village, Mararikkulam South

		Grama Panchayat, Alappuzha District. The Proposed construction is at a distance of 322m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ III in between 200-500m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii), The present usage cannot be change in between 200-500m from the HTL of Sea.
Comments	:	The occupancy change is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.06**

**File No: 521/A2/19/KCZMA**

**Change of Existing building for the Proposed Steel Furniture Manufacturing Unit by Naduthodi RameshKumaran S/o Koppakutty,Smt Sini N.N, Ashwathy Padikkal, Velimukku.P.O, Malappuram.**

Name of Applicant	:	Naduthodi Ramesh Kumaran S/o Koppakutty, Smt Sini N.N, “Ashwathy” Padikkal, Velimukku.P.O, Malappuram 676 317
Application details	:	Lr. No A3-2637/19 dated 15/03/19 from the Secretary, Vallikunnu Grama Panchayat.
Project Details &Activities proposed	:	Change of Existing building to the Proposed Steel Furniture Manufacturing Unit with plinth area of 137.37 sqm, Plot area of 13.35 Cents, Single Floor, Height :5.40 m, F.A.R-0.27
Location Details	:	Re Sy. No 392/1, Vallikunnu Village, Vallikunnu Grama Panchayat, Malappuram District. The Constructed building is at a distance of 61m from the HTL of River (96m).
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The construction is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.07**

**File No: 489/A1/19/KCZMA**

**Extension of residential building by Shri Vinu.P.G, Panayathu (H),Azheekkal .P.O, Ernakulam**

Name of Applicant	:	Shri Vinu.P.G, Panayathu (H), Azheekkal .P.O, Ernakulam 682 508
Application details	:	Lr. No A3 12150/18 dated 28/2/19 from the Secretary, Elankunnapuzha Grama Panchayat.
Project Details	:	Extension to the Existing Residential building 62.14 Sqm

&Activities proposed		and having a total plinth area of 124.28sqm, Plot area of 3.138 Cents, 2 Floor, Height :7.00 m, F.A.R-0.97
Location Details	:	Re Sy. No 249/13, Puthuvype Village, Elankunnapuzha Grama Panchayat, Ernakulam District. The Proposed Extension is at a distance of 15m from the HTL of River.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The construction is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.08**

**File No: 541/A2/19/KCZMA**

**Change of Completed Residential building to Commercial building by Muhammed Safarulla, Neeru Valappil, Nr Habeeb Convent, Pazhayangadi .P.O, Madayi, Kannur.**

Name of Applicant	:	Muhammed Safarulla, Neeru Valappil, Nr Habeeb Convent, Pazhayangadi .P.O, Madayi, Kannur.
Application details	:	Lr. No A1-6372/2018 dated 03/02/2018 from the Secretary Madayi Grama Panchayat.
Project Details &Activities proposed	:	Change of Completed Residential building to Commercial building with plinth area of 218.40 sqm, Plot area of 7.42 are, 2 Floor, Height : 8.5m, F.A.R-0.33
Location Details	:	Re Sy. No 118/8, 118/16, 118/17of Madayi Village, Madayi Grama Panchayat, Kannur District. The constructed building is at a distance of 15.45m from the HTL of River(56m)..
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The purpose change of the existing building is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.09**

**File No: 565/A1/19/KCZMA**

**Construction of residential buildings by Shri Rejith, Smt Seema, Kavinu Kizhakkathil, Mangalam.P.O, Alappuzha**

Name of Applicant	:	Shri Rejith, Smt Seema, Kavinu Kizhakkathil, Mangalam.P.O, Alappuzha 690 515
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Application details	:	Lr. No A3.721/19 dated 07/03/2017 from the Seretary Arattupuzha Grama Panchayat.
Project Details &Activities proposed	:	Construction of 2 Residential buildings with plinth area of 97.62X2=195.24 sqm, Plot area of 3980 sqm, Single Floor, Height : 4.00 m, F.A.R-0.04.
Location Details	:	Re Sy. No 75/7-4, 75/8-2,75/11-2,75/7-3,75/7-2 of Arattupuzha Village, Arattupuzha Grama Panchayat, Alappuzha District. The Proposed construction is at a distance of 12m from the HTL of Kayal (width more than 100m)
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The construction is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.10**

**File No: 736/A2/19/KCZMA**

**Construction of Residential Building by Kuzhichal Ponnambath Afzal, Nice, 1/60 Kurichiyil, Kannur**

Name of Applicant	:	Kuzhichal Ponnambath Afzal, Nice, 1/60 Kurichiyil, Kannur 670 102
Application details	:	Lr. No.A1/4248/18 dated 30/03/19 from The Secretary, New Mahe Grama Panchayat.
Project Details &Activities proposed	:	Construction of residential building with plinth area of 318.65 m <sup>2</sup> , Plot area of 3.95 Ares, G+2 Floor, FAR: 0.80, Height : 9.05 m.
Location Details	:	Re Sy. No 43/2A3 of New Mahe Village, New Mahe Grama Panchayat, Kannur District. The proposed construction is at a distance of 268 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 200-500 m from HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The height of building (G+2 floor)_ 9.05m is not permissible

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.11**

**File No: 762/A1/19/KCZMA**

**Regularization of Drinking Water Unit by Smt Sreerenjini, Sreeshailam, Purakkad P.O, Ambalapuzha, Alappuzha**

Name of Applicant	:	Smt Sreerenjini, Sreeshailam, Purakkad P.O, Ambalapuzha, Alappuzha
Applicant Status	:	The applicant belongs to Traditional Coastal Community.
Application details	:	Lr. No. A4/33/19 dated 10/04/2019 from The Secretary, Purakkad Grama Panchayat.
Project Details &Activities proposed	:	Regularization of drinking water unit with Plinth area of 12.60 m <sup>2</sup> , Plot area of 7.95 Ares, Single Floor, FAR: 0.01, Height : 3.05 m.
Location Details	:	Sy. No: 279/18 Purakkad Village, Purakkad Grama Panchayat, Alappuzha District. The construction is at a distance of 185 m from HTL of Sea.
CRZ of the area	:	The area is in No Development Zone of CRZ III in between 100-200 m from HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	:	The proposed construction is not permissible.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.12**

**File No: 769/A1/19/KCZMA**

**Construction of Shop Room by Shri Gabriel and Mattil Das, Jeena Cottage, Santhipuram, Puthukurichy, Thiruvananthapuram**

Name of Applicant	:	Shri Gabriel and Mattil Das, Jeena Cottage, Santhipuram, Puthukurichy, Thiruvananthapuram 695 303
Applicant Status	:	The applicant belongs to Traditional Coastal Community.
Application details	:	Lr. No. A1/8886/18 dated 25/03/2019 from The Secretary, Kadinamkulam Grama Panchayat.
Project Details &Activities proposed	:	Construction of shop room with Plinth area of 15.61 m <sup>2</sup> , Plot area of 6.81 Ares, Single Floor, FAR: 0.10, Height : 4.15 m.
Location Details	:	Sy. No: 279/18 Kadinamkulam Village, Kadinamkulam Grama Panchayat, Thiruvananthapuram District. The construction is at a distance of 175 m from HTL of Sea.

CRZ of the area	:	The area is in No Development Zone of CRZ III in between 100-200 m from HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	:	The commercial building is not permissible.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.13**

**File No: 619/A2/19/KCZMA**

**Construction of Shop cum Residential Building by Shri. M Abdul Latheef and Smt Shareefa K.P, Amina Manzil, Mannurail, Chaliyam P.O, Calicut, Kozhikode.**

Name of Applicant	:	Shri. M Abdul Latheef and Smt Shareefa K.P, Amina Manzil, Mannurail, Chaliyam P.O, Calicut, Kozhikode 673 301
Applicant Status	:	Does not belong to traditional coastal community.
Application details	:	Lr. No. A2 /2177/19 dated 22/03/19 from The Secretary, Kadalundi Panchayat.
Project Details &Activities proposed	:	Construction of shop cum residential building with plinth area of 280.11 m <sup>2</sup> , Plot area of 293.58 m <sup>2</sup> , 2 Floor, FAR: 0.75, Height :7 m.
Location Details	:	Sy. No 119/16 of Kadalundi Village, Kadalundi Panchayat, Kozhikode District. The proposed construction is at a distance of 225 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 200-500 m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gothans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The construction for residential purpose is permissible as per the provisions of CRZ Notification 2011. The scrutiny fee has been paid Plinth area: G.F= 130.35m <sup>2</sup> (Commercial), F.F= 149.76 m <sup>2</sup> (Residential) Total= 280.11m <sup>2</sup>

	The commercial activity in CRZ III is prohibited. In the judgement order dated 20.02.2019 of Hon'ble High Court directed the project proponent to submit CRZ application and scrutiny fee. It was admitted by the proponent that the building was constructed and the regularisation of the said building is not permissible. Even though the residential building is permissible in CRZ III area, the constructed building is on first floor. Hence KCZMA may decide on further action.
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**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.14**

**File No: 4803/A2/17/KCZMA**

**Construction of Residential Building by Shajimol. Sreevalsam House, Azhiyur P.O, Kozhikode**

Name of Applicant	: Shajimol. Sreevalsam House, Azhiyur P.O, Kozhikode 673 309
Application Status	: The applicant belongs to Traditional Coastal Community
Application details	: Lr. No. A4/2592/17 dated 20/05/17 from The Secretary, Azhiyur Grama Panchayat.
Project Details &Activities proposed	: Construction of first floor residential building with plinth area of <b>142.54</b> m <sup>2</sup> & existing commercial building:116.54 m <sup>2</sup> Total area of 258.99 m <sup>2</sup> , Plot area of 224 m <sup>2</sup> , 2 Floor, FAR: 1.15, Height : 6.90 m.
Location Details	: Re Sy. No 5/5 of Azhiyur Village, Azhiyur Grama Panchayat, Kozhikode District. The proposed construction is at a distance of 430 m from the HTL of Sea.
CRZ of the area	: The area is in CRZ III in between 200-500 m from HTL of sea.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	: The application is submitted for the construction of first floor to existing numbered shop building. The commercial building exists in the ground floor, but the year of construction has not been submitted. If the existing building was constructed after 1996, the said building itself is a violation of CRZ Notification 2011. Hence the additional construction for residential purpose may not be permissible. KCZMA may discuss on the same.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.15**

**File No: 693/A1/19/KCZMA**

**Construction of Work Shed( Fishing Material Stocking and Repairing) building by Shri Upendran.A(President), AKCS No: 225, Kallikkad, Arattupuzha, Alappuzha.**

Name of Applicant	:	Shri P Upendran(President), AKCS No: 225, Kallikkad, Arattupuzha, Alappuzha 690 535
Application details	:	Lr. No A3.1159/19 dated 15.03.19 from the Secretary Arattupuzha Grama Panchayat.
Project Details &Activities proposed	:	Construction of Work Shed( Fishing Material Stocking and Repairing) with plinth area of 31.29 sqm, Plot area of 01.58 ares, Single Floor, Height: 3.45m, F.A.R.0.19.
Location Details	:	Sy. No 223/17-6, Arattupuzha Village, Arattupuzha Grama Panchayat, Alappuzha District. The Proposed construction is at a distance of 19m from the HTL of Sea..
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ Notification 2011 clause 8 III A(iii)l 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 can be permitted in the NDZ of CRZ III.
Comments	:	Construction of work shed building is permissible activity subject that the purpose shall not be changed.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.16**

**File No: 393/A2/19/KCZMA**

**Regularisation of residential cum tailoring shop building by Shri Viju, Paliyakkandi, Pookkad, Chemancheri, Kozhikode.**

Name of Applicant	:	Shri Viju, Paliyakkandi, Pookkad, Chemancheri, Kozhikode.
Application details	:	Lr. No A2-8800/17, 5704/18 dated 26/12/18 from the Secretary, Chemanchery Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of Residential cum tailoring shop building with plinth area of 177.81 sqm(G.F-122.89 sqm+F.F-16.12 sqm+Shop A2-38.80 sqm), Plot area of 13.50 Cents, 2 Floor, Height :6.10 m, F.A.R-0.31
Location Details	:	Re Sy. No 3/7, Chemanchery Village, Chemanchery Grama Panchayat, Ernakulam District. The Constructed building is at a distance of 450m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ III in between 200-500 m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The construction of residential is permissible whereas the commercial building is not permissible as per the

	provisions of CRZ Notification 2011. Hence it cannot be regularised.
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**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.17**

**File No: 202/A2/19/KCZMA**

**Regularisation of Shop building by Smt SAEP Ayshabi,SAEP (H),Puthiyangadi, Puthiyavalappu.P.O, Madayi, Kannur.**

Name of Applicant	: Smt SAEP Ayshabi, SAEP (H), Puthiyangadi, Puthiyavalappu.P.O, Madayi, Kannur.
Application details	: Lr. No A1-2531/17 dated 21.07.2018 from the Secretary Madayi Grama Panchayat.
Project Details &Activities proposed	: Regularisation of Shop building with plinth area of 34.53 sqm, Plot area of 8.25 Cents, Single Floor, Height :3.40 m, F.A.R-0.10
Location Details	: Re Sy. No 29/1, Madayi Village, Madayi Grama Panchayat , Kannur District. The constructed building is at a distance of 151 m from the HTL of Sea..
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	: The construction is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.18**

**File No: 403/A2/19/KCZMA**

**Regularisation of residential building by Shri Sameer and Smt Asma, Vannammoolayil(H), Maniyoor, Kozhikode.**

Name of Applicant	: Shri Sameer and Smt Asma, Vannammoolayil(H), Maniyoor P.O, Kozhikode 673 523
Application details	: Lr. No B3.8353/18 dated 13.02.2019 from the Secretary Maniyur Grama Panchayat.
Project Details &Activities proposed	: Regularisation of Residential building with plinth area of 149.77 sqm, Plot area of 4.35 ares, 2 Floor, Height : 6.75 m, F.A.R- 0.35
Location Details	: Re Sy. No 158/8, Maniyoor Village, Maniyoor Grama Panchayat , Kozhikode District. The Proposed construction is at a distance of 52m from the HTL of River (80m).
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth

	area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	: The Regularisation is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.19**

**File No: 390/A1/19/KCZMA**

**Construction of residential building by Shri Nizamudheen.S, SONA,T.S 3/2777, Pattom,Thiruvananthapuram.**

Name of Applicant	: Shri Nizamudheen.S, SONA, T.C 3/2777, Pattom,Thiruvananthapuram-4
Application details	: Lr. No A4-9241/18 dated 28/01/2019 from the Secretary, Chirayinkeezhu Grama Panchayat.
Project Details &Activities proposed	: Construction of Residential building with plinth area of 284.01 sqm, Plot area of 4.05 ares, 2 Floor, Height :7.05 m, F.A.R-0.70
Location Details	: Sy. No 805/6-1-1, Sarkara Village, Chirayinkeezhu Grama Panchayat, Thiruvananthapuram District. The Proposed construction is at a distance of 90m from the HTL of Sea..
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	: The construction is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.02.20**

**File No: 695/A1/19/KCZMA**

**Construction of De fiber Unit Shed by Smt Ajitha, Sreekrishna Nilayam,Melvettoor.P.O,Vakkom,Thiruvananthapuram**

Name of Applicant	: Smt Ajitha, Sreekrishna Nilayam, Melvettoor.P.O, Vakkom, Thiruvananthapuram
Application details	: Lr. No A3 /5038/18 dated 20/03/2019 from the Secretary Vakkom Grama Panchayat.
Project Details &Activities proposed	: Construction of De fiber Unit Shed_building with plinth area of 137.56 sqm, Plot area of 6.20 ares, Single Floor, Height : 6.50m, F.A.R-0.22
Location Details	: Re Sy. No 399/4, Vakkom Village, Vakkom Grama Panchayat, Thiruvananthapuram District. The Proposed construction is at a distance of 82 m from the HTL of Lake.
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for

		repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The construction is not permissible as per the provisions of CRZ Notification 2011.

**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No.103.03.01**

**File No: 1320A2/17/KCZMA**

**Judgement dated 08.05.2019 in Civil Appeal No. 4784-4785 of 2019 filed by Kerala Coastal Zone Management Authority before the Hon'ble Supreme Court.**

The Judgment on Civil appeal Nos. 4790-4793 of 2019 & 4786-4789 of 2019 filed by KCZMA Vs the State of Kerala Maradu Municipality & others was ordered by Hon'ble Supreme Court on 08.05.2019. The order stated that the unauthorized structures should be removed by the builders within a month of time i.e on or before 7<sup>th</sup> June 2019. The Hon'ble Supreme Court order was submitted to Principal Secretary (Env) on 15.05.2019 for further action. The copy of judgment is placed before the Authority for kind information.

**Agenda Item No.103.03.02**

**File No: 2424/A1/19/KCZMA**

**Mining of Heavy Mineral sand in Alappad and Panmana Village in Karunagapally Taluk, Kollam district for an area of 40.566 Ha by IREL, Chavara, Kollam.**

In 102<sup>nd</sup> Meeting of KCZMA it was decided the proposal shall be recommended to MoEF & CC subject to the adherence of the condition specified in the NCESS study report after remitting the scrutiny fee by the project proponent.

KCZMA received a letter from the Chief General Manager & Head, Indian Rare Earth Ltd, Chavara Unit on 23.05.2019, requesting to sent the recommendation for further processing of their file for Environment Clearance to State Environment Impact Assessment Authority (SEIAA). It has also been informed that they already paid scrutiny fee of Rs.5,00,000/- on 07.08.2015. So it has been requested to advice regarding the payment of scrutiny fee.

It may be noted that M/s IREL has paid scrutiny fee of Rs. 5 Lakhs on 07.08.2015 for scrutinizing their application for the mining operations in CRZ III of 40.566 Ha, for which KCZMA has already recommended to Ministry of Environment, Forest and Climate Change for CRZ Clearance vide letter No. 5389/A3/14/KCZMA/S&TD dated 16.03.2016.



**KCZMA may please discuss**

**Agenda Item No.103.03.03**  
**File No: 2225/A3/13/KCZMA**

**Illegal construction in Anchuthengu Grama Panchayat**

Sri. Anil Abel submitted a compliant on 28.10.2013 regarding the illegal construction of a market building by Sri Varkey Pathros in Sy No 82/2-1, 82/2/3 in Anchuthengu Village. KCZMA conducted a site inspection. The site inspection report stated that the building lies in NDZ of Kayal in Anchuthengu Grama Panchayat. The site inspection report was placed in 63<sup>rd</sup> meeting of KCZMA. As per decision No. 63.04.06, the KCZMA decided to issue notice to the Secretary, Anchuthengu Grama Panchayat on the CRZ violation for not seeking prior CRZ clearance from KCZMA and to submit the proper application to the KCZMA for CRZ Clearance. KCZMA issued notice to the Secretary, Anchuthengu Grama Panchayat on 22.05.2014. But the Secretary has not submitted any reply to the notice.

Sri Anil Abel again submitted a compliant on 01.08.2017 regarding the illegal constructions of Sri Varkey Pathros. The Panchayat Secretary vide letter dated 03.12.2018 submitted a report to KCZMA. The report states that the Anchuthengu Grama Panchayat issued a stop memo to Sri. Varkey Pathros on 01.08.2017 and also he submitted a compliant to Station House Officer, Anchuthengu for stopping the construction of Sri. Varkey Pathros. But Sri Varkey pathros filed OA No. 247/2017 before the Hon'ble Tribunal for LSGD and the Hon'ble Tribunal cancelled the stop memo issued by the Secretary, Anchuthengu Grama Panchayat.

Hon'ble Tribunal for Local Self Government Institution have no jurisdiction in the matter of violations in CRZ areas.

**KCZMA may please discuss.**

**Agenda Item No.103.03.04**  
**File No: 4160/A1/18/KCZMA**

**Construction of ITI Building in Thevalakara**

As per 63<sup>rd</sup> meeting of KCZMA it was decided to issue CRZ Clearance for the construction of ITI building in Thevalakara subject to the condition that the height of the building should not exceed 9m with two floor (Ground+ first Floor). But the proponent, Kerala State Construction Corporation constructed the building with 3

floors with height of 10.8m. The Training Director vide letter dated 13.12.2018 has submitted a request to regularize the building with 3 floors with the height of 10.8m.

As per the CRZ Notification 2011, within NDZ of CRZ III, the overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor). Hence regularization is not permissible.

**KCZMA may please discuss.**

**Agenda Item No.103.03.05**

**File No: 3683/A2/17/KCZMA**

**Construction of Temporary Barge Load Out Facility along with the Transit**

**Stockyard and Rocks at Muthalapozhi Harbour, near Perumathura**

102<sup>nd</sup> meeting of KCZMA (vide agenda No.102.03.08) decided to recommend the proposal for the construction of temporary barge load out facility along with the transit stockyard for rocks to MoEF & CC to obtain Clearance. It was also decided that a notice to be issued to Harbour Engineering Department to showcase the reason for the construction of road and Jetty without obtaining 'prior' clearance from the Authority by invoking Section 5 of the Environment Protection Act 1986.

KCZMA sent show cause notice to the Chief Engineer, Harbour Engineering Department. The reply received from the Chief Engineer, Harbour Engineering Department is placed as **Annexure II**.

**KCZMA may please discuss.**

**Agenda Item No.103.03.06**

**File No: 561/A2/19/KCZMA**

**Conducting District Level Committee meeting in view of CZMP-2011**

The 101<sup>st</sup> meeting of KCZMA (vide agenda No. 101.03.19) decided that the District Level Committee Meeting shall be conducted only after receiving the CZMP in 1:4000 scale of concerned districts.

Now the Senior Town Planner, Ernakulam sent email on 18.05.2019 (**Annexure-III**) requesting to grant permission for conducting Ernakulam District Level Committee meeting of KCZMA in the month of May, 2019 for considering the CRZ applications.

KCZMA may please discuss

**Agenda Item No.103.03.07**

**File No: 3560/A1/18/KCZMA**

**CRZ Clearance for Kochi Water Metro Project, Ernakulam, Kerala**

The General Manager(Water Transport) Kochi Metro Rail Limited submitted an application for CRZ Clearance regarding Kochi Water Metro Project. The proposal was placed before 97<sup>th</sup> meeting of KCZMA held on 17.09.2018. As per decision No 97.03.05, KCZMA decided to collect scrutiny fee from the project proponent and also requested to make a power point presentation regarding the project. The General Manager (Water Transport) furnished the original chellan by remitting the scrutiny fee of Rs.20 lakh. Hence the proposal was again placed before 98<sup>th</sup> meeting of KCZMA. In the meeting the project proponent made a power point presentation regarding the project. The following decisions were made in the 98<sup>th</sup> KCZMA meeting.

1. The proposed Jetty in Elankunnapuzha lies in the vicinity of Mangrove buffer zone (CRZ IA) shall be altered.
2. The permission from State Wetland Authority Kerala (SWAK) to construct the Jetty in Thanthonnithuruth which lies in Vembanad Wetland a Ramzon site shall be obtained.
3. The dumping of dredging materials in CRZ area in Varapuzha will not be allowed.
4. The height of proposed building shall not be exceeded to 9m.

The clearance from State Wetland Authority has been obtained. Hence the CRZ Clearance application and connected documents received from the project proponent has been recommended and forwarded to MoEF & CC for necessary action subject to the following conditions.

- The proposed Jetty in Elankunnapuzha lies in the vicinity of Mangrove buffer zone (CRZ IA) shall be altered.
- The dumping of dredging materials in CRZ area in Varapuzha will not be allowed.
- The height of proposed building shall not be exceeded to 9m.

Now the General Manager, water Transport informed that KMRL has complied all the conditions and has also submitted the revised CRZ reports and map.

**KCZMA may please discuss**

**Agenda Item No.103.03.08**

**File No: 940/A1/19/KCZMA**

**CRZ violation in Puthakulam**

The Kollam Sub Collector directed the Member Secretary, Kollam District Level Committee to take action against the leveling of hillock in Sy No. 194/13, 194/5-4, 194/13-2, 194/12-2, 194/5-2, 194/5-3, 194/6, 194/5 under the ownership of Sri. Santhosh Kumar and Smt. Sandhya K Nair in Puthakulam Village in Kollam district. The Member Secretary, DLC conducted a site inspection on 21.05.2019. He reported that land in above mentioned Sy Nos. is near to Kilimuttom Kayal which is in CRZ III. He also reported that the land development is done without the prior clearance from KCZMA and this is against to the provisions of CRZ Notification.

Hence he requested to take action against this violation under CRZ Notification.

**KCZMA may please discuss.**

**Agenda Item No.103.03.09**

**File No: 1303/A2/18/KCZMA**

**W A 54/2018 of Hon'ble High Court filed by Sri. George Antony and another against the Judgment dated 23.11.2017 in WP(C) 9239/18**

In the interim order dated 19.02.2018 in WA No. 54/18 filed by Sri. George Antony and another against the judgment dated 23.11.2017 in WP© No. 9239/17 wherein the Chief Town Planner has been directed to verify the files of Maradu Municipality concerning the issuance of building permit since 2013 and to submit a report before the Hon'ble High Court specifying the cases where such permits have been issued deviating from the provisions containing in the CRZ notification 2011 and

the building rules or any other statutory provision. In this circumstances Chief Town Planner has constituted a team of officials for the above work with Senior Town Planner, Ernakulam as the co-ordinator. The Additional Chief Secretary, LSGD requested to depute a team consisting of 4 officials from KCZMA for the verification of file with reference to CRZ Notification to assist the above team. KCZMA requested the Chief Town Planner, Thiruvananthapuram for providing relevant files for verification. The Chief Town Planner has submitted a revised list of files (800nos) regarding CRZ Provisions to KCZMA. The received list from the Chief Town Planner was reviewed by KCZMA in its 98<sup>th</sup> meeting held on 15.10.2018.

In the Interim Order dated 10.04.2019 of the Hon'ble High Court permitted KCZMA to depute a suitable personnel for inspection of the relevant files at the premises of Maradu Municipality. **The Hon'ble High Court also given a period of 3 months from 10.04.2019 to KCZMA for completing the exercise. And the time limit expires on 09.07.2019.**

The 101<sup>st</sup> meeting of KCZMA discussed the matter in detail and as per the decision No. 101.03.11, the KCZMA constituted 3 teams to carryout the inspection work with the following members.

1. Dr N P Kurian, Member, KCZMA and Adv. Prakash C Vadakkan, Member, KCZMA
2. Dr K P Laladhas, Member, KCZMA and Dr P Harinarayanan, Principal Scientist, KSCSTE
3. Dr M I Andrews, Member, KCZMA and Dr Kamalakshan Kokkal, Chief Scientist, KSCSTE

**Since the period of present committee of KCZMA will expire on 09.06.2019**, an extension petition may be filed before the Hon'ble High Court to extend the time limit granted by the Hon'ble High Court in the Interim Order dated 10.04.2019. The KCZMA may also discuss whether the teams constituted with authority members may be continued as technical members.

**KCZMA may please discuss.**

**Agenda Item No.103.03.10  
File No:1494 /A3/12/KCZMA**

**OA No. 113/2016 ( SZ) filed before the Hon;ble NGT, New Delhi by M/s  
Heera Kerala Developers Ltd**

M/s . Heera Kerala Developers Pvt . Ltd. filed an Original Application No. I13/2016 (SZ) before the Hon'ble NGT Principal Bench, New Delhi seeking to quash the decision taken by the Respondent No.1 ,KCZMA in its 75th meeting dated 23.03.2016 denying clearance required for their residential project. Reference has been made to a report of the institute of Remote Sensing, Anna University, Chennai, in support of their case. It is also contended that the KCZMA has taken the impugned decision based upon a report of the Centre for Earth Science Studies, Thiruvananthapuram which is factually inaccurate and is in conflict with that of the Institute of Remote Sensing, Chennai. As per Interim order dated 11.03.2019 of the Hon'ble NGT, constituted a committee comprising of representatives from NCZMA, National Remote Sensing Centre (NRSC) and Central Pollution Control Board (CPCB) to look into all the issues involved in the Original Application No. 113/2016 (SZ) and to specifically verify as to whether or not the land in question of the Applicant falls within the prohibited zone:

- i. Shri. M Dharma Raj, Sr. Scientific Consultant, NCSCM, Chennai, representing NCZMA.
- ii. Dr. S B Choudhury, Head, OSG, ECSA Group, NRSC, Hyderabad'
- iii. Shri. E Thirunavukkarasu Scientist .E, MoEF & CC, Regional Office, Bengaluru, representing NCZMA.
- iv. Dr. Deepesh V, Scientist B, GPCB, Bengaluru (Nodal officer).

The report of the Committee is placed as Annexure –IV for the comments from Authority.

The final hearing will be held on 17<sup>th</sup> July 2019 and the comments on technical report if any may be submitted to Hon'ble NGT on or before 17.07.2019. The same is placed before the KCZMA.

**Agenda Item No.103.03.11**  
**File No:08/A2/19/KCZMA**

### **CRZ Notification 2019**

The Ministry of Environment, Forest and Climate Change, Government of India has published the Coastal Zone Regulation Notification 2019 vide G S R 37(E) dated 18<sup>th</sup> January 2019. Based on the Cabinet Approval of MoEF & CC on CRZ Notification

a meeting was convened by Hon'ble Chief Minister on 01.01.2019 and it was decided that the preliminary work on preparation of Coastal Zone Management Plan (CZMP) as per the Guidelines of Notification shall be initiated. In this regard, the Additional Chief Secretary (Environment) convened a meeting with the officials of National Centre for Earth Science Studies (NCESS), Thiruvananthapuram an authorised agency / institution of MoEF & CC to prepare the CZMP and NCESS also agreed upon to prepare the same. The proposal was submitted by NCESS on 04.06.2019 for the preparation of CZMP as per the guidelines of CRZ Notification 2019. The NCESS has requested Rs. 1.98 Crore to prepare the CZMP with the duration of 18 months from the date of work order issued by KCZMA.

In the meantime KCZMA directed the Director of Panchayat to furnish the population density of villages and Grama Panchayat in the CRZ area for the preparation of CZMP on the basis of CRZ Notification 2019.

**KCZMA may please discuss the proposal submitted by NCESS**

**Agenda Item No.103.03.12**  
**File No:1930 /A2/18/KCZMA**

**Constructions by Vasu Coco Resorts Pvt Ltd in Vayalar Grama Panchayat, Alappuzha**

Based on the Direction from Hon'ble High Court Kerala in W.P.(C.) No: 11690/2016 vide order dated 13-11-2018, the Member Secretary, KCZMA deputed Dr. M.I. Andrews, Member, KCZMA to conduct a CRZ site inspection on constructions by Vasu Coco Resorts Pvt Ltd in Vayalar Grama Panchayat, Alappuzha. The site inspection was conducted on 05.03.2019.

As per the site inspection report, the team inspected a total of 12 buildings. The inspected building site is located in the Coastal Regulation Zone of Vayalar Kayal and classified as CRZ III. The site inspection team observed that, out of the inspected buildings, seven buildings lies within the No Development Zone (NDZ) of CRZ III and is being used for tourism purpose. Building construction for tourism usage in NDZ is not a permitted activity as per the notification. Hence, all these seven newly constructed/ reconstructed buildings in CRZ area after 19-02-1991 without prior approval from KCZMA/MoEF are in violation of the provisions of CRZ Notification 2011. It is also observed that a few temporary sheds/buildings for tourism purpose were constructed in the NDZ.

Site inspection report concluded that all the seven newly constructed/reconstructed buildings in the No Development Zone (NDZ) of CRZ III area in Vayalar Grama Panchayat, Alappuzha without obtaining prior clearance from KCZMA is a blatant violation of the Provisions of CRZ Notification 2011.

The site inspection report was sent to the Standing Counsel of KCZMA on 19.03.2019.

site inspection report is placed before KCZMA (Annexure-IX)

**KCZMA may please ratify**

**Agenda Item No.103.03.13**

**File No:4498/A2/17/KCZMA**

**Regularization of residential building owned by Shri P.P Shanavas, Haris.P.P, Puthiyamadathummal, Peringadi, Peringantevida, Vatakara, Kozhikode**

KCZMA constituted a committee consisting of Dr N P Kurian, Member, KCZMA and Dr Kamalakshan Kokkal, Chief Scientist, KSCSTE for site inspection on regularisation of residential building owned by Shri P.P Shanavas, Haris.P.P, Puthiyamadathummal, Peringadi, Peringantevida, Vatakara, Kozhikode with plinth area of 1757.29 m<sup>2</sup> , Plot area of 23.77 Are, 4 Floor, Height : 11.50m in Re Sy. No 182/3, Vatakara Village, Kozhikode District. The site inspection was conducted on 04.05.2019 and the site inspection report is placed before KCZMA (Annexure-V)

**KCZMA may please discuss**

**Agenda Item No.103.03.14**

**File No: 966/A2/19/KCZMA**

**CRZ Clearance for Upgradation of Thalassery – Kalarode Road (30km) by Public Works Department under KSTP Phase II**

As per the 52<sup>nd</sup> meeting of KCZMA ( Vide agenda No. 52.03.23), KCZMA granted CRZ Clearance for Thalasseri- Valavupara Road taken up for upgradation under KSTP phase II.

Now the letter received from the Chief Engineer, Kerala Public Works Department, KSTP informed that the project road has been divided into two for convenience of construction (Thalassery- Kalarode and Kalarode- Valavupara), of



which said area falls in Thalsseri-Kalarode road. Due to some ambiguity in the proposed design of Eranholi Bridge, the construction work of the bridge was stopped in 2016 and the road construction continued which is nearing completion. The design has been finalized with no change in the river span of the bridge with higher vertical clearance to accommodate inland navigation. To adjust the vertical clearance, land span has been subsequently increased. He also informed that the mangroves in the vicinity of bridge construction have not been destroyed.

In this regard, the Chief Engineer requested to revalidate the CRZ Clearance to Thalassery- Kalarode road to proceed with the upgradation activities of the project.

**KCZMA may please discuss**

**Agenda Item No.103.03.15**

**File No: 920/A2/19/KCZMA**

**Formulation of GIS based master plans for Cities/ Towns under AMRUT**

A letter received from the Chief Town Planner (Planning), Thiruvananthapuram on 17.05.2019 stating that master plan for six Corporations and Municipalities of Alappuzha, Palakkad and Guruvayur are being prepared by the Town Planner Department under the centrally sponsored scheme of “Formation of GIS based master plans for AMRUT Cities”. Details of cadastral level CRZ maps pertaining to these cities are required for the preparation of master plans of these cities.

Hence the Chief Town Planner (Planning), Thiruvananthapuram requested to furnish the cadastral level CRZ maps prepared by NCESS for KCZMA in respect of six Corporation namely Thiruvananthapuram, Kollam, Kochi, Thrissur, Kozhikode, Kannur and Municipalities of Alappuzha, Palakkad and Guruvayur. Out of the above cities Palakkad and Guruvayur does not come under CRZ.

KCZMA may decide whether the cadastral level CRZ maps of six Corporation and Municipalities of Alappuzha prepared by NCESS for KCZMA may be shared with the Town Planning Department.

**Agenda Item No.103.03.16**

**File No: 960/A1/19/KCZMA**

**Construction of School building by Fr. Baby Chamakalla, Gregorian Public School, Gregorian Dale, Maradu, Ernakulam.**

A request letter was received from the Manager, Gregorian Public School, Maradu, Kochi dated 28.05.2019 on regularisation of constructed school buildings. The KCZMA issued clearance for the plinth area of 7252.01m<sup>2</sup> with the height of 13.90m in its 72<sup>nd</sup> meeting held on 17<sup>th</sup> & 27<sup>th</sup> September, 2015, vide letter No. 5530/A2/14/KCZMA/S&TD dated 23.01.2016. The project proponent constructed additional buildings having plinth area of 435.4741 Sqm and requested to regularise the same

**Hence KCZMA may decide on its approval**

**Agenda Item No.103.03.17**  
**File No: 4914/A1/17/KCZMA**

**KCZMA- Temporary appointments**

The staffs structure of KCZMA is as follows;

1. Member Secretary (Director, Directorate of Environment and Climate Change)
2. Joint Secretary-1 (Permanent)
3. Section Officer-1 (Permanent)
4. Assistants-2 (Permanent)
5. Data Entry Operator-5 (Daily wages basis)
6. Office Attendant-1 (Daily wages basis)

As per GO(Rt) No. 11/2018/Envnt dated 18.01.2018, Govt have ratified the action of the Member Secretary, KCZMA in having made the following appointments in temporary basis in KCZMA

1. 4 Project Fellows (Contract basis)
2. 5 Data Entry Operators (Daily wages basis)
3. 1 Office Attendant (daily wages basis)

But after the functioning of ten District Level Committee of KCZMA, the number of CRZ Clearance applications received in KCZMA is reduced considerably. Hence the number of project fellows posts in KCZMA is reduced from 4 to 2. Now only two project fellows are working in KCZMA on daily wages.

The tenure of the following temporary staffs will expire shortly

	Name and post	Method of appointment	Details of order	Date of tenure
1	Sri. Muzammil	On daily wages	Proceedings No. 4914/A1/17/KCZMA	30.06.2019

	Salim. A, Project Fellow		dated 23.07.2018	
2	Smt. Anusree Ashok, Project Fellow	On daily wages	Proceedings No. 4914/A1/2017/KCZ MA dated 01.01.2019	30.06.2019
3	Smt. Akhila. A.S, Data Entry Operator	On daily wages	Proceeding no. 4914/A1/17/KCZMA dated 18.08.2018	30.06.2019
4	Smt. Reshma M B, Data Entry Operator	On daily wages	Proceedings No. 4914/A1/2017/KCZ MA dated 01.01.2019	30.06.2019
5	Smt. Arunima U L, Data Entry Operator	On daily wages	Proceedings No. 4914/A1/2017/KCZ MA dated 01.01.2019	30.06.2019
6	Smt. Jayalekshmi V R, Data Entry Operator	On daily wages	Proceedings No. 4914/A1/2017/KCZ MA dated 01.01.2019	30.06.2019
7	Kum. Remya B, Data Entry Operator	On daily wages	Proceedings No. 4914/A1/2017/KCZ MA dated 01.01.2019	30.06.2019
8	Sri. Vishnu Babu, Office Attendant	On daily wages	Proceedings No. 4914/A1/2017/KCZ MA dated 23.07.2018	03.07.2019

As per G O(Rt) No. 143/2018/Envnt dated 28.12.2018 Govt have ratified the appointment of Sri. Muzammil Salim A, Project Fellow, Smt. Akhila, Data Entry Operator and Sri. Vishnu Babu, Office Attendant and also vide letter dated 16.01.2019 KCZMA requested to Govt to ratify the extension of the tenure of Smt. Anusree

Ashok, Project Fellow, Smt. Reshma M B, Smt. Arunima U L, Smt. Jayalekshmi V R and Kum Remya. B, Data Entry Operators for the period from 03.01.2019 to 30.06.2019.

All the above appointments are made in KCZMA when KCZMA was working under Science and Technology Department by keeping all the formalities such as Newspaper advertisement, interview etc. for taking temporary staffs in Statutory Authorities under Govt control.

File submitted before KCZMA meeting for taking decision

1. whether the tenure of the above temporary staffs may be extended for a period of 179 days after giving a break considering their experience in KCZMA subject to the ratification of Govt .

OR

2. whether go head with interview and selection process for the same.

**Hence the proposal is placed before KCZMA meeting.**

**Agenda Item No.103.03.18**  
**File No: 5294/A1/17/KCZMA**

**CZMP- 2011**

The NCZMA of MoEF & CC approved Kerala CZMP as per CRZ Notification 2011 in its 37<sup>th</sup> meeting held on 25.02.2019. The NCZMA further directed DoECC to submit the shape file of Cadastral maps (1: 4000 scale) to NCSCM before taking final print out of the approved maps. Hence, the cadastral maps collected from NCESS and submitted to NCSCM.

Before taking the printout, the verification of final CZMP was done by Sri. P Kalaiarasan, Environmental Engineer, DoECC on 3<sup>rd</sup> and 4<sup>th</sup> June, 2019 at NCSCM. The critical Vulnerable Coastal Area (CVCA) of Kerala was superimposed at the time of Environmental Engineer visit at NCSCM and the 1: 25000 scale CZMP will be received from NCSCM on or before 15<sup>th</sup> June 2019. The certified copy of CZMP will be further approved by NCZMA and the same will be uploaded in the KCZMA website.

**KCZMA please discuss.**

**Agenda Item No.103.03.19**  
**File No: 665/A2/19/KCZMA**

**Un-starred Question No. 1202 on violation of CRZ Norms**

The Un-starred question No. 1202 in Lok Sabha was received from the Ministry of Environment, Forest and Climate Change on 02.05.2019 regarding the violations of the CRZ Notification and the Environmental Law by private companies in the protected areas of the country especially in the coastal areas of Kerala.

A list of violations based on the available information with KCZMA, legal cases before Hon'ble Supreme Court, Hon'ble High Court and Hon'ble NGT and CAG report of Gov of Kerala has been prepared and cases has been forwarded to MoEF & CC vide letter No. 665/A2/2019/KCZMA dated 18.05.2019 as requested by the Director, MoEF & CC. The list is appended as **Annexure VI**.

**KCZMA may please ratify.**

**Agenda Item No: 103.03.20**  
**File No. 810/A1/2019/KCZMA**

**Construction of Petrol Pumb Building(LNG/LCNG/PNG Storage and fuelling facility) by Shri Titto Jose, Chief Manager, Indian Oil Corporation Ltd, Thiruvananthapuram Divisional Office, Premier Park Building, Enchakkal, Bypass Road, Thiruvananthapuram**

Name of Applicant	:	Shri Titto Jose, Chief Manager, Indian Oil Corporation Ltd, Thiruvananthapuram Divisional Office, Premier Park Building, Tvm Enchakkal, Bypass Road, Thiruvananthapuram
Application details	:	Lr. No. ZK2-BA/242/18 dated 16/02/2019 from The Secretary, Thiruvananthapuram Corporation.
Project Details & Activities proposed	:	Construction of Petrol Pumb Building (LNG/LCNG/PNG Storage and fuelling facility) with total plinth area of <b>870.48</b> m <sup>2</sup> (sales building: 142 m <sup>2</sup> + office building: 48 m <sup>2</sup> + Canopy-1: 432 m <sup>2</sup> + Canopy-2: 144 m <sup>2</sup> + Canopy-3: 104 m <sup>2</sup> ), Plot area of 65.10 ares, 2 Floor, <u>Height</u> : sales building: 6.45 m, office building: 3.85m, Canopy- 6.90m, FAR: 0.14.
Location Details	:	Re Sy. No 1889 of Kadakampally Village, Thiruvananthapuram Corporation, Thiruvananthapuram District. The construction is at a distance of 22.5 m from Parvathyputhanaar.(River width-20m)
Project Cost	:	Rs. 18 Cr
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure II.
Comments	:	The scrutiny fee has not paid. The consent from Groundwater and KSEB is not obtained. The CRZ status report from the authorized agency is not submitted. Hence

	the proposal is placed before authority for its decision.
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**Hence the proposal is placed before KCZMA meeting**

**Agenda Item No: 103.03.21  
File No. 739/A1/2018/KCZMA**

**Illegal Functioning of Sun Tara Beach Resort at Azhimala, Kottukal Grama Panchayath, Thiruvananthapuram**

The KCZMA in its 100<sup>th</sup> meeting discussed the compliant received from Smt. Beena Sarasan on illegal functioning of Sun Tara Beach Resort at Azhimala, Kottukal Grama Panchayath and decided to conduct the Site Inspection. Dr. K.P.Laladas, Member KCZMA and Shri. P.Kalaiarasan, Environmental Engineer, DoECC visited the site on 25.05.19 as per proceeding No: 739/A1/2018/KCZMA dated 28.01.2019 and the site inspection report is placed before KCZMA (Annexure-VII)

**KCZMA may please discuss**

**Agenda Item No: 103.03.22  
File No. 3619/A3/2016/KCZMA**

**Unauthorized construction of commercial building I Ramanthali Grama Panchayat by Smt. Kochukudukkil Khadeeja and 8 others**

The KCZMA has constituted a committee to conduct a site inspection to verify the CRZ status of a building constructed by Smt. Kochan Kudukkil Khadeeja and 8 others, Vadakkumbad.P.O, Ramanthali in Re Sy No. 66/13 A1 of Ramanthali Village, Kannur. The site inspection was conducted on 24.05.2019 and the site inspection report is placed before KCZMA (Annexure-VIII)

**KCZMA may please discuss**

Annexure-I

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 4784-4785 OF 2019  
(Arising out of SLP (C) Nos.4227-4228 of 2016)

The Kerala State Coastal Zone Management Authority ... Petitioner

versus

The State of Kerala Maradu Municipality & Ors. ... Respondents

WITH

CIVIL APPEAL NOS. 4790-4793 OF 2019  
(Arising out of SLP (C) Nos. 4231-4234 of 2016)

AND

CIVIL APPEAL NOS. 4786-4789 OF 2019  
(Arising out of SLP (C) Nos. 4238-4241 of 2016)

O R D E R

Leave granted.

Applications for intervention are allowed.

The appeals have been filed by the Kerala State Coastal Zone Management Authority aggrieved by the judgment and order dated 11.11.2016 passed by the High Court in Writ Appeal No.132 of 2013 and connected appeals.

The appellant authority has been constituted by the Government of India in compliance of the directions issued by this Court in Indian Council for Enviro-Legal Action v. Union of India [(1996) 5 SCC 281] as well as in exercise of the powers conferred under

Validity unknown  
Digitally signed by  
CHIEF JUSTICE  
Date: 2019.06.07  
16:30:04  
Reason:

Section 3 of the Environment Protection Act, 1986. The appellant authority is empowered to deal with the environmental issues relating to the notified Coastal Regulations Zones (in short, 'CRZ'). Construction activities in the notified CRZ areas can be permitted only in consultation with and concurrence of the appellant authority. It is the binding duty of the local self governments, the competent authority issuing building permits to forward application for building permission to the appellant authority along with the relevant record. The appellant authority has issued circulars to all Gram Panchayats, Municipalities, and Municipal Corporations directing them to follow the provisions of CRZ notifications and to act in accordance with the procedures provided in the notifications.

The decision of this Court in Piedade Filomena Gonsalves v. State of Goa [(2004) 3 SCC 445] has also been relied upon which explains the significance of CRZ notifications in the interest of protecting environment and ecology in the coastal area and the construction raised in violation of the regulations cannot be lightly condoned. The construction activities of the respondent builders are on the shores of the backwaters in Ernakulam in the State of Kerala which supports exceptionally large biological diversity and constitutes one of the largest wetlands in India.

The area in which the respondents have carried out construction activities is part of tidal influenced water body and the construction activities in those areas are strictly restricted under the provisions of the CRZ Notifications. Uncontrolled



construction activities in these areas would have devastating effects on the natural water flow that may ultimately result in severe natural calamities. The expert opinions suggest that the devastated floods faced by Uttarakhand in recent years and Tamil Nadu this year are immediate result of uncontrolled construction activities on river shores and unscrupulous trespass into the natural path of backwaters. The Coastal Zone Management Plan (in short, 'CZMP') has been prepared to check these types of activities and construction activities of all types in the notified areas. The High Court has ignored the significance of approved CZMP.

As per the appellant, these constructions activities are taking place in critically vulnerable coastal areas which are notified as CRZ-III. The panchayats have issued these permissions in violation of relevant statutory provisions and CRZ notifications. The Vigilance Section of local Self Government Department, Government of Kerala detected these violations and anomalies in the issue of building permits and hence directed the concerned bodies to revoke all the flawed building permits exercising its powers under Rules 16 and 23 of the Kerala Municipality Building Rules, 1999 (In short, referred to as 'the Rules of 1999').

A show cause notice was issued under Rule 16 of the Rules of 1999, asking the builders to show cause why the building permit issued to them be not cancelled. Writ Petitions were filed questioning the same. The learned Single Judge allowed the writ petitions. The Division Bench dismissed the appeals. The High

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Court has observed that the permit holders cannot be taken to task for the failure of local authorities in complying with the statutory provisions and notifications. Review petitions were filed that were also dismissed. Hence, the appeals by special leave have been preferred.

After hearing the appeals for two days, the following order was passed by this Court on 27.11.2018 :

“1. The writ petitions filed questioning the show cause notice dated 4.6.2007 issued for removal of the buildings, which according to show cause notice were falling within the prohibited area of CRZ Category. Various violations were mentioned in the show cause notice. Without availing the remedy of filing reply to the show cause notice, writ petitions were filed directly in the High Court. The Single Bench of the High Court vide its judgment and order dated 10.09.2012, allowed the writ petition. Aggrieved thereby, the Municipality preferred writ appeals before the Division Bench, which were dismissed by the impugned judgment and order dated 02.06.2015.

2. Considering the peculiar facts and circumstances of the case, as there is no categorical finding recorded either by the Single Bench or by the Division Bench that whether area in question is in CRZ Category-III, Category-I or Category-II. It was claimed by the petitioner before the Single Bench that they fell within the CRZ Category-II, whereas the case set up by Coastal Zone Management Authority in this Court is that area is of CRZ Category III. We deem it appropriate to call for the findings on the aforesaid aspect.

3. We constitute a Three-Member Committee consisting of the Secretary to the Local Self Government Department, the Chief Municipal officer of the concerned Municipality and the Collector of the District, to hear the objections and to give a finding in terms of Notification dated 19th February, 1991.

4. Let the Committee hear the affected parties as

well as Kerala State Coastal Zone Management Authority and State Government and consider the matter as submitted by the parties and send a report to this Court as to legality of construction and precisely in which category the area in question is to be categorized and whether building is in prohibited zone. Let the exercise be done within a period of two months and a report be submitted to this Court.

5. Let the report be submitted covering the aspect that may be urged by the parties as to the legality of construction."

The aforesaid order was passed in order to cut short the litigation in respect of the show cause notice issued by the authorities as the only question to be decided was as to whether the area falls in CRZ-III of Coastal Zone Regulations. We have heard the learned counsel again after receipt of report. The Committee consisted of the following members :

1. K. Gopalakrishna Bhat, IAS  
Local Self Government (Rural)  
In-Charge.
2. K. Mohammed Y. Safirulla, AIA,  
District Collector,  
Ernakulam.
3. Subhash P.K.,  
Municipal Secretary,  
Maradu Municipality.

The Committee has given opportunity of hearing and has dealt with the case set up by all the stakeholders in extensive detail. Following findings and conclusion have been recorded by the Committee :

"The Committee evaluated all arguments raised by the parties and KCZMA, existing Rules and Statutes and examined the Google map produced at

the time of the meeting.

The findings of the committee are as follows:

1) Marad Panchayat which was formed in 1953 was upgraded into municipality in November 2010.

2) The Coastal Zone Management Plan (CZMP of Kerala currently applicable is the one that was approved in 1996. As per the said CZMP, Marad has been marked as Panchayat area and hence falls in the Coastal Regulation Zone (CRZ) category of CRZ-III. The area is represented in the Map numbers 33, 33A and 34 of CZMP 1996. These maps are attached as Annexure 1 and 2. A mosaic of the three maps showing the Marad area is attached as Annexure 3. Since the Panchayat has been upgraded to Municipality in the year 2010, the same has been shown as CRZ-II category in the draft CZMP prepared as per the CRZ Notification 2011 and submitted to the MoEF&CC of Government of India recently. Until the Government of Kerala/KCZMA receives a communication from the Government of India on the approval of the CZMP draft submitted, the CZMP of 1996 stands valid. Hence, as on date, Maradu area being a backwater island the provisions as detailed below is applicable after 6<sup>th</sup> January, 2011 i.e., the date on which Government of India published Coastal Zone Management Plan (CZMP).

i) The islands within the backwaters shall have 50 mts width from the High Tide Line on the landward side as the CRZ area;

ii) within 50 mts from the HTL of these backwater islands existing dwelling units of local communities may be repaired or reconstructed however no new construction shall be permitted;

iii) beyond 50 mts from the HTL on the landward side of backwater islands, dwelling units of local communities may be constructed with the prior permission of the Grama panchayat;

iv) 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 within 50 mts width from HTL of these backwater islands.

CONCLUSION

The Coastal Zone Management Plan (CZMP) of Kerala currently applicable is the one that was approved in 1996. As per the said CZMP Maradu has been marked as Panchayat area and hence falls in the Coastal Regulation Zone (CRZ) category of CRZ III. Maradu Panchayat has been upgraded to Municipality in the year 2010 and hence in the draft CZMP prepared as per CRZ Notification 2011 it is shown as CRZ II category. The new draft CZMP is submitted to MoEF & CC of Government of India for approval. Until Government of India approve the draft notification CZMP 1996 stands valid."

It is apparent that at the relevant time when the construction has been raised by the respondents in the matters, the area was within CRZ-III. With respect to CRZ-III, the relevant notification dated 19.2.1991 indicates that the area of 200 meters from the High Tide Line is no development zone. No construction shall be permitted within this zone except for repairs of the authorized structures not exceeding existing FSI. The notification dated 19.02.1991 relating to CRZ-III is extracted below :-

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

i. The area upto 200 meters from the High Tide Line is to be earmarked as "No Development Zone". No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density, and for permissible activities under the notification including facilities essential for such activities. An authority designated by the State Government/Union Territory Administration may permit construction of facilities for water supply, drainage and sewerage for requirements of local inhabitants. However, the following uses

may be permissible in this zone agriculture, horticulture, gardens, pastures, parks, play fields, forestry and salt manufacture from sea water.

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

iii. Construction/reconstruction of dwelling units between 200 and 500 meters of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gaothans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33 per cent of the plot size; the overall height of construction shall not exceed 9 meters and construction shall not be more than 2 floors ground floor plus one floor. Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government/Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities.

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

It is also relevant to take note of Rule 23(4) of the Rules of 1999 is relevant which is extracted below :-

"23(4) Any land development or redevelopment or building construction or reconstruction in any area notified by the Government of India as a

coastal regulation zone under the Environment (Protection) Act, 1986 (29 of 1986) and rules made thereunder shall be subject to the restrictions contained in the said notification as amended from time to time."

It is necessary for the local authority to follow the restrictions imposed by the notification, as amended from time to time. Thus, it was not open to the local authority, i.e., Panchayat, in view of the notification of 1991 to grant any kind of permission without concurrence of Kerala State Coastal Zone Management Authority. Admittedly, Panchayat has not forwarded any such application for building permissions and there is no concurrence or permission granted by the Kerala State Coastal Zone Management Authority. As such, we find that once due inquiry has been held by the Committee, there is no escape from the conclusion that the area fell within CRZ-III, it was wholly impermissible and unauthorised construction within the prohibited area. We take judicial notice of recent devastation in Kerala which had taken place due to such unbridled construction activities resulting into colossal loss of human life and property.

This Court in *Vaamika Island (Green Lagoon Resort) vs. Union of India & Ors.* [(2013) 8 SCC 760], has observed :-

"26. The petitioner had effected the construction in violation of the provisions of 1991 and 2011 Notifications as well as Map No.32-A, so found by the High Court. The factual details of the same and where actually the portion of some of the properties of the petitioner in Vettilla Thuruthu will fall, has been elaborately dealt with by the High Court in its judgment in paras 109 to 119. We notice that the High Court has dealt with the issue pointing out that so far as buildings which

have been constructed by the petitioner during the currency of the Notification issued in 1991 are concerned, they are clearly in violation of this notification, hence, action has to be taken for the removal of the same. The Director of Panchayat also vide letters dated 7.3.1995, 17.7.1996 directed all the panchayats to strictly follow the provisions of CRZ notification which it was found not followed by granting permission. The High Court has also found on facts that reconstruction work appeared to have been done during the currency of the 2011 Notification and two buildings (193/D and 193/E) were also constructed illegally. The High Court has also noticed another new construction underway. These all are factual findings which call for no interference by this Court. The High Court has clearly noticed that reconstruction work has been done contrary to the 1991 as well as 2011 Notifications and the report of the Expert Committee constituted by the Kerala State Committee on Sciences Technology and Environment (KSCSTE) was accepted.

27. We are of the considered view that the above direction was issued by the High Court taking into consideration the larger public interest and to save Vembanad Lake which is an ecologically sensitive area, so proclaimed nationally and internationally. Vembanad Lake is presently undergoing severe environmental degradation due to increased human intervention and, as already indicated, recognising the socio-economic importance of this waterbody, it has recently been scheduled under "vulnerable wetlands to be protected" and declared as CVCA. We are of the view that the directions given by the High Court are perfectly in order in the abovementioned perspective.

28. Further, the directions given by the High Court in directing demolition of illegal construction effected during the currency of the 1991 and 2011 CRZ Notifications are perfectly in tune with the decisions of this Court in *Piedade Filomena Gonsalves v. State of Goa* [(2004) 3 SCC 445], wherein this Court has held that such notifications have been issued in the interest of protecting environment and ecology in the coastal area and the construction raised in violation of such regulations cannot be lightly condoned."



In *Piedade Filomena Gonsalves vs. State of Goa & Ors.* [(2004)

3 SCC 445], this Court has observed :

"4. We do not think that any fault can be found with the judgment of the High Court and the appellant can be allowed any relief in exercise of the jurisdiction conferred on this Court under Article 136 of the Constitution. Admittedly, the construction which the appellant has raised is without permission. Assuming it for a moment that the construction, on demarcation and measurement afresh and on HTL being determined, is found to be beyond 200 metres of HTL, it is writ large that the appellant has indulged into misadventure of raising a construction without securing permission from the competent authorities. That apart, the learned counsel for the respondent, has rightly pointed out that the direction of the High Court in the matter of demarcation and determination of HTL is based on the amendment dated 18.8.1994 introduced in the notification dated 19.2.1991 entitled the Coastal Regulation Zone notification issued in exercise of the power conferred by section 3(1) and Section 3(2)(v) of the Environment Protection Act, 1986, while the appellant's construction was completed before the date of the amendment and, therefore, the appellant cannot take benefit of the order dated 25.9.96 passed in writ petition No. 102 of 1996.

5. It is pertinent to note that during the pendency of the writ petition, the appellant had moved two applications, one of which is dated 11.7.1995, for the purpose of regularisation of the construction in question. Goa State Coastal Committee for Environment-the then competent body constituted a sub-committee which inspected the site and found that the entire construction raised by the appellant fell within 200 metres of the HTL and the construction had been carried out on existing sand dunes. The Goa State Coastal Committee for Environment, in its meeting dated 20.10.1995, took a decision inter alia holding that the entire construction put up by the appellant was in violation of the Coastal Regulation Zone Notification.

6. The Coastal Regulation Zone notifications have been issued in the interest of protecting environment and ecology in the coastal area. Construction raised in violation of such

regulations cannot be lightly condoned. We do not think that the appellant is entitled to any relief. No fault can be found with the view taken by the High Court in its impugned judgment."

Further, reference has also been made to a decision of the Kerala High Court in *Ratheesh v. State of Kerala* [2013 (3) KLT 840]. The same are extracted below :

"98. However, we would rather rest our decision without pronouncing on the validity of the permits as such. We have found that the Notification is applicable to the island, the island falls in CRZ-I and construction is impermissible. By merely getting a permit under the Building Rules, it cannot be in the region of any doubt that the company cannot arrogate to itself, the right to flout the terms of the Notification. We have already noticed Rule 23(4) of the Kerala Municipality Building Rules, 1999 and Rule 26(4) of the Kerala Panchayat Building Rules, 2011. In this case, we may also note that there is no permission sought from the authority. It is apposite to note that paragraph 3 (v) clearly mandates that for investment of Rs.5 crores and above, permission must be obtained from the Ministry of Environment WP(C).NO.19564/11 & CON.CASES 21 and Forest. In this case, the investment of the company is far above Rs.5 crores. In respect of investments below Rs.5 crores, for activities which are not prohibited, permission must be obtained from the concerned authority in the State. The company has not made any such attempt at getting permission. That apart, this is a case where, even if permission had been applied for, the terms of the Notification would stand in the way of any such permission being granted in so far as the island is treated as falling in CRZ-I. Construction of buildings as has been done by the company was absolutely impermissible. The fact that in a situation where the construction activity was permissible under the Notification and if the company had obtained permit from the local body, would have made its activities legal, cannot avail the company for the reason that under the terms of the Notification, such permit obtained from the panchayat will be of little avail to it in the light of the nature of the restrictions

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brought about by the Regulations in respect of CRZ-I in which zone the island falls. According to the WP(C).NO.19564/11 & CON.CASES 22 panchayat, no doubt, the conditions have been imposed also as recommended by the Assistant Engineer who is alleged to have even visited the island. Whatever that be, as observed by us, in the light of the view we have taken, namely that the 1991 Notification applies to the island, it is squarely covered by the same being included in CRZ-I and the constructions were begun even during the currency of the 1991 Notification. The conclusion is inescapable that it is in the teeth of the prohibition contained in the 1991 Notification and, therefore, it is palpably illegal.

XXX

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107. At this stage, we must deal with the argument raised before us by the company. It is submitted that a world class resort has been put up which will promote tourism in a State like Kerala which does not have any industries as such and where tourism has immense potential and jobs will be created. It is submitted that the Court may bear in mind that the company is eco-friendly and if at all the Court is inclined to find against the company, the Court may, in the facts of this case, give direction to the company and the company will strictly abide by any safeguards essential for the preservation of environment.

108. We do not think that this Court should be detained by such an argument. The Notification issued under the Environment (Protection) Act is meant to protect the environment and bring about sustainable development. It is the law of the land. It is meant to be obeyed and enforced. As held by the Apex Court, construction in violation of the Coastal Regulation Zone Regulations are not to be viewed lightly and he who breaches its WP(C).NO.19564/11 & CON.CASES 24 terms does so at his own peril. The fait accompli of constructions being made which are in the teeth of the Notification cannot present, but a highly vulnerable argument."

We find that the view taken by the Kerala High Court in aforesaid decision is appropriate. Permission granted by the

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Panchayat was illegal and void. No such development activity could have taken place. In view of the findings of the Enquiry, Committee, let all the structures be removed forthwith within a period of one month from today and compliance be reported to this Court.

The appeals are, accordingly allowed with aforesaid direction. Interlocutory applications, if any, stand disposed of.

....., J.  
(Arun Mishra)

....., J.  
(Navin Sinha)

New Delhi;  
May 08, 2019

ITEM NO.60

COURT NO.4

SECTION XI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 4227-4228/2016

(Arising out of impugned final judgment and order dated 02-06-2015 in WA No. 132/2013 11-11-2015 in RP No. 787/2015 02-06-2015 in WPC No. 22590/2007 11-11-2015 in WA No. 132/2013 passed by the High Court Of Kerala At Ernakulam).

THE KERALA STATE STATE COASTAL ZONE  
MANAGEMENT AUTHORITY

Petitioner(s)

VERSUS

THE STATE OF KERALA MARADU MUNICIPALITY AND ORS.

Respondent(s)

WITH

SLP(C) No. 4231-4234/2016 (XI-A)

SLP(C) No. 4238-4241/2016 (XI-A)

Date : 08-05-2019 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Romy Chacko, AOR

For Respondent(s) Mr. Ranjan Kumar, AOR  
Mr. Mohammed Sadique T.a., AOR  
Mr. Venkita Subramoniam T.r, AOR  
Mr. G. Prakash, AOR  
Mr. M. T. George, AOR

UPON hearing the counsel the Court made the following  
O R D E R

(GULSHAN KUMAR ARORA)  
COURT MASTER

(JAGDISH CHANDER)  
COURT MASTER

CA  
05-19

Spl. messenger got

Annexure - II

No. D1/10360/09/CE

Office of the Chief Engineer,  
Harbour Engineering Department,  
Kamaleswaram, Manacaud - P.O.,  
Thiruvananthapuram - 695 009.  
Tele/Fax : 0471-2459365/2459159.  
E-mail : [ce.hed@kerala.gov.in](mailto:ce.hed@kerala.gov.in)  
Website: [www.hed.kerala.gov.in](http://www.hed.kerala.gov.in)  
Dated - 30 /05/2019

From

The Chief Engineer,

To

The Member Secretary,  
Kerala Coastal Zone Management Authority,  
Directorate of Environment and Climate Change,  
4<sup>th</sup> Floor, KSRTC Bus Terminal,  
Thampanoor, Thiruvananthapuram - 695001

Sir,

Sub:- CRZ Clearance for Temporary Barge Load Out Facility  
along with Transit Stock Yard and Road at Muthalapozi  
Fishing Harbour near Perumathura in  
Thiruvananthapuram- Reply submitting- Reg.

Ref:- 1. This Office Letter of even no. dated. 13/09/2018  
2. This Office Letter of even no. dated. 22/03/2019  
3. This Office Letter of even no. dated. 05/04/2019  
4. That office Lr. No. 3683/A2/17/KCZMA dtd 28/05/19

Kind attention is invited to the references cited above. The clarifications sought for vide reference (4) cited are given as follows.

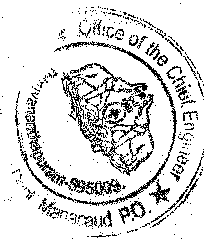
2. Constructions carried out there before getting CRZ clearance is mainly to avoid further casualties of fishermen that has been happening in the approach channel of the harbour during the past years, where fishing boats get into trouble in monsoon period and sink. Before the last year monsoon, the dredging work had been just started but could not proceed in monsoon, and two fishermen lost their life during the last year. The department started the construction work after submitting the application for CRZ clearance, and it is only intended to save human life in the next year monsoon.

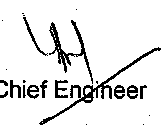
T6/Pr

3. As the decision taken in the meeting convened by the Hon'ble Minister for Fisheries on 7/2/2018 to carry out dredging works of the channel and simultaneously move ahead with the construction of jetty and storage yard, this department resumed the dredging works and started the works of temporary load out facility immediately after the 2018 monsoon.
4. In the final DPR of the Vizhinjam International Seaport, it was planned to transport stones from Muthalappozhy to Vizhinjam through sea, for which detailed environmental impact assessment studies were carried out by VISL, and EIA clearance was given. That means, the proposal for load out facility was approved at the time of EIA clearance given to Vizhinjam International Seaport, and hence this department has submitted the construction details of load out facility for CRZ clearance.
5. This department took actions as per the decision of the Government and MoU signed with M/s. Adani Port.

In this circumstance, it is requested your good selves to grant CRZ clearance for the project.

Yours faithfully,



  
Chief Engineer

T6/Pr

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Annexure - II (ii)

No. D1/10360/09/CE



Office of the Chief Engineer,  
Harbour Engineering Department,  
Thiruvananthapuram - 695 009.  
Tele/Fax : 0471-2459365/2459159.  
E-mail : [ce.hed@kerala.gov.in](mailto:ce.hed@kerala.gov.in)

Dated - 30 /05/2019

From

The Chief Engineer,

To

The Member Secretary,  
Kerala Coastal Zone Management Authority,  
Directorate of Environment and Climate Change,  
4<sup>th</sup> Floor, KSRTC Bus Terminal,  
Thampanoor, Thiruvananthapuram - 695001

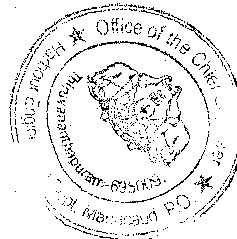
Sir,

Sub:- Request for CRZ Clearance of Temporary Barge Load Out Facility along with Transit Stock Yard - Correction in letter submitting- Reg:

- Ref:-
1. This office Letter of even no. dated. 13/09/2018
  2. Minutes of 102th KCZMA meeting held on 09/05/2019
  3. This office Letter of even no. dated. 30/05/2019

Kind attention is invited to the references cited above. Vide ref (1) letter has been submitted from this office requesting CRZ recommendation for the project under CRZ notification 2011. It is understood that based on our request, committee has decided to forward our application to MoEF & CC as per MoM cited vide ref (2).

In this context I would like to apologise that there was an error in the application stating to " kindly consider the case and grant CRZ recommendation under CRZ notification 2011". We request you to kindly reconsider the case within the State authority itself considering the fact that Muthalapozy fishing harbour comes under minor port category and grant CRZ clearance for the said project . We sincerely hope that our request be considered in the upcoming KCZMA meeting.



Yours faithfully

Chief Engineer



6/6/2019

Gmail - Request for conducting Ernakulam District Level Committee of KCZMA Meeting \_Reg.



Annexure - III

Kczma s&td <kczmasandtd@gmail.com>

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**Request for conducting Ernakulam District Level Committee of KCZMA Meeting  
\_Reg.**

---

stpekkm <stpekkm@gmail.com>

Sat, May 18, 2019 at 12:14 PM

To: Kczma s&td <kczmasandtd@gmail.com>

Sir/Madam,

Sub: Request for conducting Ernakulam District Level Committee of KCZMA Meeting -Reg.

Ref: Your letter number 561/A2/2019/KCZMA dated 24-04-2019

Please see the reference sited above.

As per the reference it was informed that the District Level Committee shall be conducted only after receiving the CZMP (2011) of the district from KCZMA. Since the Ernakulam District Level Committee meeting was not conducted after 15/01/2019, there are 193 new CRZ applications received in this office after the last meeting conducted on January 2019. This includes applications regarding the reconstruction of flood affected houses included in Rebuild Kerala, care home and LIFE Mission projects.

So I humbly request you to grant permission for conducting Ernakulam District Level Committee meeting of KCZMA in the month of May, 2019 itself for considering the CRZ applications of the above projects beneficiaries taking into account the urgency to obtain CRZ approval in time to avoid the lapse of fund/financial approval from the authorities concerned.

Yours faithfully,

Sd/-

Senior Town Planner, Ernakulam

& Member secretary,

District Level Committee of KCZMA, Ernakulam

---

Senior Town Planner,

Regional Town Planning Office, Civil Station,

Kakkanad.P.O, Ernakulam - 682030. Ph: 0484 2427223

Annexure-IV

**REPORT OF COMMITTEE COMPRISING REPRESENTATIVES OF NCZMA, NRSC, AND CPCB, CONSTITUTED BY THE HON'BLE NGT, PRINCIPAL BENCH, NEW DELHI TO GO INTO DETAILS OF THE ISSUES INVOLVED IN THE ORIGINAL APPLICATION NO. 113/2016 (SZ) FILED BEFORE THE HON'BLE NGT, PRINCIPAL BENCH, NEW DELHI.**

**1 Introduction**

Original Application No. 113/2016 (SZ) was filed by M/s. Heera Kerala Developers Pvt. Ltd., Applicant, before the Hon'ble NGT Principal Bench, New Delhi (Copy enclosed as Amex-1), seeking to quash the decision taken by the Respondent No.1, KCZMA in its 75th meeting dated 23.03.2016 denying clearance required for their residential project. Reference has been made to a report of the Institute of Remote Sensing, Anna University, Chennai, in support of their case. It is also contended that the KCZMA has taken the impugned decision based upon a report of the Centre for Earth Science Studies, Trivandrum which is factually inaccurate and is in conflict with that of the Institute of Remote Sensing, Chennai. As per order dated 11/03/2019 of Hon'ble NGT, the following Committee comprising of representatives from NCZMA, National Remote Sensing Centre (NRSC), and CPCB, was formed to look into all the issues involved in the Original Application No. 113/2016 (SZ) and to specifically verify as to whether or not the land in question of the Applicant falls within the prohibited zone:

- i. Shri. M Dharma Raj, Sr. Scientific Consultant, NCSCM, Chennai, representing NCZMA.
- ii. Dr. S B Choudhury, Head, OSG, ECSA Group, NRSC, Hyderabad.
- iii. Shri. E Thirunavukkarasu Scientist E, MoEF & CC, Regional Office, Bengaluru, representing NCZMA.
- iv. Dr. Deepesh V, Scientist B, CPCB, Bengaluru (Nodal Officer).

**2. Committee Hearings and Site visit**

In compliance with the orders of the Hon'ble NGT dated 11/03/2019, the parties participated in the exercise and were heard by the Committee on 04/04/2019 at Thiruvananthapuram.

Page 1 of 22

Representatives of the Applicant and Institute of Remote Sensing (IRS), Chennai, the authorized agency attended the hearing held by the Committee. The Representatives of the Respondent attended the hearing held by the Committee on 04/04/2019 in the subsequent session. The Applicant and the Respondent submitted their respective written statements/ Affidavits to the Committee, which are enclosed to the report as Annex- 2 and Annex-3, respectively. The Respondent also submitted a copy of the Applicant's application dated 04/04/2013 and Form-I submitted to KCZMA for clearance, which are enclosed as Annex-4 and Annex-5 respectively. The attendance sheet in respect of the hearing held on 04/04/2019 is also enclosed as Annex-6.

The Committee also conducted a site visit on 04/04/2019, to get firsthand information on the issues before the committee. Representatives of the Applicant and IRS, Chennai, the authorized agency also participated in the site visit along with the Committee. The photographs taken during the Committee hearing and the site visit are at Appendix 2.

### 3 Issues before the Committee

The Committee considered the following issues for deliberations and for submitting the report to the Hon'ble NGT, based on the issues raised in the Original Application and the Rejoinder filed by the Applicant, the reply statement filed by the Respondent before the Hon'ble NGT and other documents/Affidavits presented on record by both the Applicant and the Respondent to the Committee during the deliberations.

- a) Definition and identification of High Tide Line (HTL).
- b) Status of HTL & Coastal Regulation Zone (CRZ) in the Applicant's land/project site.
- c) Location/position/status of Applicant's land vis-a-vis the prohibited zone/CRZ III/NDZ.

The Committee accordingly met in Thiruvananthapuram on the 4<sup>th</sup> and 5<sup>th</sup> of April, 2019 and deliberated on the issues in detail. The Committee also visited the Applicant's land/project site on 4<sup>th</sup> April 2019 to get firsthand information on the issues before the committee. The Applicant, the Respondent and the agency namely, IRS, Chennai also presented their views and submitted written statements/Affidavits on record to the Committee. The Committee carefully scrutinized all

documents/written statements/ Affidavits provided by both the parties. The observations of the Committee on the above issues are detailed below.

**3.1 Definition and identification of HTL.**

CRZ Notification, 2011 in para 2 defines HTL as *"the line on the land up to which the highest water line reaches during the spring tide"*. The Notification further states that the HTL shall be demarcated uniformly in all parts of the Country by the demarcating authority(s) so authorized by the MoEF in accordance with the general guidelines issued at Annexure-I of the Notification and that HTL shall be demarcated within one year from the date of issue of this notification.

Also, in the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, in para 68, the Hon'ble High court has observed, *"The High Tide Line has been defined explicitly under the notification governing the Coastal Regulation Zone. The Division Bench has already referred to the concept of Coastal Zone Regulation and the definition, observing thus: "17. ... The term High Tide Line means "the line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm". Hence, the High Tide Line is the line of intersection of land with the water surface. ... In such circumstances, the High Tide Line will be the line on the land up to where the highest high tide reaches at spring tide. This the position of the High Tide Line in law as per the Notification is recognized by the Division Bench"*.

**3.2 Status of HTL in the Applicant's land/project site**

The Applicant has stated that both Center for Earth Science Studies (CESS) presently NCESS, Trivandrum and IRS, Chennai have submitted the CRZ status reports along with the respective

CRZ maps. On examination of the CRZ map prepared by IRS, Chennai, it is noted by the Committee that IRS, Chennai have failed to survey the waterbody and the water channels abutting the Applicant's land/project site in question, during their field survey conducted in the year 2014.

The waterbody and the water channels abutting the Applicant's land/project site in question were very much in existence during 2014, as seen from the Google earth image of 2014 (Appendix 1). The water body exists even today, but the water channels are found to have been partly filled/reclaimed after 2012. This can be seen from the Google earth image of 2012 (Appendix 1). Reclamation and modification of the land was also noticed during the site visit conducted by the Committee on 04/04/2019.

In fact, the water body would have existed from time immemorial. The Committee examined satellite image of 1987, 1990 and Google images of 2003, 2011 (year of NCESS Survey), 2014 (year of IRS survey) and subsequent years till 2019 and found that the water body existed in 1987, 2003 and even on 04/4/2019 as found in the google image of 04/4/2019 and during the field visit. These time series images and field photographs are enclosed at Appendix-1 and Appendix-2 respectively.

Had IRS not missed the water body and the water channels abutting the Applicant's land/project site in question and had IRS included these coastal geomorphological features in their survey as well as in their CRZ map provided to the Applicant in June 2014, IRS would not have missed the HTL around the water body and water channels in question.

Para 5.1 of the CRZ report filed by IRS, Chennai states, "Based on the geomorphic units the high tide line has been identified in the field and traced by field survey". Had IRS truly followed this principle during field survey, they would not have missed the water body/water channels and the HTL around these waterbody/water channels abutting the Applicant's land/project site in question.

In para 3 of the Rejoinder filed by the Applicant, the Applicant states "The main objection of the respondent pertains to the report of the IRS seems to be the marking on inter-tidal zone as water body. Water is entering in the project area through the opening in the bunds for the reason that

the property lies below the mean sea level. Since the water is entering the project property the Centre for Earth Science Studies (now NCESS) is of the view that the High Tide Line (HTL) commences from the line from where the water stops flowing inside the property and not from the bund maintained by the applicant. The artificial pond created by the earlier title holder of the land is termed as water body by the CESS. Whereas the Institute of Remote Sensing (IRS), Anna University of the view that the HTL as shown in the Coastal Zone Management Plan is boundary of property is where the bund exists. The water pond is only a temporary manmade phenomenon which cannot be making it a waterbody for CRZ purposes. In other words if the water body enters a private property, which can be controlled by its owners, that will not affect the HTL already fixed and therefore from the natural boundary".

Also, in para 5 of the Rejoinder in question the Applicant states, "The saline water enters the property of the applicant through a sluice being controlled by the applicant. Saline water enters during high tide for the reason that the property lies below the mean sea level".

Thus, the Applicant admits that Saline water enters during high tide for the reason that the property lies below the mean sea level. This aspect very much attracts the basic definition of HTL. The CRZ Notification defines HTL as the "line on the land up to which the highest water line reaches during the spring tide". Ownership of property, whether public or private or classification or land use of property in any 'Basic Tax Register' as claimed by the Applicant or any other record are not part of the definition of HTL or CRZ in the CRZ Notification. HTL and CRZ are bound to be present in both public and private properties, irrespective of their status/classification/use.

In the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, in para 35, the Hon'ble High Court has observed, "The High Tide Line will have to be identified as per the provisions of the Act and the CRZ Notification of 1991".

It is pertinent to note that the Hon'ble High Court of Bombay at Goa has not said that the High Tide Line should be copied from the Coastal Zone Management Plan (CZMP). Hon'ble High Court

has observed, "The High Tide Line will have to be identified as per the provisions of the Act and the CRZ Notification of 1991".

Further, in the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, in para 63, the Hon'ble High Court has observed "The Petitioner has rightly pointed out that the Division Bench has not used the words 'drawing' the High Tide Line in the operative portion of the order, but identifying the High Tide Line. The use of the word 'identifying' is deliberate. The Division Bench meant that the High Tide Line exists and it was only to be identified in front of the Hotel".

This is the crux of the entire issue before the Committee. This order of the Hon'ble High Court of Bombay at Goa clearly directing the Authorities as to how to identify the High Tide Line clearly addresses and resolves the present issue in the Original Application No. 113/2016 (SZ) filed by M/s. Heera Kerala Developers Pvt. Ltd., Applicant, before the Hon'ble NGT Principal Bench, New Delhi.

The year 1991 referred to in para 35 of the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, refers to the year in which the cause of action in the case arose and the year of the corresponding CRZ Notification 1991.

In the present case in the Original Application No. 113/2016 (SZ) filed by M/s. Heera Kerala Developers Pvt. Ltd., Applicant, before the Hon'ble NGT Principal Bench, New Delhi, the cause of action arose in the year 2012 when the Respondent (Kerala Coastal management Authority) received a complaint from one Shri. R. Bhadrans, regarding 'CRZ violation and Wetlands (Conservation and Management) Rules 2010 in Akkulam area' (Annex-3) by M/s. Heera Kerala Developers Pvt. Ltd., Applicant. Thus, CRZ Notification 2011 would apply in the present case and as per Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, the High Tide Line had to be identified as per the provisions of the Act and the CRZ Notification of 2011.

Thus, the Committee has addressed the crucial issues of what is the definition of HTL and how HTL has to be identified, based on law, as per the provisions contained in CRZ Notification and as per the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, explained in detail above.

**3.3 Location/position/status of Applicant's land vis-a-vis the prohibited zone (CRZ III/No Development Zone)**

The Committee presents a comparative table on the status reports prepared by CESS, Trivandrum and IRS, Chennai, as below.

Table-1: Comparative features of the status reports of CESS and IRS

Sl. No.	Features of the reports	Status Report by CESS, Trivandrum	Comments by the Committee	Status Report by IRS, Chennai	Comments by the Committee
1.	Year of Survey	2011	Pertains to CRZ Notification 2011	2014	Pertains to CRZ Notification 2011
2.	Methodology for HTL	Identification of HTL based on coastal geomorphology. Field survey.		Identification of HTL based on geomorphic units. Field survey.	
3.	Survey of Water body & water channels abutting the applicant's land	Surveyed and shown in the CRZ map	As per guidelines of CRZ Notification 2011.	Not shown in the CRZ map, despite field survey.	Not as per guidelines of CRZ Notification 2011. Omission of important coastal features of water bodies & channels despite field survey.
4.	HTL	Shown around the Water body & water channels in question	The Applicant admits in the Rejoinder that Saline water enters during high tide.	Copied from CZMP 1996	Not as per CRZ Notification 2011 and Not as per the orders of the High Court of Bombay at Goa.
5.	Classification of CRZ III, etc.	As per CZMP 1996	As per CRZ regulations	As per CZMP 1996	As per CRZ regulations
6.	Scale of CRZ map	1/4000	As per guidelines of CRZ Notification 2011.	1/4000	As per guidelines of CRZ Notification 2011.



From the above table, it is clear that the status report and the CRZ map prepared by IRS, Chennai does not show the water body & water channels abutting the applicant's land and the HTL has also not been correctly identified during the field survey. The Applicant admits that Saline water enters during high tide for the reason that the property lies below the mean sea level.

The Applicant accepts in para 8 of his Rejoinder filed before the Hon'ble NGT that "the IRS also relied on the HTL fixed in the approved CZMP". The Committee is at a loss to understand as to how IRS, Chennai can claim to have identified the HTL "based on the geomorphic units the high tide line has been identified in the field and traced by field survey", still miss the water bodies and water channels in question and simply copy the HTL from the CZMP of 1996. Copying of HTL from the CZMP of 1996 and showing the same on a CRZ map of 1/4000 scale has serious deficiencies which are described below.

CZMP of 1996 is on a smaller scale of 1/25,000 (1 cm on map = 250 m on ground) whereas the project level CRZ map is on a much larger 1/4000 scale (1 cm on map = 40 m on ground). One millimeter on a map on 1/4000 scale can depict features as small as 4 m on ground, whereas one millimeter on a map on 1/25000 scale can depict features only of the size of 25 m on the ground. Thus, 1:4000 map is a detailed map which can depict finer details whereas 1/25000 scale map can depict only broader details. About 200 sq. km. can be covered in one 1:25000 scale map of A0 size, whereas only about 4 sq. km can be covered in the same map on 1:4000 scale. It is like comparing a village map and the map of India. Copying HTL, or any feature for that matter, from 1:25000 scale map to 1:4000 scale map is technically wrong and would lead to totally incorrect and inaccurate information. It is like copying the location of a city (e.g. Chennai) from the map of India and preparing the Chennai city map. The location of Chennai will be indicated as a point symbol 'Dot' (•) in the map of India, whereas the maps of Chennai city on 1:4000 scale will run into 100s of sheets. It is like searching for a culvert or a milestone or a lamp post or a house building or such minute features in the map of India.

Thus, copying of HTL from the CZMP of 1996 and showing the same on a CRZ map of 1/4000 scale has the following serious deficiencies.

- a) It is not as per the guidelines of CRZ Notification 2011 (section 4.2 of the CRZ Notification 2011, under 'Procedure for clearance of permissible activities'). HTL has to be demarcated based on coastal geomorphological features on 1:4000 scale.
- b) It is not as per the Order dated 24.08.2018 in PIL WP No. 26 of 2017 passed by the Hon'ble High court of Bombay at Goa, explained in the forgoing para 3.2. The Honourable High Court has observed that, the high tide line already exists and it has to be identified on the ground.
- c) Copying HTL from 1:25000 scale map to 1:4000 scale map is technically wrong and would lead to totally incorrect and inaccurate results. It is like copying the location of a city (e.g. Chennai) from the map of India and preparing the Chennai city map. Chennai city map has to be prepared afresh by field surveys.
- d) IRS, Chennai had done the required field surveys at site but copied the HTL from the CZMP of 1996.
- e) Copying HTL from a small-scale map (1/25000) to a large-scale map (1/4000) is against the very principles of Surveying, Mapping & Cartography.

Thus, the CRZ map prepared by IRS, Chennai is not as per the guidelines of CRZ Notification 2011 and the CRZ map prepared by CESS Trivandrum is as per the guidelines of CRZ Notification 2011.

Thus, the Committee finds that part of the land/project site in question of the Applicant falls within the prohibited zone (CRZ III/NDZ) as per the correct map prepared by CESS Trivandrum. Even in Form-I submitted by the applicant to KCZMA for CRZ clearance vide letter dated 04/04/2013 (Annex-5), the applicant himself has admitted in item numbers 1.2 and 1.3 that the part of the project area is in CRZ III.

However, the Applicant is at liberty to submit fresh application to the Respondent for clearances invoking the new CRZ Notification 2019, which provides for relaxation in setback distance from the HTL as well as other relaxations, which the project proponents can avail of. Further, para 4,

page 7 of the CRZ status report prepared by CESS, Trivandrum states that there is a possibility that CRZ III categorization of Applicant's land/project area in question may be recategorized as CRZ II, which also provides for further relaxations.

#### 4 Summary of findings of the Committee

- a) In the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, in para 68, it is stated, *"The High Tide Line has been defined explicitly under the notification governing the Coastal Regulation Zone. The Division Bench has already referred to the concept of Coastal Zone Regulation and the definition, observing thus: "17. ... The term High Tide Line means "the line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm". Hence, the High Tide Line is the line of intersection of land with the water surface. ... In such circumstances, the High Tide Line will be the line on the land up to where the highest high tide reaches at spring tide. This the position of the High Tide Line in law as per the Notification is recognized by the Division Bench"*.
- b) In the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, in para 35, the Hon'ble High Court has observed, *"The High Tide Line will have to be identified as per the provisions of the Act and the CRZ Notification of 1991"*.
- c) Further, in the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, in para 63, the Hon'ble High Court has observed *"The Petitioner has*

*rightly pointed out that the Division Bench has not used the words 'drawing' the High Tide Line in the operative portion of the order, but identifying the High Tide Line. The use of the word 'identifying' is deliberate. The Division Bench meant that the High Tide Line exists and it was only to be identified in front of the Hotel".*

- d) It is pertinent to note that the Hon'ble High Court of Bombay at Goa has not said that the High Tide Line should be copied from the Coastal Zone Management Plan (CZMP). The Honourable High Court has observed that, the high tide line already exists and it has to be identified on the ground.
- e) This is the crux of the entire issue before the Committee. The order of the Hon'ble High Court of Bombay at Goa clearly directing the Authorities as to how to identify the High Tide Line clearly addresses and resolves the present issue in the Original Application No. 113/2016 (SZ) filed by M/s. Heera Kerala Developers Pvt. Ltd., Applicant, before the Hon'ble NGT Principal Bench, New Delhi.
- f) The year 1991 referred to in para 35 of the Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, refers to the year in which the cause of action in the case arose and the year of the corresponding CRZ Notification 1991. In the present case in the Original Application No. 113/2016 (SZ) filed by M/s. Heera Kerala Developers Pvt. Ltd., Applicant, before the Hon'ble NGT Principal Bench, New Delhi, the cause of action arose in the year 2012 when the Respondent (Kerala Coastal management Authority) received a complaint from one Shri. R. Bhadran, regarding 'CRZ violation and Wetlands (Conservation and Management) Rules 2010 in Akkulam area" (Annex-3) by M/s. Heera Kerala Developers Pvt. Ltd., Applicant.
- g) Thus, CRZ Notification 2011 would apply in the present case and as per Order dated 24.08.2018 in PIL WP No. 26 of 2017 in the Hon'ble High court of Bombay at Goa, the High Tide Line had to be identified as per the provisions of the Act and the CRZ Notification of 2011.

- h) From Table-1 above it is clear that in the status report and the CRZ map prepared by IRS Chennai, the HTL has not been correctly identified during the field survey. The HTL has been Copied from the CZMP of 1996. This is not as per CRZ Notification 2011 and not as per the orders of the High Court of Bombay at Goa.
- i) Copying of HTL from the CZMP of 1996 and showing the same on a CRZ map of 1/4000 scale has the following serious deficiencies.
1. It is not as per the guidelines of CRZ Notification 2011 (section 4.2 of the CRZ Notification 2011, under 'Procedure for clearance of permissible activities'). HTL has to be demarcated based on coastal geomorphological features on 1:4000 scale.
  2. It is not as per the Order dated 24.08.2018 in PIL WP No. 26 of 2017 passed by the Hon'ble High court of Bombay at Goa, explained in the forgoing para 3.2. The Honourable High Court has observed that, the high tide line already exists and it has to be identified on the ground.
  3. Copying HTL from 1:25000 scale map to 1:4000 scale map is technically wrong and would lead to totally incorrect and inaccurate results. It is like copying the location of a city (e.g. Chennai) from the map of India and preparing the Chennai city map. Chennai city map has to be prepared afresh by field surveys.
  4. IRS, Chennai had done the required field surveys at site but copied the HTL from the CZMP of 1996.
  5. Copying HTL from a small-scale map (1/25000) to a large-scale map (1/4000) is against the very principles of Surveying, Mapping & Cartography.
- j) The CRZ map prepared by IRS, Chennai is not as per the guidelines of CRZ Notification 2011 and the CRZ map prepared by CESS Trivandrum is as per the guidelines of CRZ Notification 2011.
- k) Thus, the southern part of the land/project site in question of the Applicant falls within the prohibited zone (CRZ III/NDZ) as per the correct map prepared by CESS Trivandrum. The exact locations and distances of that part of the land/project site in question of the Applicant


as -

can be accurately measured from the 1/4000 scale CRZ map prepared by CESS Trivandrum. Even in Form-I submitted by the applicant to KCZMA vide letter dated 04/04/2013 (Annex-5), the applicant himself has admitted in item numbers 1.2 and 1.3 that the part of the project area is in CRZ III.


- 1) However, the Applicant is at liberty to submit fresh application to the Respondent for clearances invoking the new CRZ Notification 2019, which provides for relaxation in setback distance from the HTL as well as other relaxations, which the project proponents can avail of. Further, para 4, page 7 of the CRZ status report prepared by CESS, Trivandrum states that there is a possibility that CRZ III categorization of Applicant's land/project area in question may be recategorized as CRZ II, which also provides for further relaxations.


\*\*\*\*\*

Committee

  
(M Dharma Raj)  
Sr. Scientific Consultant, NCSCM

  
(Shri. E Thirunavukkarasu)  
Scientist 'E', MoEF&CC

  
(Dr. S B Choudhury)  
Head, OSG, EGSA Group, NRSC

  
(Dr. Deepesh V)  
Scientist 'B', CPCB

Encl: Appendix-1& 2 and Annex-1 to 6

Appendix-1

ANALYSIS OF SATELLITE AND GOOGLE IMAGES FROM 1987 TO 2019

Fig1 a): Thematic Mapper Satellite Image - Date of acquisition 19/02/1987.

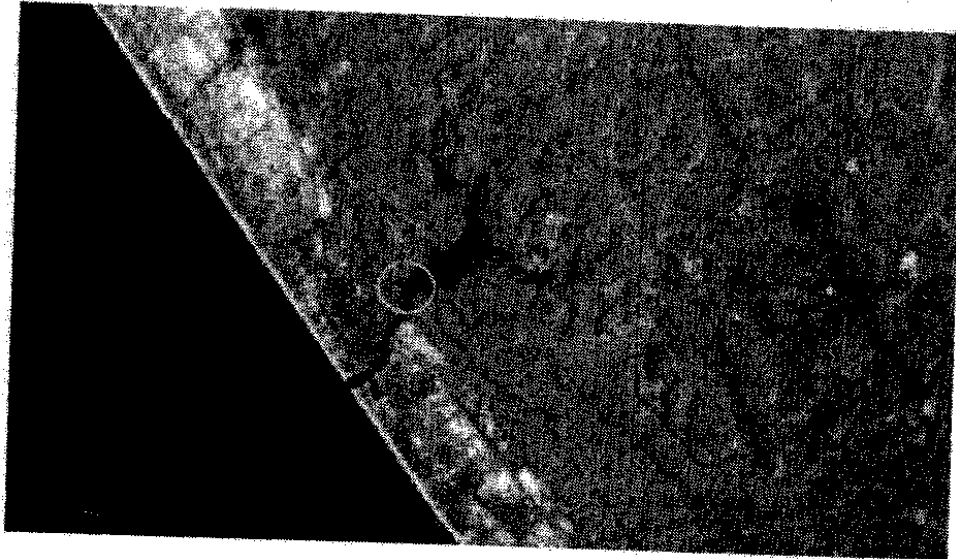
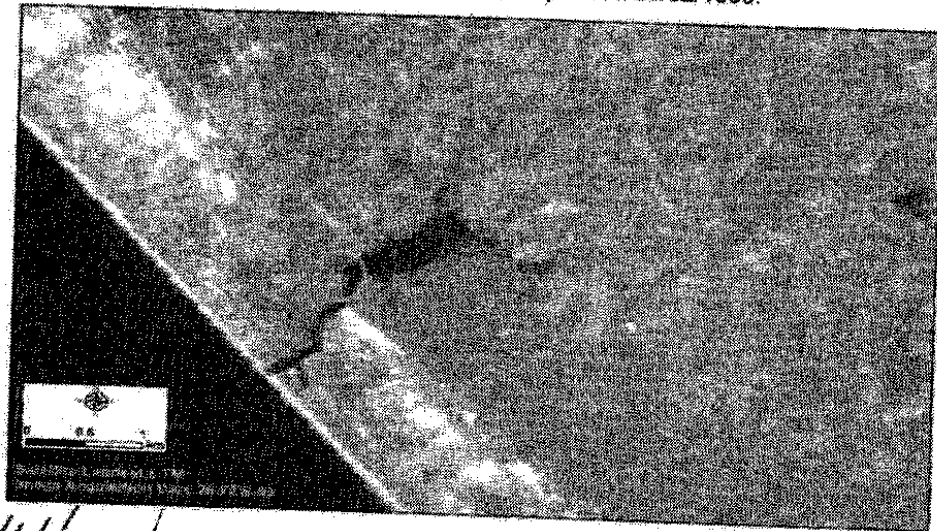


Fig1 b): Landsat 5 TM Satellite Image - Date of acquisition 25/02/1990.



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Fig 2: Google Image January, 2003

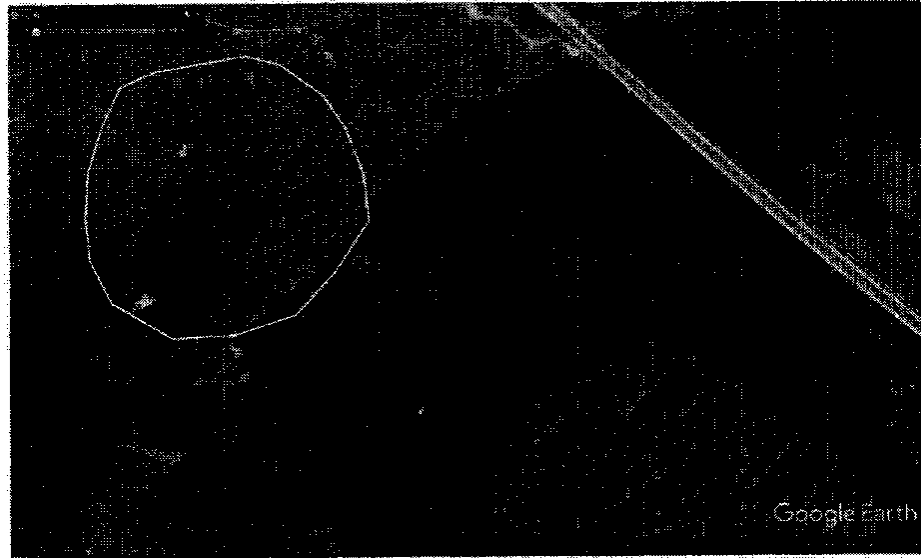
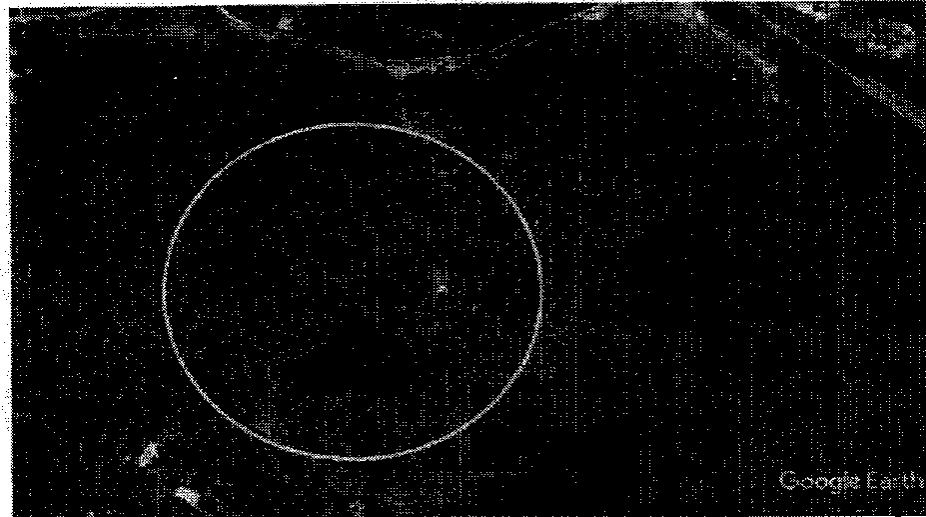


Fig 3: Google Image March, 2011



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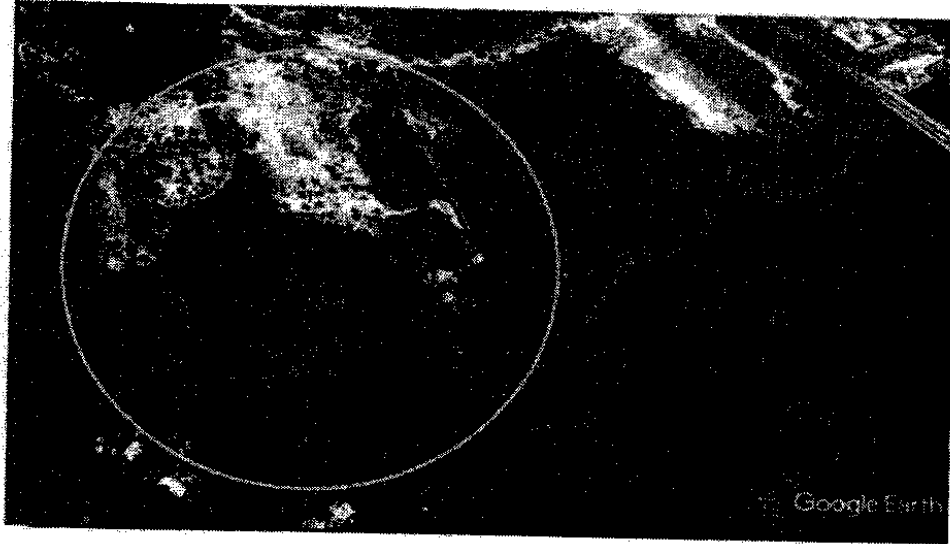
*④ 15/5/14*

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*[Signature]*

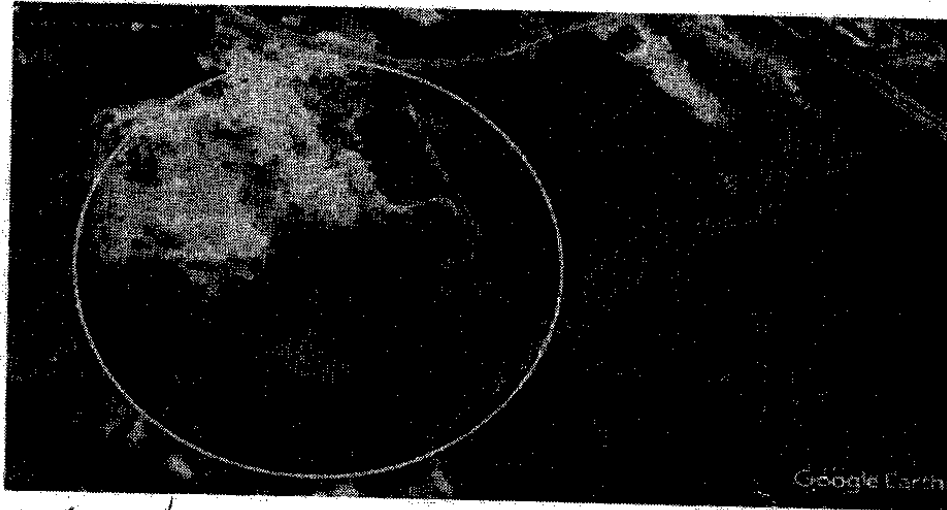


Fig 4: Google Image January 2012



Note by the Committee: Survey done by CESS, Trivandrum: June – October 2011. The CESS report says "Many parts of the backwater/kayal system and its banks are under reclamation and modification". "There are reclamations in certain parts of the proposed project area close to the kayals, especially along the canals".

Fig 5: Google Image 2013



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Fig 6: Google Image October, 2013

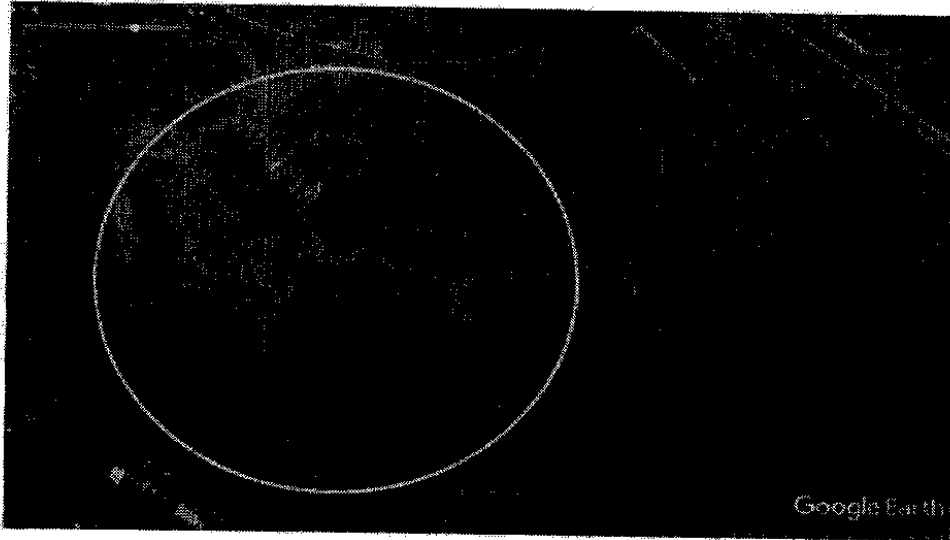
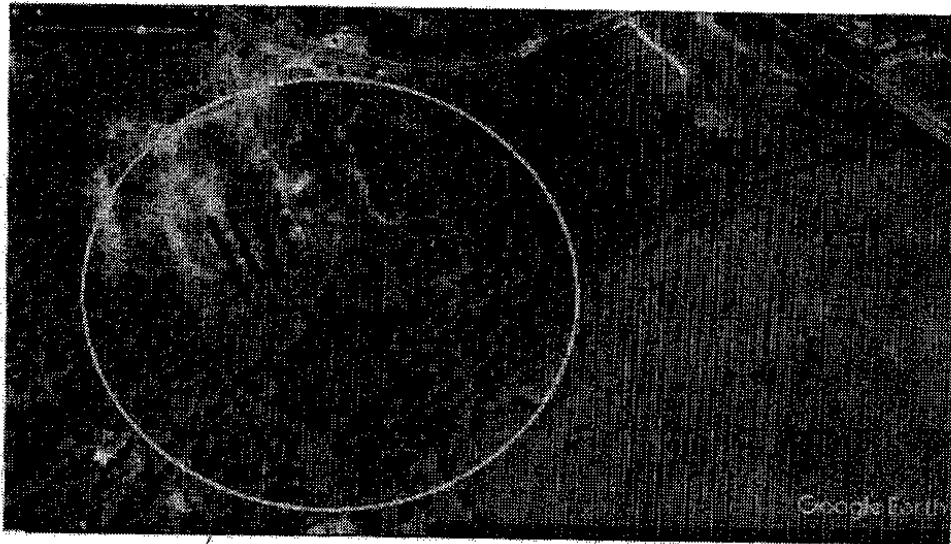


Fig 7: Google Image December, 2013



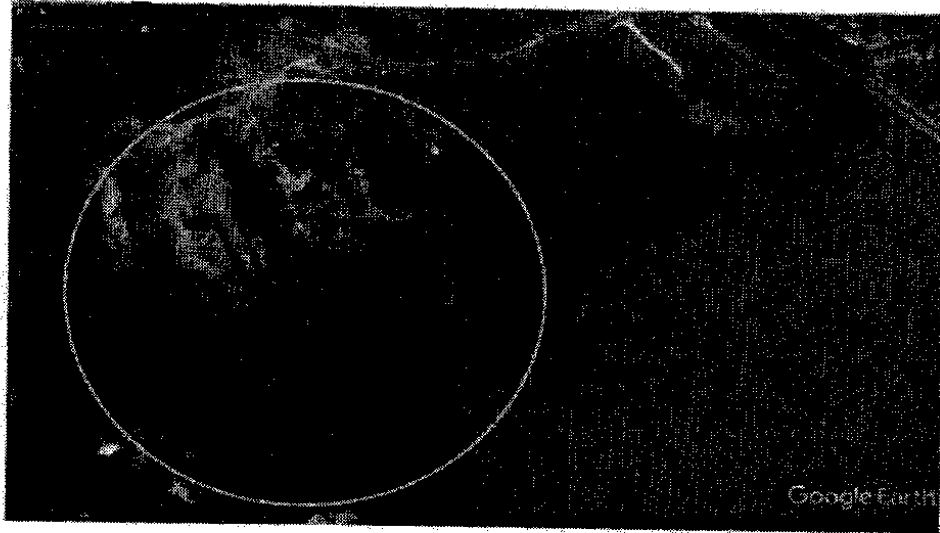
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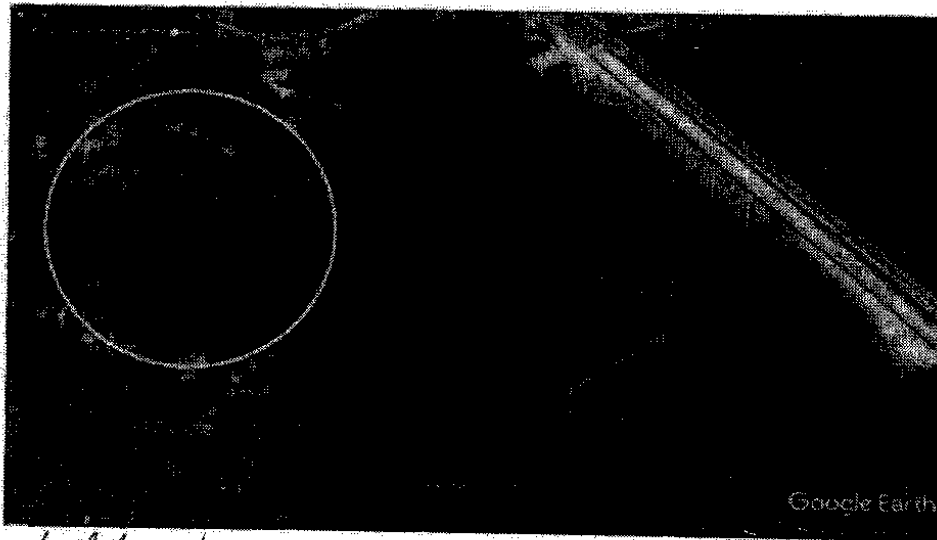
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Fig 8: Google Image January, 2014



Note by the Committee: IRS Chennai submitted its report in June 2014. The date/month of field survey has not been indicated in the IRS, Chennai report.

Fig 9: Google Image February, 2017



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Fig 10: Google Image July, 2018:

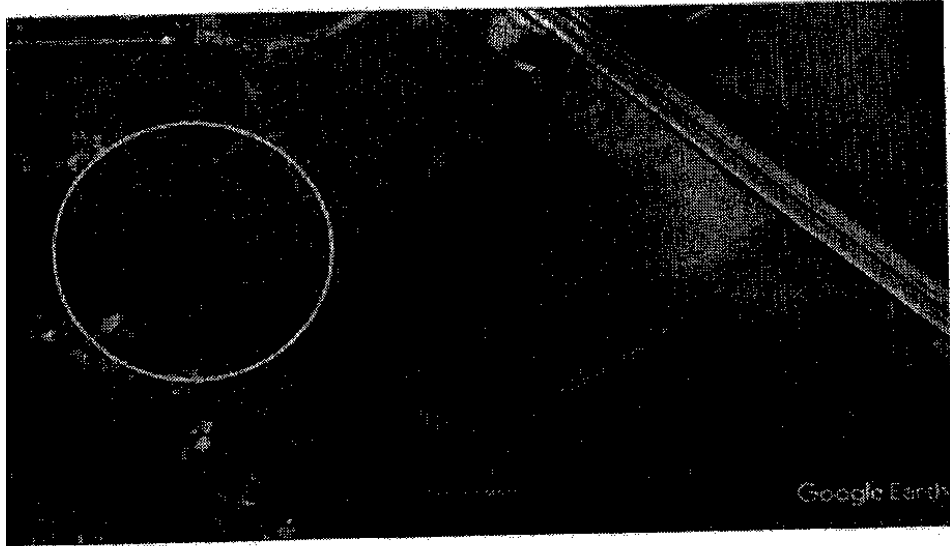


Fig 11: Google image 4/04/2019



*W. Khan*

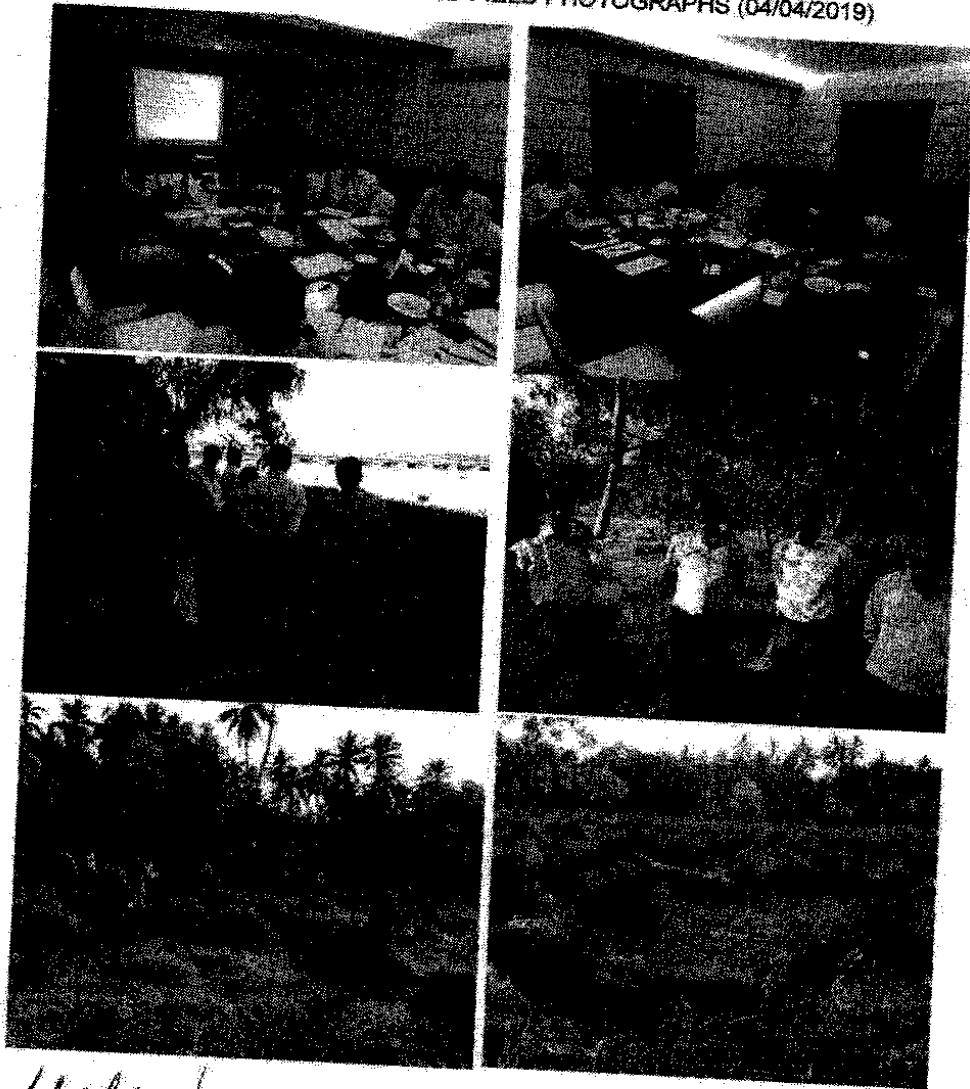
*Chandy*  
5/4/19

*Q. Khan*

*A. Khan*

Appendix-2

COMMITTEE MEETING AND FIELD PHOTOGRAPHS (04/04/2019)



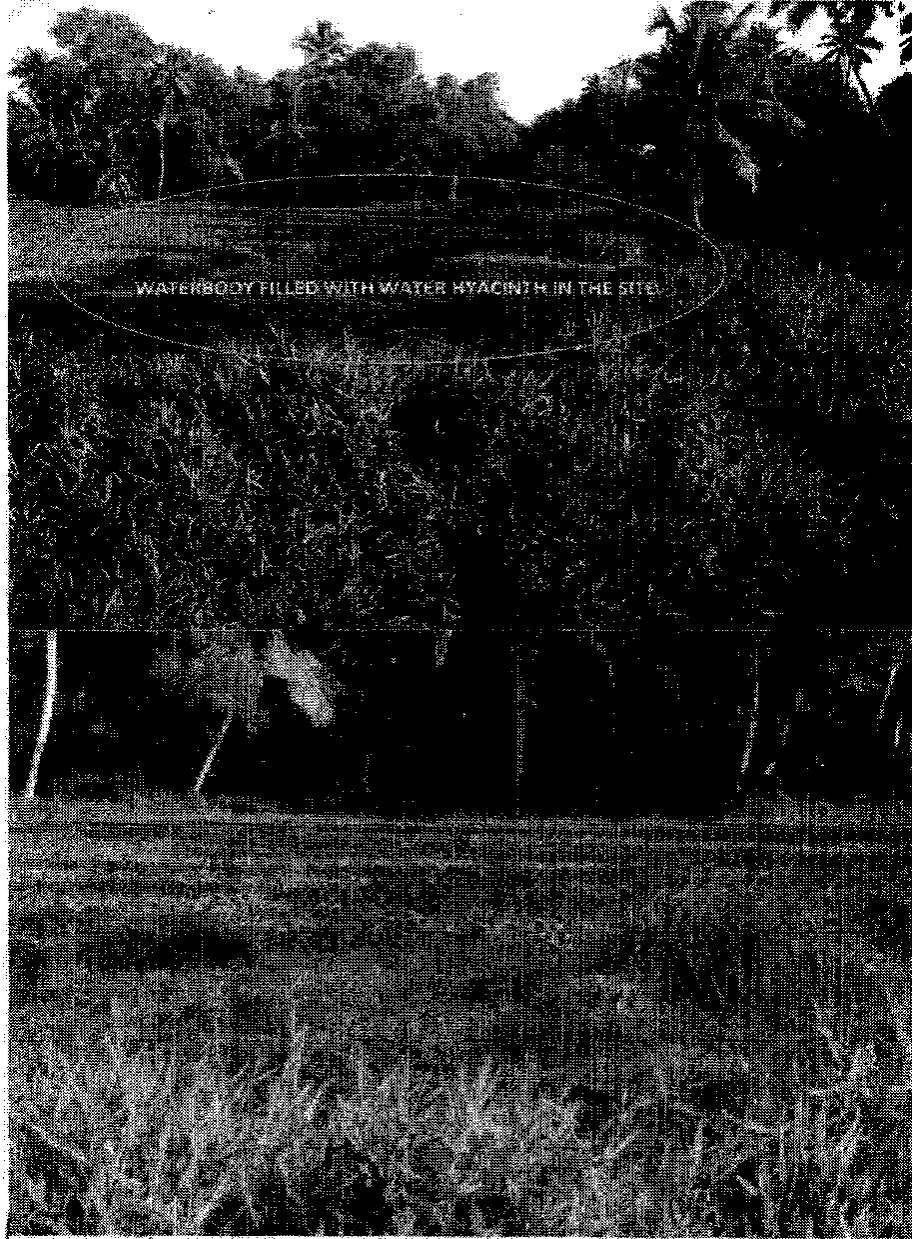
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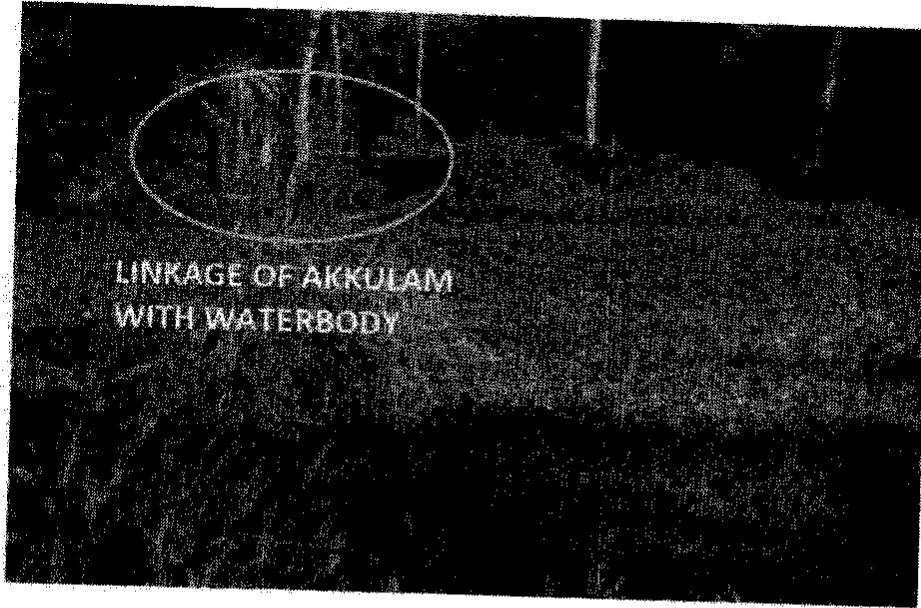
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Page 21 of 22

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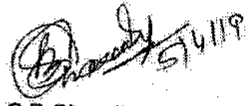
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Committee

  
(M Dharma Raj)  
Sr. Scientific Consultant, NCSCM

  
(Dr. S B Choudhury)  
Head, OSG, ECSA Group, NRSC

  
(Shri. E Thirunavukkarasu)  
Scientist 'E', MoEF&CC

  
(Dr. Deepesh V)  
Scientist 'B', CPCB

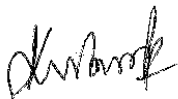
Annexure -V

**C / Z site inspection Report on regularisation of residential building construction owned by Shri P P Shanawas, Haris P P, Pulthiyamadathummal, Peringadi, Peringantevida, Vatakara, Kozhikode**

File No. 4498/A2/2017

- 1) **Introduction:** KCZMA constituted a committee consists of Dr. N P Kurian, member KCZMA and Dr. Kamalakshan Kokkal, Chief Scientist, KSCSTE for site inspection on regularisation of residential building construction owned by Shri. P P Shanawas, Haris P P, Pulthiyamadathummal, Peringadi, Peringantevida, Vatakara, Kozhikode. The team visited the site on 4th May 2019 in presence of Shri. Shanavas, owner of the residential building. After site inspection the team visited Vatakara municipality and discussed the matter with the municipal chairman, Secretary, Municipal Engineer.
- 2) **Observations:-** The proposed regularisation of the building lies in R.S. no.182/3 with an area of 23.77Ar, Vatakara village at Pulthiyamadathummal, Peringadi, Peringantevida, Vatakara, Kozhikode. The residential building is having plinth area of 1757.29m<sup>2</sup>, 4 floor, Height 11.5m. The construction lies in CRZ area at a distance of 103.40m from the HTL of sea on one side and at a distance of 41.9 m from the HTL of river on other side. The construction was made during 2010. It lies in CRZ-II as per the revised CZMP prepared based on CRZ-2011 Notification. A small patch of mangroves belonging to CRZ-1A lies between the building and HTL of river. A dilapidated building belonging to Gwalior Rayons Silk Manufacture Fishing Company with building no. 7/227, EL 129/194 lies in the adjacent plot. It is found that the constructed residential building which require CRZ clearance lies landward of the extension line from the old building in the adjacent plot drawn parallel to the HTL of river. Hence as per CRZ norms, the building construction which require CRZ clearance may be permissible with the approval of KCZMA .

**Conclusion :-**The regularisation of the construction of the building may be considered by KCZMA as it lies landward of the extension line parallel to HTL of the river from the existing approved building in CRZ-II category. On the other hand the above building from the sea lies landward of the existing authorised building. Hence the regularisation of the building construction may be considered by KCZMA, on CRZ angle, for approval.



Dr. N P Kurian  
Member, KCZMA



Dr. Kamalakshan Kokkal,  
Chief Scientist, KSCSTE

DR. KAMALAKSHAN KOKKAL  
Chief Scientist  
Kerala State Council for  
Science, Technology and Environment  
Masham Road, P.O. No. 1, Trivandrum-695 004



Annexure - VI

**The List of major CRZ violations by Private  
Companies/Owners**

The CRZ violations reported to Kerala Coastal Zone Management Authority (KCZMA), Local Self Government Institutions Audit Report 2013, legal cases before Hon'ble Supreme Court, Hon'ble High Court, and Hon'ble NGT are listed out below;

- ✓ 1. M/s. Galaxy Regent, Apartment building ( Galaxy Home P A Jainas), Elamkulam, Ernakulam
- ✓ 2. M/s. Heera Waters, Apartment building (Heera Constructions : K.P Sathesh, Elamkulam, Ernakulam
- ✓ 3. M/s. Jewel Homes, Apartment building, (P A Jihasa)- Poonithura, Ernakulam
- ✓ 4. M/s. Soni Buildcon (P) Ltd-commercial building, Elamkulam, Ernakulam
- ✓ 5. M A Yusuffali & Mrs. Sabura Yusuffali- Commercial building, Elamkulam, Ernakulam
- ✓ 6. M/s Adele Builders & Developers Pvt. Ltd-Flat, Poonithura, Ernakulam
- ✓ 7. Cyril Paul & Nisha C Paul (Raintree Realm Villas), Elamkulam, Ernakulam
- ✓ 8. Galaxy Clifford (Galaxy Homes: P A Jainas)-Commercial building, Elamkulam, Ernakulam
- ✓ 9. M C Basil (Abad Lotus Lake)- Commercial building, Elamkulam, Ernakulam
- ✓ 10. M/s Golden Kayaloram- Commercial building, Maradu, Ernakulam
11. M/s Sunthara Beach Resort, Azhimala Temple Road in Kottukkal Panchayat
12. M/s KAPICO Resorts, Panavally & Vamika Island Resorts, Panavally, Panavally Village & Panchayat, Cherthala Taluk, Alapuzha
13. M/s Vasu Coco Resort (12 buildings), Vayalar East Village, Alappuzha
14. M/s Beefathima Beevi Trust – Commercial building, Kadalundi Grama Panchayat, Kozhikode
- ✓ 15. M/s Liliput Seaface Resort, Pallippuram Grama Panchayat, Ernakulam
16. M/s Samudradara Hotel, Vizhinjam, Thiruvananthapuram
- ✓ 17. Unauthorised building owned by Sri. Muhammed Ali Khoori, Kuzhippilly Village, Ernakulam

18. M/s Prestine Isle Resort Pvt. Ltd, Kodamthuruthu, Kodamthuruthu Village, Alappuzha

19. M/s Green Gateway Leisure Ltd- Development of resort and spa, Kaikan Village 1(P) of Chittari at Bekal in Kasargod District

20. Constructions of flat by M/s Afla Venture Pvt Ltd in Maradu Municipality, Ernakulam

21. Construction of flat by M/s Jain Housing and Construction Ltd in Maradu Municipality, Ernakulam

22. Construction of flat by M/s Holy Faith Builders and Developers Pvt Ltd in Maradu Municipality, Ernakulam

23. Construction of flat by M/s Holiday Heritage Pvt Ltd in Maradu, Maradu, Ernakulam

24. Construction of beach resort by Sri Natarajan (Pappukutty Beach Resort) at Kovalam, Thiruvananthapuram

25. Construction of beach resort by Sri Sajeevkumar P.S and another (Hotel Soorya Beach Resort) at Kovalam, Thiruvananthapuram

26. Construction of beach resort by Rema Devi (Hotel Sea Face) at Kovalam, Kovalam, Thiruvananthapuram

27. Construction of hotel by Sri. Syed Muhammad Nisar (Hotel Naza Tourist Inn) at Kovalam, Kovalam, Thiruvananthapuram

28. Construction of beach resort by Sri. Chandrasekharan and another (Hotel Sea View Palace) at Kovalam, Thiruvananthapuram

29. Construction of beach resort by Sri. Purushathaman R- Hotel Pooja Mahal, Ayurvedic Beach Resort at Kovalam, Thiruvananthapuram

30. Construction of beach resort by Sri. Suresh Kumar K.G - Hotel Marine Palace at Kovalam, Thiruvananthapuram

31. Construction of beach resort by Sri. N.Sudhakaran - Jeevan Ayurvedic Beach Resort at Kovalam, Thiruvananthapuram

32. Construction work at the Kent Bay watch water front Luxury apartments at Edakochi, Ernakulam

33. Construction of Residential Apartment by M/s Choice Marina, Rameswaram Village, Kochi Municipal Corporation, Ernakulam District
34. Construction of Beach Resort by Andreas Heitman, CEO and Director- Thapovan Heritage Home Pvt Ltd, Vizhinjam Village, Thiruvananthapuram
35. M/s Heera Developers, Akkulam, Attipara Village, Thiruvananthapuram
36. M/s Crown Plaza By KGA Hotel and Resorts Pvt Ltd, Maradu Village, Ernakulam
37. M/s Hotel Raviz, Thrikkadavoor, Kollam
38. M/s Zewar Construction, Kannur
39. M/s All Season Resort, Thrikkadavoor, Kollam
40. M/s Hotel Fragrant Nature, Kollam
41. M/s Hotel Vivanta by Taj, Kovalam, Kovalam, Thiruvananthapuram
42. M/s Hotel Lake Palace, Kadinamkulam, Thiruvananthapuram
43. M/s Hotel Vivanta by Taj, Bekal, Kasaragod, Kasaragod
44. M/s Adle Builders (DLF Apartments), Chilavanoor, Elamkulam Village, Ernakulam
45. M/s Ambady Retreats - Apartment building, Ernakulam
46. M/s Ambady Retreats - Adukkala Restaurant, Ernakulam
47. M/s Pearls Gardens, Apartment Building, Ernakulam
48. M/s Blue Lagoon buildings - Water front Enclave , ?
49. Resort Building by Smt.Maggi Davis, Edassery, Angamali in Cheranalloor village
50. Thomas Cleoplus, Kalluvila veedu, Thiruvananthapuram
51. Bindhu Sunil Residential Buildings
52. M A Babu Moopan, Commercial building
53. M M Martin, Residential Building
54. C J Roy confident Group - Flat
55. Reclamation of wetland by Smt. Syailaja w/o Balachandran, Vayalil Puthen Veedu, Kanjavel P O, Prakkulam, Kollam
56. Bund construction by Kerala Land Development Corporation in Malakayal, Kollam district

57. The Tourism department boat club in Kappil, Thiruvananthapuram
58. M/s. Safe Home Builders- Aparment building, Kannur
59. M/s Stay Homes and commercial buildings, Valiyaparamba, Kannur
60. M/s Malabar Builders, Apartment buildings, Kannur
61. A new building near United club and Cliff Road, Kannur
62. A large Hotel construction near to the Military Hospital, Kannur
63. Searock Resorts, Kannur district
64. M/s Korith Gulf links Builders Pvt Ltd - Apartments - Kozhikode
65. M/s Pentagon Builders Pvt ltd - Apartments - Kozhikode
66. M/s Appollo Builders Pvt Ltd - Apartments - Kozhikode

Annexure- VII

**CRZ Site Inspection Report on Illegal Functioning of Sun Tara  
Beach Resort at Azhimala, Kottukal Grama Panchayath,  
Thiruvananthapuram**

**Introduction**

The KCZMA in its 100<sup>th</sup> meeting discussed the complaint received from Smt. Beena Sarasan on illegal functioning of Sun Tara Beach Resort at Azhimala, Kottukal Grama Panchayath and decided to conduct the Site Inspection. Dr. K.P.Laladas, Member KCZMA and Shri. P.Kalaiarasan, Environmental Engineer, DoECC visited the site on 25.05.19 as per proceeding No: 739/A1/2018/KCZMA dated 28.01.2019.

**Observations**

The observations made on the site inspection are given as follows:

- 1) The sun Tara Beach Resorts owned by Shri. Rajendran is functioning at Sy.No.360/4-1 of Azhimala village, Kottukal Grama Panchayath
- 2) The building consists of Ground + Five floors and having height of around 20mts
- 3) The resort situated at 8° 35'89.707" (lat) & 77° 01'19.567" (Long). The site lies in the CRZ III Category of approved CZMP 2011.
- 4) A bore well was observed in working condition and constructed with two water storage tanks having capacity of 5000 liters each.
- 5) A constructed swimming pool was observed on the roof top of the building.
- 6) A old RCC building was existed behind the resort was also observed. There is no agriculture activity existed in the vicinity of the Resort.

**Conclusion**

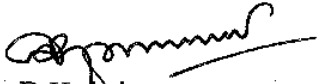
As per CRZ Notifications 2011 the prior Clearance from KCZMA is mandatory. For any activities in CRZ area, the Secretary of Grama Panchayth/Municipality/ Corporation should forward the Application to KCZMA for its approval and the permit may be issued later on, but the secretary Kottukal Grama panchayath issued the permit for resort building and owner of the resort remitting the taxes for resort, land and the D.O. license since 2014 with the consent of Pollution Control Board. The D.O. licenses for the year 2019-2020 was also remitted by vide B2/2486/19 dtd 30.04.2019.

The clause 3.IX B of CRZ Notification 2011 stated that in the area between 200-500 mts zone, the drawl of ground water shall be permitted only when done manually through ordinary well for drinking, Horticulture, Agriculture & Fisheries and where no other source of water is available. Hence the mechanized dug well in CRZ III (200-500) mts is not a permissible activity and is illegal.

The permissible activity in CRZ III (200-500) mts mentioned in CRZ notification 2011, Clause 8 (III) B (i) stated that development of vacant plot in designated areas for the construction of Hotels/Beach resorts/tourists/visitors subjective to the conditions as specified in the Annexure III. The CRZ clearance for resort building can be issued by Ministry of Environment Forest and Climate Change (MoEF&CC).

But the KCZMA not received any application on construction of the said resort building. The KCZMA also not received the application for the building situated adjacent to the resort owned by S.Rajendran.

It is concluded that the resort building, dug well and the others incomplete RCC building without having CRZ clearance from either KCZMA or NCZMA are illegal.



P. Kalaiarasan  
Environmental Engineer, DoECC,



Dr. K. P. Laladas,  
Member KCZMA

Annexure - VIII

## Site Inspection Report

### Introduction

The KCZMA has constituted a committee vide Proceedings of the Member Secretary, KCZMA No. 3619/A3/2016/KCZMA dated 28-12-2018 to conduct a site inspection to verify the CRZ status of a building constructed by Smt. Kochan Kudukil Khadeeja and 8 others, Vadakkumbad P.O., Ramathali in Re. Sy No. 66/13 A1 of Ramanthalli Village, Kannur. The committee members Adv. Prakash C Vadakkan, Member KCZMA and Dr. P. Harinarayanan, Principal Scientist, KSCSTE had inspected the site on 24<sup>th</sup> May 2019.


### Observation

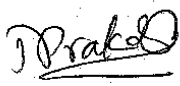
A building with two floors has been completed in the site which is on the banks of river having tidal influence from sea. The construction is 80m from HTL of the River. The construction was completed in 2012 and actual start of construction is not recorded as it lacks a building permit. Smt. Kochan Kudukil Kahdeeja who was present during the inspection, informed that an old building existing in the site and this was demolished. She was not able to produce any documentary evidence for the same. People in locality also informed that small building was in the site used for commercial activities.

The site as per CRZ notification 1991 was in the No Development Zone of CRZ III. Ramathali is an island which has backwater on three sides and sea in western side. The backwater side was treated on par with backwater island and 50m landward HTL is categorised as CRZ and also No Development Zone based on the provisions in CRZ notification 2011.

### Conclusion

The construction was completed in 2012. The details on the year of initiating the construction are not recorded or available. The construction being in an island if done after 06 January 2011 will not attract the provisions of CRZ notification 2011. If the construction was made prior to this date it will be the NDZ and will amount to violations of provisions of CRZ notification 1991.

  
Dr. P. Harinarayanan  
Principal Scientist  
KSCSTE

  
Adv. Prakash C Vadakkan  
Member KCZMA



No. 1930/18

**CRZ SITE INSPECTION REPORT ON CONSTRUCTIONS BY VASU COCO RESORTS PVT LTD IN VAYALAR GRAMA PANCHAYAT, ALAPPUZHA**

**1. Introduction**

Based on the Direction from Hon'ble High Court, Kerala in W.P.(C.) No: 11690/2016 vide order dated 13-11-2018, the Member Secretary, KCZMA deputed Dr. M.I. Andrews, Member, KCZMA to conduct a CRZ site inspection on constructions by M/s Vasu Coco Resorts Pvt Ltd in Vayalar Grama Panchayat, Alappuzha. Accordingly vide Proceeding No. 1930/A2/2018/KCZMA dated 02-03-2019 the site inspection was conducted on 05/03/2019 along with officials from Vayalar Grama Panchayat.

**2. Observations**

The team inspected a total of 12 buildings. The details of the buildings as per panchayat records are given in Annexure-I. The inspected building site is located in the Coastal Regulation Zone of Vayalar Kayal and classified as CRZ III as per the approved Coastal Zone Management Plan (CZMP) of Kerala. The No Development Zone (NDZ) in this area is 100m landward from High Tide Line (HTL) of Vayalar Kayal. It is observed that, out of the inspected buildings, seven buildings are constructed within the No Development Zone (NDZ) of CRZ III and are being used for tourism purpose. The details of the said buildings (as per panchayat records) are given in Annexure II. A portion of the main building (Building No.510) is also within the No Development Zone. As per CRZ notification 2011 clause 8 III A (ii), no construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification. Building construction for tourism usage in NDZ is not a permitted activity as per the notification. It is evident from the records available with the Vayalar Grama Panchayat that, all these seven buildings were newly constructed/ reconstructed in CRZ area after 19-02-1991 without prior approval from KCZMA. Vayalar Grama Panchayath has allotted permanent numbers to four buildings (Nos 505,506,507 and 510) and UA Nos. to three buildings (Nos.501& 502,503 and 504) without prior clearance from KCZMA. It is also observed that a few temporary sheds/buildings for tourism purpose were constructed in the NDZ.

**3. Conclusion**

All the seven newly constructed/reconstructed buildings in the No Development Zone (NDZ) of CRZ III area in Vayalar Grama Panchayat, Alappuzha without obtaining prior clearance from KCZMA are in violation of the Provisions of CRZ Notification 2011.

  
Dr. M.I. Andrews  
Member, KCZMA

