

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

44th MEETING

Agenda & Notes

Venue : Sasthra Bhavan,
Pattom,
Thiruvananthapuram.

Date & Time: 2.30 PM on 17th February, 2011.

KERALA COASTAL ZONE MANAGEMENT AUTHORITY
SASTHRA BHAVAN, PATTOM, THIRUVANANTHAPURAM – 695 004.

Agenda Item No.44.1

Minutes of the 42nd meeting

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

Agenda Item No.44.2

Action Taken Report(42nd KCZMA)

Agenda Item No	File No	Subject	Action taken
42.3.1	2072/A2/10/S&TD	Construction of resort in Manakunnam Village by M/s.Boutique Hotels - Complaints -reg.	Report called form Secretary, Udayamperoor Grama Panchayat. Direction given to KSCSTE to conduct inspection.
42.3.2	2196/A2/10/S&TD	Construction of house in Kadalundi Grama Panchayat under EMS Housing Scheme-reg.	Secretary, Kadalundi Grama Panchayat has been directed to furnish alternate proposal.
42.3.3	2236/A3/10/S&TD	Construction of Special Residential Tourist Home in Varkala Municipal Area-reg.	Rejected. Communication issued to Secretary, Varkala Municipality.
42.3.4	22/A2/2011/S&TD	Construction of a dwelling unit in Panayam Grama Panchayat, Kollam - Application from Shri.Suresh Babu-reg.	Permission granted. Communicated to Secretary, Panayam Grama Panchayat.
42.3.5	80/A2/2010/S&TD	CRZ Notification 2011-reg.	Subcommittee constituted-orders issued.

42.3.6	139/A2/2010/S&TD	Additional construction to residential building in R.s.No.80, 80/3 in Kannur Municipality - Application of Smt.P.V.Nailini & Shri.Shaji Jayaraj, Sajnas, Kannur-reg.	Building plan for 2 floors called for from the applicant.
42.3.7	1463/A2/10/S&TD	Destruction of mangroves in Edakochi area by Kerala Cricket Association-reg.	Notice issued to KCA
42.3.8	1556/A2/10/S&TD	Yasoram Flyover Sky City Project -reg.	Decision communicated to Yasoraminfra Developers.
42.3.9	681/A2/10/S&TD 682/A2/10/S&TD 1430/A2/10/S&TD	Construction of Commercial cum residential complex- Purva Oceana/Purva Grand Bay and DLF Bay View of Marine Drive Scheme-Cochin Corporation	Scrutiny fee pending
42.3.10	1872/A2/10/S&TD	Construction of Commercial-cum-residential Complex in GIDA land - TRIF Kochi Project -reg.	Scrutiny fee pending
42.3.11	2323/A2/10/S&TD	Kadalundi-Vallikkunnu Community Reserve-Construction of Interpretation centre-reg.	Permitted. Decision communicated to Forest Department.

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

44th MEETING

Date & Time

17th February, 2011
2.30PM

Venue

Sasthra Bhavan,
Pattom, Tvpm.

Agenda Items

- 44.1 : Confirmation of the Minutes of 42nd Meeting
- 44.2 : Action taken report on the decision of 42nd Meeting.
- 44.3 : Consideration of New Agenda Item.
- 44.3.1 : Olavanna Grama Panchayat , Kozhikode – Construction of house – Application of Smt.Mini.P.M., Devinilayam, Kozhikode-reg.
- 44.3.2 : Construction of house under Government Housing Scheme – Application of Smt.Koyithummal Radha, Keehariyur, Kozhikode-reg.
- 44.3.3 : Construction of house in Chirayinkil Grama Panchayat-reg.
- 44.3.4 : Construction by people including fishermen folk in the western side of Azheekal-Vellanathuruthu Road in Alappad Grama Panchayat in Kollam-reg.
- 44.3.5 : Establishment of Ice Plant in CRZ area- Application of Shri.L.Michael in Kadinamkulam Panchayat-reg.
- 44.3.6 : Boat building unit in Kadinamkulam Grama Panchayaqt by Shri.Roobans-reg.
- 44.3.7 : Construction of residential building in Mararikulam North Grama Panchayat-reg.
- 44.3.8 : NH-47 between Cherthalai and Thiruvananthapuram – 4/6 lanning – CRZ clearance-reg.
- 44.3.9 : Construction of 15 houses under Government supported schemes in Perayam Grama Panchayat-reg.
- 44.3.10 : Construction of Houses under EMS Housing Scheme – Chorodu Grama Panchayat-reg.

44.3.11	:	Construction of House under EMS Scheme by Shri.Martin in Punnapra North Grama Panchayat-reg.
44.3.12	:	Construction of Petrol Pump on the banks of Kayamkulam backwater in Alappad Panchayat-reg.
44.3.13	:	Construction of Station Office Building at Panavally, Alappuzha by the Director, State Water Transport Department-reg.
44.3.14	:	Reconstruction of a house in CRZ area - Orumanayoor Grama Panchayat - Application of Smt.Bindu-reg.
44.3.15	:	Construction of houses under Ems housing Scheme - Azhiyoor Grama Panchayat-reg.
44.3.16	:	Construction of Residential building in Punnapra South Grama Panchayat by Shri.Rajan-reg.
44.3.17	:	Chavara Grama Panchayat - CRZ clearance for houses constructed under EMS Housing Scheme-reg.
44.3.18	:	Destruction of mangroves in the Campus of College of Fisheries, Panangad, Kochi-reg.

Agenda Item No.44.3.1**File No.974/A2/2010/S&TD****Olavanna Grama Panchayat – Kozhikode- Construction of house –
Application of Smt.Mini.P.M., Devinilayam, Kozhikode –reg.**

KCZMA In its 40th meeting discussed the request of Smt.Mini.P.M., Devinilayam, Kozhikode for the construction of house of plinth area of 51.97sq.m. in the No Development Zone of CRZ-III in Olavanna Grama Panchayat and decided to reconsider the matter based on a site visit and the scientific inputs therein. Accordingly Director, CESS has been entrusted to conduct a site inspection. Copy of the site inspection report may be seen as Annexure 1(a).

From the report it is clear that, the construction comes within the No Development Zone of CRZ-III area and is not permissible as per the provisions of CRZ Notification.

In these circumstances, it may also be noted that construction of houses under various housing schemes has been permitted by KCZMA on various instances. Moreover construction of a house of plinth area about 1200sq.ft., in the No Development Zone of CRZ III, in Panayam Grama Panchayat, Kollam has also been permitted by KCZMA in the 42nd meeting. In this case, the construction proposed is of plinth area 51.97sq.m. only. The property is inherited by the applicant and she has no other land for constructing a house. Moreover there is no proximity of sea or backwater. Hence clearance may be granted to the construction of this dwelling unit.

Point for decision.

KCZMA may consider the request for the construction of the dwelling unit and CRZ clearance may be granted.

Agenda Item No.44.3.2**File No.2000/A2/2010/S&TD****Construction of House under Government Housing Scheme – Application
of Smt.Koyithummal Radha, Keezhariyur, Kozhikode-reg.**

Secretary, Keezhariyur Grama Panchayat, Kozhikode has requested to clarify whether permission may be given for the construction of a house under Govt. Housing Scheme in R.s.No.99/3 of Keezhariyur Village. On inspecting the site it is verified that the construction of a dwelling unit under the Block Panchayat Housing Scheme (Indira Avas Yojana) is progressing on the banks of Agalapuzha. The site is mapped on Map No.59A of KCZMP.

The site is very close to the water body and a few mangroves are also present near the site. The area is a reclaimed paddy field.

The site comes in the No Development Zone of CRZ-III. No new constructions are permissible in the area except reconstruction of existing authorized structures. The request may be considered and approved as it comes under a Government Housing Scheme for marginalized Sections of the Society.

Point for decision

KCZMA may consider the request and allow the construction of house under a Government Scheme as was done earlier in many cases.

Agenda Item No:44.3.3

File No:16/A3/11/S&TD

Construction of House in Chirayinkil Grama Panchayat by Smt.Reeba

The Secretary, Chirayinkil Grama Panchayat has forwarded a proposal for clearance from CRZ for the construction of house by Smt.Reeba in the No Development Zone of CRZ III. The proposal was examined by the Environment Group and a report is made available. Annexure. 3(a)

Point for Decision

Whether the proposed construction may be permitted as suggested by the Environment Group

Agenda Item No:44.3.4

File No:36/A3/11/S&TD

Construction by people including fishermen folk in the Western side of Azheekal - Vellanathuruthu Road in Alappad Grama Panchayat in Kollam

The Secretary, Alappad Grama Panchayat in Kollam has furnished a copy of resolution made by the Panchayat that CRZ clearance be granted to the construction of houses by people including fishermen folk in the Western side of Azheekal- Vellanathuruthu Road in Alappad Grama Panchayat. The proposal was examined by the Environment Group and a report is made available (Annexure 4a)

Point for Decision

Whether CRZ clearance may be granted to the people who made and are about to construct houses in the Western side of Azheekal- Vellanathuruthu Road in Alappad Grama Panchayat as per the conditions laid by the Environmental Group.

Agenda Item No:44.3.5

File No:42/A3/11/S&TD

Establishment of Ice Plant in CRZ Area – Application of Shri.L.Michael in Kadinamkulam Panchayat

The 33rd Meeting of KCZMA discussed the case of establishment of Ice Plant by Sri.Michael in Kadinamkulam Panchayat in Non Development Zone of CRZ-III (as per 1991 Rules). The said ice plant is situated only at 25m from the HTL of the sea, and it is an industrial unit. Normally such construction can not be agreed to. However, the 33rd meeting in view of the possibility of making relaxation in CRZ regulation for Local inhabitants and fishermen and fishing related activities, decided to take up the matter with MOEF for permission since this is a small establishment which is essential for the local fishermen community. Accordingly communication was sent to MoEF on 20.1.2010. For this, the Central Ministry has replied that the 2011 Notification provides for location of ice plants in CRZ area. No specific reply as to whether the construction in question is permitted or not is given by the MoEF. A writ petition (1946/11) is also filed by Sri.T.Antony making Shri.Michael as one of the respondents challenging the decision of Central Government vide CRZ Notification 2011 to permit construction of Ice Plants in CRZ-III Area. The W.P.(c) is under the consideration by the Environment Group in KSCSTE to see how the contentions can be countered.

Point for Decision

The KCZMA may examine whether the case of Sri.Michael is agreeable as per provisions of CRZ notification 2011 since the MoEF did not reject the case outright but pointed to the provisions contained in the new notification when this was brought to their attention and sought orders permitting the Ice Plant. It may be noted that ice plant was not a permissible activity under CRZ Notification 1991

Agenda Item No:44.3.6

File No:50/A3/11/S&TD

Boat building unit in Kadinamkulam Grama Panchayat by Shri.Roobans

The Secretary, Kadinamkulam Grama Panchayat has furnished a proposal for granting clearance from CRZ for the boat building unit by Sri.Roobans. The Environmental Group in KSCSTE after examining the case has reported that the construction is permissible under para (8) CRZ-III (iii)(I) of CRZ Notification, 2011 even though it comes under the NDZ of CRZ-III.

Point for Decision

Whether the proposed construction may be permitted as suggested by the Environmental Group

Agenda Item No:44.3. 7

File No:70/A3/11/2010

**Construction of residential building in Mararikulam North Grama
Panchayat**

The Secretary, Mararikulam North Grama Panchayat has forwarded a proposal for CRZ clearance for the construction of a residential building of Sri.E.V.Raju. The Plinth area is 280.54 sq.m. The site belongs to CRZ-III and the construction is proposed in between 200-500m from HTL. The Environment Group in KSCSTE has remarked that the construction is permissible subject to conditions that the building shall not have more than 2 floors, the maximum height limited to 9 m and also that the total numbers of dwelling units shall not be more than twice the number of existing units and total area covered on all floors shall not exceed 33% of the plot size.

Point for Decision

***Whether the CRZ clearance may be given to the above construction
subject to the conditions mentioned by the Environment Group***

Agenda Item No:44.3. 8

File No:72/A3/11/S&TD

**NH-47 between Cherthalai and Thiruvananthapuram - 4/6 lanning - CRZ
clearance**

The project Director, National Highway Authority of India has filed a proposal for CRZ clearance for 4/6 lanning of NH-47 road in between Cherthalai and Thiruvananthapuram. The Environment Group of KSCSTE has furnished their remarks vide (Annexure 8(a))

Point for Decision

Whether the case of NHAI may be recommended and forwarded to Ministry of Environment and Forest with the condition stipulated by the KSCSTE.

Agenda Item No:44.3.9

File No:87/A3/11/S&TD

**Construction of 15 houses under Government supported schemes in
Perayam Grama Panchayat**

The Secretary, Perayam Grama Panchayat forwarded a proposal for clearance from CRZ for the construction of 15 houses which are reportedly under Government Supported Schemes. The Environment Group in KSCSTE has examined these cases and furnished a report (Annexure (a))

Point for Decision

Whether clearance from CRZ for the above proposal may be granted as suggested by the Environment Group

Agenda Item No.44.3.10

File No.94/A2/11/S&TD

**Construction of Houses under EMS Housing Scheme – Chorodu Grama
Panchayat-reg.**

Secretary, Chorodu Grama Panchayat has forwarded the proposal for the construction of eight houses under EMS Housing Scheme. 6 of these houses are proposed in the 0-100m from the High Tide Line Zone and 2 in between 100-200m from High Tide Line Zone. The constructions proposed in 100-200m zone will be permissible if a comprehensive plan is prepared as per the guidelines in CRZ Notification 2011. The plan requires approval of National Coastal Zone Management authority also. The six dwelling units between 0-100m zone is not permissible.

Point for decision

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

Agenda Item No:44.3.11

File No:112/A3/11/S&TD

**Construction of House under EMS Scheme by Shri.Martin in Punnapra
North Grama Panchayat**

The Secretary, Punnapra North Grama Panchayat, has made available a proposal for granting clearance from CRZ for the construction of a house under EMS scheme by Shri.Martin. The Environment Group in KSCSTE has examined the case and reported that the provisions of CRZ Notification, 2011 clearly state that the dwelling units (new) can be constructed after leaving 100 m from HTL of sea subject to conditions.

Point for Decision

***Whether the proposed construction can be given clearance from
CRZ as suggested by the Environment Group***

Agenda Item No:44.3.12

File No:130/A3/11/S&TD

**Construction of Petrol Pump on the banks of Kayamkulam backwater in
Alappad Panchayat**

Town Planner, Kollam has forwarded a proposal for construction of Petrol Pump in the banks of Kayamkulam backwater in Alappad Panchayat. Dr.P.Harinarayanan, Scientific Officer, Kerala State Council for Science, Technology & Environment has conducted field inspection and has suggested that the construction is permissible (Field Inspection Report-Annexure) 12(a)

Point for Decision

***Whether the CRZ clearance may be granted for the construction of
Petrol Pump in Alappad Panchayat.***

Agenda Item No:44.3.13

File No:144/A3/11/2010

**Construction of Station Office Building at Panavally, Alappuzha by the
Director, State Water Transport Department**

The Transport Department in Government has forwarded a proposal submitted by the Director of State Water Transport Department for the construction of a Station Office building at Panavally, Alappuzha at an estimate of Rs.45 lakhs. The Director has reported that in the case of Panavally Jetty, he got a clarification from Local Self Government Department that Boat Jetties and Terminal facilities will not come within the purview of CRZ regulation. The Water Transport Department has no land at Panavally for constructing the Office and therefore it is reported that they were forced to construct the building in the canal. Field Inspection on the basis of the proposal was conducted by Dr.P.Harinarayanan, Scientific Officer of KSCSTE and his report is appended herewith Annexure (a)

Point for Decision

Whether the construction of Station Office Building at Panavally may be permitted subject to the three conditions suggested in the Field Inspection Report

Agenda Item No.44.3.14

File No.179/A2/11/S&TD

**Reconstruction of a house in CRZ area – Orumanayoor Grama Panchayat –
Application of Smt.Bindu -reg.**

Secretary, Orumanayoor Grama Panchayat has forwarded the request for the reconstruction of a house in CRZ area with the funds from Government. The construction comes in the No Development Zone of CRZ area. As per CRZ Notification reconstruction is a permissible activity subject to condition that the existing structure is authorized one. Reconstruction can be done without increase in existing plinth area, FSI and density.

Point for decision

Whether the proposal for the reconstruction of house may be allowed subject to condition.

Agenda Item No.44.3.15**File No.181/A2/11/S&TD****Construction of houses under EMS Housing Scheme – Azhiyoor Grama Panchayat**

Secretary, Azhiyoor Grama Panchayat has forwarded the proposal for the construction of 14 houses under EMS Housing Scheme within 200m of High Tide Line. On verification it is seen that 7 dwelling units are proposed in between 100-200m from High Tide Line and the remaining 7 within 100m. As per CRZ Notification 2011, construction of dwelling units for traditional communities can be permitted in between 100-200m of High Tide Line after preparing a comprehensive plan. The seven Houses within 100m is not permissible.

Point for decision

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

Agenda Item No:44.3.16

File No:2300/A3/11/S&TD

**Construction of Residential building in Punnapra South Grama Panchayat
by Shri.Rajan**

The Secretary, Punnapra South Grama Panchayat has forwarded a proposal for CRZ clearance for the construction of a residential building by Shri.Rajan in the NDZ of CRZ-III. The Environment Group in KSCSTE has examined the proposal and has furnished a report vide Annexure ^{H(q)}

Point for Decision

***Whether the proposed construction may be given relaxation from
CRZ.***

Agenda Item No:44.3.17

File No:146/A3/11/S&TD

**Chavara Grama Panchayat - CRZ clearance for houses constructed under
EMS Housing Scheme**

The Secretary, Chavara Grama Panchayat has submitted a proposal for giving clearance from CRZ for houses constructed (217 Nos) under EMS Housing Scheme. The Environment Group of KSCSTE have a detailed study of the proposal and has furnished a report vide Annexure 17(a)

Point for Decision

Whether the proposal submitted by Secretary, Chavara Grama Panchayat may be agreed to and the referred constructions may be given relaxation under CRZ.

Agenda Item No.44.3.18

File No.660/A2/09/S&TD

**Destruction of mangroves in the Campus of College of Fisheries,
Panangad, Kochi -reg.**

After discussing the case of the destruction of mangroves in the Campus of the College of Fisheries, Panangad, Kochi, a subcommittee has been entrusted to conduct a site inspection and to furnish a report. The report also has been discussed by the authority, and decided to call for explanation from the University, and to take remedial action including replanting of mangroves.

Report received from Kerala Agricultural University may be seen as Annexure. 18(a)

Point for decision

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

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

Minutes of the 42nd Meeting of Kerala Coastal Zone Management Authority

Date & Time : 22nd January, 2011 at 2.30 PM

Venue : Sasthra Bhavan, Pattom, Thiruvananthapuram

The meeting commenced at 2.30PM. The Chairman welcomed all the Members to the meeting of the Authority. Thereafter, the Authority considered the items in the Agenda.

List of Members present is given as Annexure I

Agenda Item No.1

KCZMA considered the minutes of the 41st meeting and approved it.

Agenda item No.2.

Action Taken Report

The Authority noted the action taken on the decisions of 41st meeting of KCZMA and approved it.

Agenda Item No.3

New proposals for consideration

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Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-
Dr.C.T.S.Nair,
Chairman, KCZMA.

Agenda Item No.42.3.1**File No.2072/A2/10/S&TD****Construction of resort in Manakunnam Village by M/s.Boutique Hotels-
Complaints-reg.**

Secretary, Manakunnam Village Padasekhara Samrakshana Samithi, Kandanad, Ernakulam submitted a complaint against the construction of resort/hotel at Poothotta. It is informed that the area comes in Map No.32A of CZMP and hence it belongs to CRZ-I. It is also added that, while issuing CRZ clearance it was assumed that the area comes under CRZ-III category. The petitioner also alleged that, canals, in the area were reclaimed and bore wells were made unauthorisedly.

In the report submitted, KSCSTE has informed that the area belongs to CRZ-III itself, as per CZMP and CRZ status report.

KCZMA discussed the case in detail. It has been decided to seek a compliance report. It has also been decided to authorize the KSCSTE to conduct an inspection at the site to check whether all the condition stipulated in the CRZ clearance issued to Boutique Hotels and Resorts has been followed by the project proponent. KCZMA also recalled the constitution of a subcommittee conducting enquiries on CRZ violation in the area directed KSCSTE to expedite the report and place it in the next KCZMA meeting

Agenda Item No.42.3.2**File No.2196/A2/10/S&TD****Construction of house in Kadalundi Grama Panchayat under EMS Housing
Scheme-**

Secretary, Kadalundi Grama Panchayat, Kozhikode has forwarded the proposal for the construction of a house under EMS Housing Scheme in

Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/
Dr.C.T.S.Nair,
Chairman, KCZMA.

Re.Sy.No.26/7 of Kadalundi Panchayat at a distance of 25m from the seacoast. The site is at a distance of 2.7m from the banks of Chaliyar puzha. The total plinth area of the proposed building is 40sq.m.

The site is in the No Development Zone of CRZ III area. Construction of new buildings is not permissible in this area.

KCZMA discussed the case in detail and observed that the proposed construction comes very close to the sea and river. Hence construction cannot be allowed in the area as per CRZ Rules. It has also been decided to call for alternate proposals from the panchayat after considering an overall dwelling plan.

Agenda Item No.42.3.3

File No.2236/A3/10/S&TD.

Construction of Special Residential Tourist Home in Varkala Municipal Area.

The Secretary, Varkala Municipality has forwarded an application for the construction of buildings for Special Tourist Home in sy.No.707, 709 & 710 in Varkala Municipal Area. A small part of the land comprised in Sy.No. 707, 710 comes under CRZ-I category and the rest in CRZ-II.

The case was placed before the 41st meeting of the KCZMA and it was decided to collect certain details from the Municipality. Municipal authorities furnished the details regarding the Sy.No. of reference building, abutting plot and FSI and FAR.

KCZMA discussed the case in detail and decided to reject the proposal as per the provisions in the CRZ Notification 2011.

Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-
Dr.C.T.S.Nair,
Chairman, KCZMA.

Agenda Item No.42.3.4

File No.22/A3/11/S&TD

**Construction of a dwelling unit in Panayam Grama Panchayat, Kollam –
Application from Shri.Suresh Babu**

The Secretary, Panayam Grama Panchayat has forwarded a proposal for the construction of a dwelling unit in Sy.No.40/9-3 of Panayam Village, at a distance of 62m from the banks of Ashtamudi backwaters. The Panchayat reported that the width of the water body at the site is about 100m. As per the plan the total plinth area of the construction is 121.44sq.m.

The proposal was placed before the KCZMA in its 38th meeting on 25.9.2010. KCZMA discussed the case in detail and decided to scrutinize the application and take a decision to issue clearance provided the construction is under a time bound housing scheme of the Government being implemented for marginalized sections of the Society who has no other land and the applicant belongs to eco system people. The Panchayat reported that the proposed construction does not come under any housing scheme implemented by the Govt. However, the applicant and his family is engaged in coir manufacturing for 25 years for their livelihood. The land in question was inherited by them as ancestral property and they have no other land for constructing a house.

KCZMA discussed the case in detail and decided to grant CRZ clearance for the construction of house considering that the applicant fall under the category of ecosystem people.

Agenda Item No.42.3.5

File No.80/A2/2010/S&TD

CRZ Notification 2011-reg.

Ministry of Environment and Forests has published the new CRZ Notification 2011 on 6.1.2011.

Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-
Dr.C.T.S.Nair,
Chairman, KCZMA.

KCZMA discussed the CRZ Notification 2011 in detail. The KCZMA has decided to take time bound actions for publishing the provision of the rule and build capacity for decision making based on the rule. It has also been decided to constitute a subcommittee with Dr.N.R.Menon, Member, KCZMA, Prof..B.Madhusoodana Kurup, Member, KCZMA, Dr.K.V.Thomas, Scientist, CESS and Dr.Kamalakshan Kokkal, Joint Director, KSCSTE as members. The sub committee will make a presentation before the Authority in the next meeting for highlighting the provisions of the rule as well as to interpret the provisions, wherever required. They are also entrusted to prepare an advertisement based on the permissible/non-permissible activities in CRZ for facilitating KCZMA to publish it. It was also decided to organize the training programme for the officials of Local Self Government Institutions through the Kerala Institute of Local Administration(KILA), Thrissur with the support of resource persons from CESS and KCZMA.

Agenda Item No.42.3.6
File No.139/A2/10/S&TD

Additional Construction to residential building in R.S.No.80, 80/3 in Kannur Municipality - Application of Smt.P.V.Nalini & Sri.Shaji Jayaraj, Sajanas, Kannur

CRZ clearance has been granted to Sri.M.Jayaraj for the construction of a residential building in R.S.No.80, 80/3 in Kannur Municipality in the year 2006. Later the applicant approached the Authority to grant permission for the construction of one additional floor for running a hotel/restaurant. On verification it was seen that, the applicant has modified the plan and use of the building after obtaining CRZ clearance. Hence the Authority directed the Municipal authorities to check whether any of the provisions of CRZ Notification 1991, has been violated in this case. The applicant has submitted a representation before the Hon'ble Chief Minister, pursuant to the above direction of KCZMA. In the representation , she has highlighted that they are facing serious financial crisis and hence they used the residential building as a hotel.

Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-
Dr.C.T.S.Nair,
Chairman, KCZMA.

The matter came up for the consideration of the KCZMA in its 37th meeting held on 23.7.2010. In the above representation, the applicant pointed out that she has applied for the construction of one additional floor of 1500sq.ft. area. The Authority discussed the case in detail and decided to grant CRZ clearance for the above additional construction subject to condition and change in use of building also allowed. Accordingly, the applicant has been directed to furnish the approved building plan and building estimate.

Later on 10.11.2010, the applicant submitted plans for the additional construction of additional 3 floors for tourism purpose. The proposed construction is above the existing building.

KCZMA discussed the case and decided to stick to earlier decision taken in the 37th meeting and rejected the request for additional construction of three floors as it is not permissible as per CRZ Notification.

Agenda Item No.42.3.7
File No.1463/A2/10/S&TD

Destruction of mangroves in Edakochi area by Kerala Cricket Association-
reg.

KCZMA examined the complaints received from various NGOs on the destruction of mangroves at Pambaimoola, Edakochi, Ernakulam District by KCA, and directed them to stop all the activities in the area undertaken in violation to the provisions of CRZ Notification 1991. MoEF has directed KCZMA to take action as per rules and to furnish report within 15 days, as per the order dated 21.12.2010. Following the direction from the Ministry, CRZ status report of the area has been prepared for KCZMA, and the KCA was directed to furnish explanation for not taking action as per EP Act 1986 vide letter dated 10.1.2011.

Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-
Dr.C.T.S.Nair,
Chairman, KCZMA.

KCZMA noted the case and authorized the Chairman, KCZMA to take necessary actions.

Agenda Item No.42.3.8

File No.1556/A2/10/S&TD

Yasoram Flyover Sky City Project-reg.

Managing Director, Yasoraminfra Developers Pvt. Ltd. has submitted the modified proposal for the establishment of Sky City Project, as directed by MoEF, after receiving the judgment of Hon'ble High Court dated 5.8.2010, in the WP©No.34311/09. KCZMA considered the proposal and entrusted a Subcommittee to examine all the aspects of the modified proposal. A review petition has been filed against the above judgment. In the order dated 21.12.2010, in the review petition, the Hon'ble High Court has clarified that in taking a decision, the Kerala Coastal Zone Management Authority would consider all materials placed before it, and would not be confined to any particular aspect reflected in the judgment on 5.8.2010 and would be free to consider all relevant facts, including the opinion of the Government. The Court did not fix a time limit to arrive at a decision.

KCZMA discussed the sub committee report in detail and decided that the project is not permissible as per the provisions of CRZ Notification. The KCZMA also decided to call for reasons, if any, from the proponent for not rejecting the request and whether they have any further arguments for consideration.

Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-
Dr.C.T.S.Nair,
Chairman, KCZMA.

Agenda Item No.42.3.9

File No.681/A2/10/S&TD

File No.682/A2/10/S&D

File No.1430/A2/10/S&TD

**Construction of Commercial cum residential Complex - Purva
Oceana/Purva Grand Bay and DLF Bay View of Marine Drive Scheme-
Cochin Corporation.**

M/s.Purvankara Projects Ltd. and DLF Ltd. submitted proposals for the construction of Commercial cum residential Complex at plot No.N1-4, N-4 and N5 of Marine Drive Scheme Cochin Corporation. KCZMA earlier discussed the proposal and authorized the Subcommittee to examine the CRZ status of the area.

Sub committee report has been discussed by KCZMA in detail. It has been decided to recommend the three projects to MoEF, Govt. of India, subject to conditions:

- i) Construction of the apartments should be subjected to the existing(existing as on 19.2.1991) local Town and Country Planning Regulations.***
- ii) Floor Space Index/Floor Area Ratio allowed for construction shall not exceed what was existing as on 19.2.1991.***
- iii) The project proponent shall submit all required information for scrutinizing the project as per the guidelines issued by the MoEF.***

Agenda Item No.42.3.10

File No.1872/A2/10/S&TD

Construction of Commercial-cum-residential Complex in GIDA

land - TRIF Kochi Project -reg.

M/s.TRIF Kochi projects has submitted the proposal for the construction of a residential project in Sy.No.843 of Ernkaulam . KCZMA in its 41st meeting discussed the matter in detail and entrusted the Subcommittee to examine the CRZ status of the area thoroughly

Sd/-

Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-

Dr.C.T.S.Nair,
Chairman, KCZMA.

Report of the sub committee has been discussed by KCZMA in detail. It has been decided to recommend the project to MoEF stating that 25hectares of land has been reclaimed by GIDA and the Hon'ble High Court has declared this area as outside CRZ. It was also decided to bring the pros and cons of this to the attention of MoEF so that an appropriate decision could be taken.

Agenda Item No.42.3.11

File No.2323/A2/10/S&TD

Kadalundi – Vallikkunnu Community Reserve – Construction of Interpretation Centre-reg.

DFO, Kozhikode Division has submitted proposal for the construction of a building for Interpretation Centre at Kadalundi Vallikkunnu Community Reserve. It is proposed to construct the building using bamboo ply. The objective is to impart conservation awareness to students and public. The proposed structure is of semi permanent nature. It is also informed that destruction of mangrove or other vegetation are not involved in this project.

KCZMA discussed the case in detail and decided to grant CRZ clearance for the construction.

Meeting came to a close at 5.00PM.

Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-
Dr.C.T.S.Nair,
Chairman, KCZMA.

Annexure - I

Kerala Coastal Zone Management Authority – 42nd Meeting at
2.30PM on 22.1.2011

Present:

1. Dr.C.T.S.Nair, Chairman, KCZMA.
2. Dr.N.P.Kurian, Director, CESS.
3. Smt.Mercykutty Amma.J., Ex.MLA
4. Dr.N.R.Menon, CUSAT
5. Prof.B.Madhusoodana Kurup, CUSAT.
6. Sri.K.S.Srinivas, Special Secretary to Government , Industries
Department
7. Smt.N.K.Jaya, Under Secretary, Fisheries & Ports Department.
8. Sri.Prasnath.H., Town Planner, Office of the Chief Town
Planner.
9. Smt.Lovely.V.T., Senior Environmental Engineer, K SPCB.
10. Dr.R.Ajayakumar Varma, Member Secretary.

Sd/-
Dr.R. Ajayakumar Varma,
Member Secretary.

Sd/-p
Dr.C.T.S.Nair,
Chairman, KCZMA.

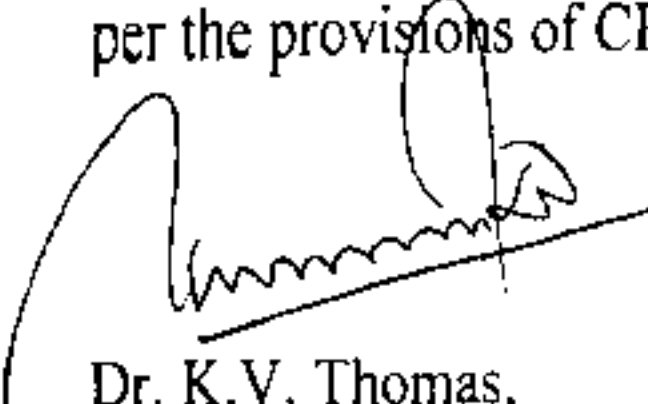
Amx. I(a)

**Report on the proposed construction of a house in Pantheerankavu village,
Kozhikode district with respect to CRZ**

The KCZMA has considered a request from Ms. Mini P.M., Devi Nilayam, Cherukalathur, Kozhikode to construct a house R.S.No.175/6, 7 in Pantheerankavu village, Kozhikode District. As per the decision taken in its 40th Meeting, the Chairman, KCZMA, vide letter No.974/A2/10/S&TD dated 18-11-2010, requested the Centre of Earth Science Studies to submit a report on the above request of Ms. Mini P.M, with respect to the CRZ of the area.

The referred site is located in Ward No.15 in Olavanna gramapanchayat on the banks of Ara puzha. Vazhyur Panchayat is on the opposite bank of the river. The above site was inspected and necessary field data collected by Mr. D. Raju, Technical Officer, CESS on 10 December 2010, after informing the panchayat. The site is located north of Manakkadavu at Lat & Long $11^{\circ}13'19''N$ and $75^{\circ}52'31''E$. It is in the coastal regulation zone bordering Ara puzha which is the upstream part of Chaliyar river which joins the sea at Beypore about 12 km down stream of the site under reference. The Chaliyar when it reaches Olavanna & Vazhayur panchayats as it flows upstream, is known as Ara puzha. The Ara puzha is influenced by tidal action up to a tidal barrage about 7.5 km upstream of the site. The river is more than 300m in width. The site is shown in Map No.55B of the CZMP of the State and the CRZ here is CRZ III.

The terrain is elevated with lateritic vertical banks and sloping towards the river. The site is covered with vegetation consisting mostly of shrubs and trees and has a width of about 20 m. The height is about 2 to 5 m from the river level. The site is sandwiched between a gravel road and the river. The HTL is along the earth embankments along the banks of the river. No sensitive and important ecosystems relevant to CRZ are found in the vicinity. The entire plot is in CRZ III and within the No Development Zone. Construction of a new house is not permissible in this site as per the provisions of CRZ.


Dr. K.V. Thomas,
Scientist F, CESS



Annex-3a¹²

Kerala State Council for Science, Technology and Environment

No.205/ENV/2010/CZMA

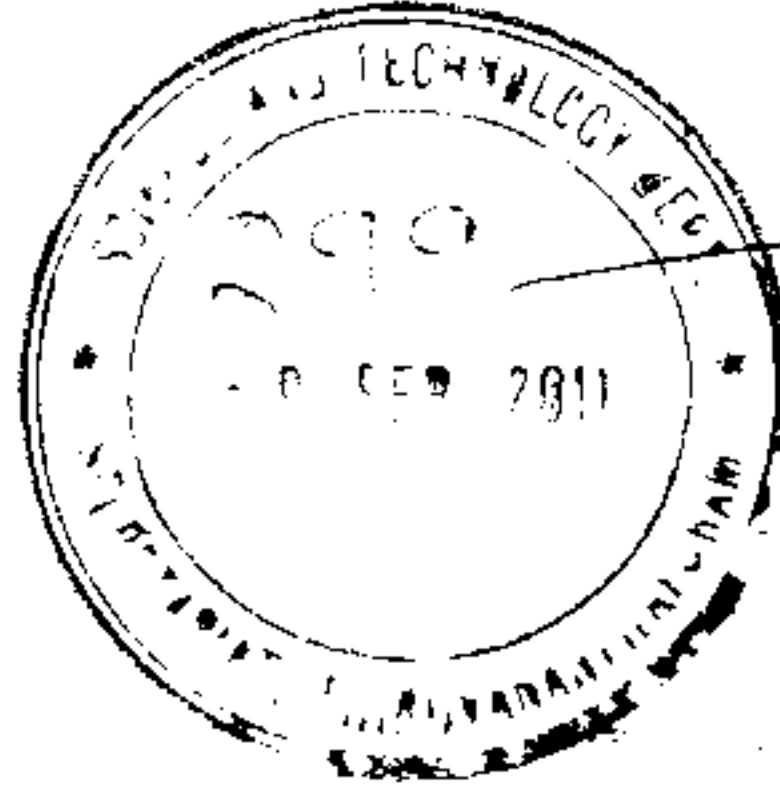
Dated: 07.02.2011

From

Joint Director
KSCSTE

To

The Secretary
S&T Department



Sir,

Sub:-Chirayinkil Gramapanchayath - CRZ clearance - reg.

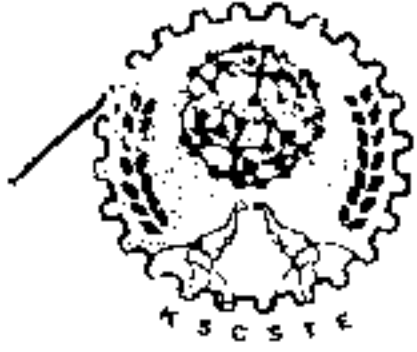
Ref:- No. 16/A3/2011/KCZMA, dated: 17.01.2011.

With reference to the above, the CRZ notification 2011 has provided special dispensation for the coastal community (local inhabitants including fisher folk) for constructing dwelling units. The construction of dwelling units can be permitted in between 100m and 200m from HTL of sea if a comprehensive plan is prepared by the State in consultation with the local community by including disaster management provisions, sanitation and get approved from NCZMA. This proposal can be considered for CRZ clearance on the basis of a plan to be prepared.

The case may be placed in the next KCZMA meeting for further action.

Yours faithfully,

(Dr. Kamalakshan Kokkal)
Joint Director & Scientist E-II
For Member Secretary



13
Annex. A(a)

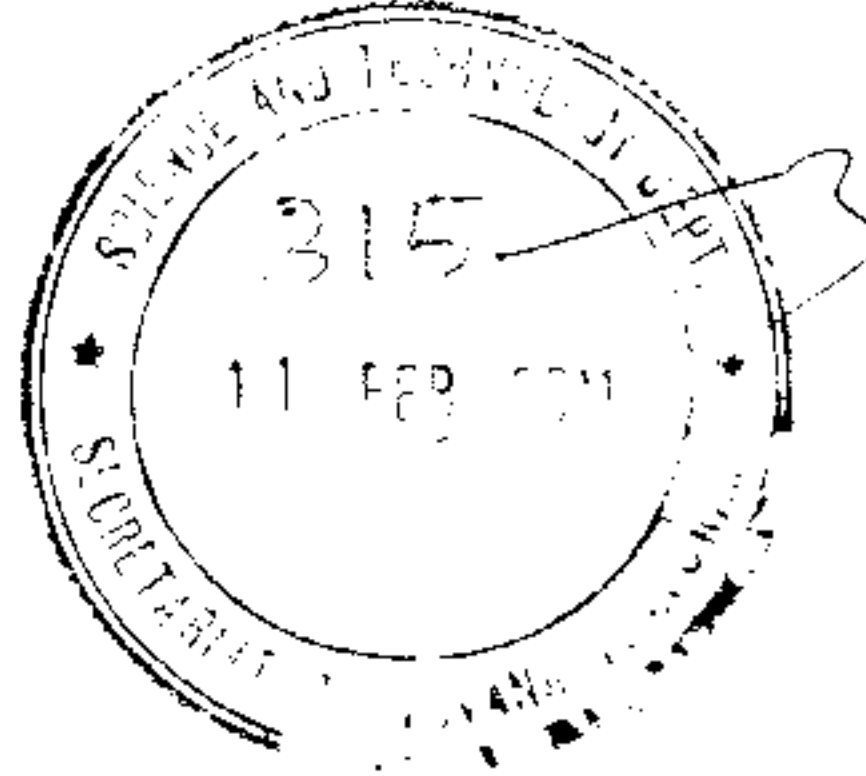
Kerala State Council for Science, Technology and Environment

No. 013/ENV/2011/CZMA

Dated: 03.02.2010

From

Joint Director
KSCSTE



To

The Secretary
S&T Department

Sir,

Sub:- Alappad Gramapanchayath – CRZ rules exemption request – reg.

Ref:- No. 36/A3/2011/S&TD.

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11/2

With reference to the above, Alappad is a coastal panchayath in the Kollam District. It is situated on a narrow strip of land (barrier island) in between TS canal and Arabian Sea. The land area has a varying width from about 50m to 500m and the length is 17km. The area is thickly populated and as per CZMP of the State it is a highly eroding sector even with the presence of sea wall. The 2004 Tsunami had hit this area and 129 lives were lost from this area. The entire area in the panchayath is marked as CRZ-III except the CRZ-I area (area between HTL and LTL and the mangrove areas). The No Development Zone with respect to the sea is 200m from HTL and with respect to backwater it is 100m from HTL of backwater/ TS canal. The area has maximum width of less than 300m and the entire area is under No Development Zone.

The S&T Department had recently recommended the area to be brought under the ICZMP programme under the World Bank supported scheme of MoEF to be implemented in Kerala.

In 2011 CRZ notification the No Development Zone of CRZ-III can be reduced to 100m for constructing dwelling units for traditional community including fisher folk in accordance with a comprehensive plan prepared by the State Govt. in consultation with the traditional coastal community including fisher folk and incorporating the necessary disaster management provisions including sanitation facilities with the recommendation of the State CZMA and the approval of NCZMA. This may help to resolve a few issues pertained to dwelling units in the Panchayath.

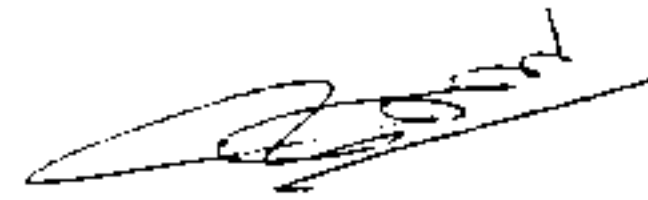
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The case of Alappad Gramapanchayath may be taken up immediately for preparing a comprehensive plan so as to provide dwelling units in the area. The same methodology once developed for comprehensive plan can be later used for other panchayaths. It may also be noted that the Alappad was provided with large number of dwelling units under Tsunami Rehabilitation Programme and all these were constructed landward of existing road without CRZ clearance. All these constructions were made by incorporating necessary disaster management provisions as suggested by experts after Tsunami. (The State Govt. has appointed a high level team consisting of Heads of Departments of State PWD, CPWD, KSHB, KESNIK, District Collectors of Kollam, Alappuzha and Ernakulam etc. in order to evolve a suitable design for the construction of permanent houses in the Disaster Zones as well as Safe Zone for the purpose).

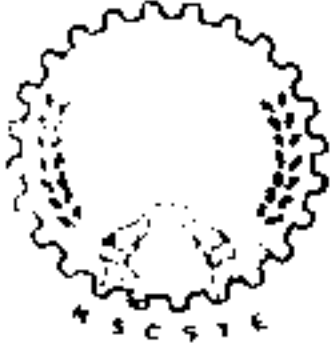
The CESS may be requested to provide necessary support for preparing the comprehensive plan and KSCSTE may consider providing necessary financial support at initial stage for the same from the plan fund for KCZMA. The comprehensive plan may be developed for the area on priority.

The case may be placed in the next KCZMA meeting for suitable decision.

Yours faithfully,



(Dr. Kamalakshan Kokkal)
Joint Director & Scientist E-II
For Member Secretary



15

Annex 8(a)

Kerala State Council for Science, Technology and Environment

No. 014/ENV/2011/CZMA

From

Joint Director
KSCSTE

To

The Secretary
S&T Department

Sir,

Sub:- Cherthalai – Thiruvananthapuram NH 47, 4/6 laning – CRZ
clearance request – reg.

Ref:- No. 72/A3/2011/S&TD.

With reference to the above, the proposed widening of existing NH 47 is passing through CRZ-I (1) area only in one location in Map 5 of CRZ status report prepared by CESS. This is a mangrove area. The road is to be widened in the No Development Zone of CRZ-III. Roads for local community is a permissible activity in CRZ-III No Development Zone. In CRZ-I area suitable engineering solutions may be adopted so as to avoid CRZ violations. KCZMA may consider the proposal for recommending to MoEF.

Yours faithfully,

(Dr. Kamalakshan Kokkal)
Joint Director & Scientist E-II
For Member Secretary



15
Annex 9(a)

Kerala State Council for Science, Technology and Environment

No.017/ENV/2011/CZMA

Dated: 07.02.2011

From

Joint Director
KSCSTE

To

The Secretary
S&T Department



Sir,

Sub:-LSGD - Govt. Housing Schemes - NoC request from KCZMA - reg.

Ref:- No. 87/A3/2011/S&TD.

With reference to the above, the Secretary, Perayam Gramapanchayath has forwarded a list with 15 construction sites under Govt. supported schemes. The list has 6 reconstruction of dwelling units and 8 new construction. The house construction no. 15 has no details. The area has inland waterbodies and width of the waterbody is not mentioned. The CRZ of the area will be 100m from HTL or distance equal to the width of waterbody (whichever is less). Reconstruction will be permissible in this CRZ-III area if the existing constructions are authorised ones without increase in plinth area, FSI and density. The other constructions may not be permissible as they are proposed in the No Development Zone of CRZ-III.

Yours faithfully,

(Dr. Kamalakshan Kokkal)
Joint Director & Scientist E-II
For Member Secretary

9/2

- D -

Annex. 12(a)

Ref: No. 194/ENV/CZMA

Site Inspection Report

The site was inspected on 13/01/2011. The proposed site for petrol pump is on the banks of Kayamkulam backwater which has tidal influence in Allapad Panchayath of Kollam District. The CRZ in Panchayath area are categorised as CRZ I or CRZ III. The area is shown in map No 19 of CZMP. The area at present has no vegetation or other features to be classified as CRZ I. Hence the CRZ of area will be CRZ III. The 100 m from HTL of the backwater is No Development Zone also as width of backwater is more than 100 m.

It was noted that a new road is under construction to the plot from existing panchayath road. Few mangrove vegetation was noted near to road which is under construction.

Fuel filling station for boat requires water frontage and hence it may be permissible in CRZ area and may be considered by KCZMA.

be
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19/1

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19/1

[Handwritten signature]
Dr.P. Harinarayanan
Scientific Officer

Ref No: 193/ENV/10/CZMA

- 18 -

Annex 13(a)

L.S

Field Inspection Report

The proposed construction of station office building for inland water transport department at Panavally is in the water body which are classified as CRZ IV as CRZ notification 2011. Earlier in the CRZ notification 1991, the water body was not under the preview of the notification.

The area for the proposed office building is part of the jetty function and the present building is the small and dilapidated stage to accommodate nearly 100 staff members of the station. This is within 10m from the HTL of backwater. The area does not have any features to be classified as CRZ I.

Construction of office building can also be considered outside water body to reduce pressure if land can be allotted by Government through land acquisition. The construction of office building if at all may be considered by KCZMA on following conditions.

1. Provide septic tanks for the toilets and no waste/ waste water should be dumped or let into the backwater.
2. Reclamation should be permitted only for the installation of fuel tank which is essential for the boat service operated from Panavally.
3. Waste material during construction shall not be dumped in the backwater/CRZ area.


Dr. P. Harinarayanan
Scientific Officer


18/1/2011



19-
Annex 16(a)

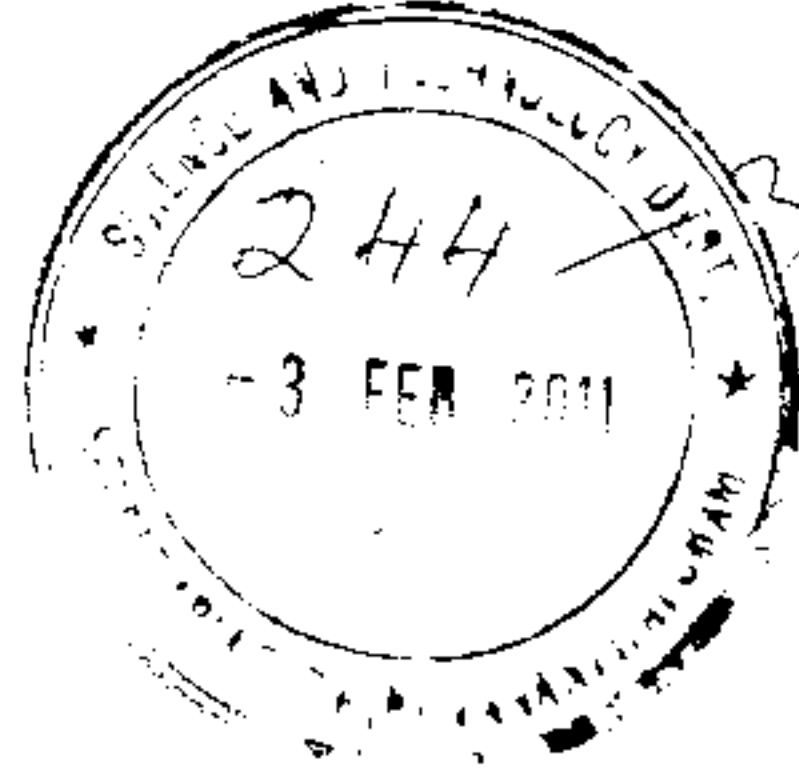
Kerala State Council for Science, Technology and Environment

No. 003/ENV/2011/CZMA

Dated: 18.01.2011

From

Joint Director
KSCSTE



To

The Secretary
S&T Department

Sir,

Sub:- Punnapra South GP - residential building - CRZ clearance request -
reg.

Ref:- Letter No. 2003/A3/10/S&TD.

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3/2

With reference to the above, as per the report of the Secretary the construction is proposed within the No Development Zone of CRZ-III i.e., within 200m from HTL of sea. The proponent is a fishermen by trade and tradition. The proposed construction is 1274 sq.feet in plinth area. As per the provisions of CRZ notification 1991, no new constructions can be permitted in CRZ-III, No Development Zone except repair/reconstruction of existing authorised structures subject to conditions. As the proposed construction is new and lies 70m away from seawall, it cannot be permitted eventhough the applicant belong to traditional fishermen. As per the new notification dated: 6th January 2011 the No Development Zone is 100m for construction of dwelling units for traditional community from HTL of sea subject to conditions and the above construction may not be permitted. It may be placed in KCZMA meeting for a suitable decision.

Yours faithfully,

(Dr. Kamalakshan Kokkal)
Joint Director & Scientist E-II
For Member Secretary



20 -
Annex-17(a)

Kerala State Council for Science, Technology and Environment

No.019/ENV/2011/CZMA

Dated: 07.02.2011

From

Joint Director
KSCSTE

To

The Secretary
S&T Department

Sir,

Sub:-Chavara Gramapanchayath – constructed house violating CRZ rules
-clearance request - reg.

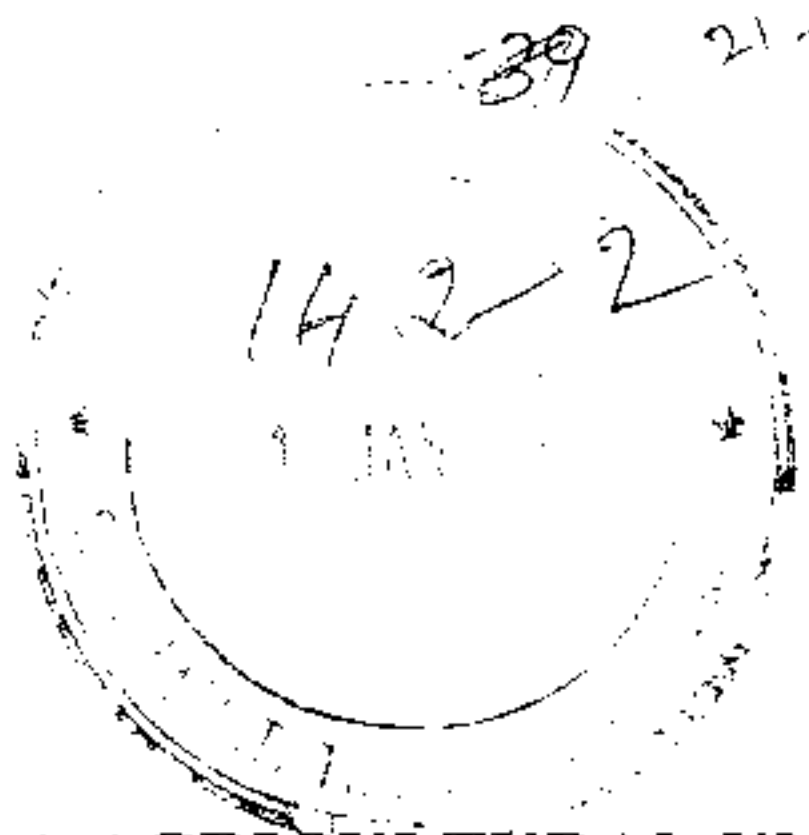
Ref:- No. 146/A3/2011/S&TD.

With reference to the above, as per the list submitted by the Chavara Panchayath Secretary 49 constructions are in between 100m and 200m from sea (HTL is not mentioned). 7 houses are to be reconstructed. Remaining are in the No Development Zone of CRZ-III. Reconstruction can be permitted in the No Development Zone if they are authorised construction i.e., where in existence prior to 19th February 1991, subject to condition that the existing plinth area, density and FSI shall not be increased. Construction of dwelling units for local communities can be permitted if a comprehensive plan is prepared by incorporating the disaster management plan, sanitation facilities etc. The plan need to be prepared in consultation with the local community including fisher folk and should be approved by NCZMA. Regarding other constructions though they are under Govt. sponsored schemes the constructions may not be permissible.

The case may be placed in the next KCZMA meeting for further action.

Yours faithfully,

(Dr. Kamalakshan Kokkal)
Joint Director & Scientist E-II
For Member Secretary



KERALA AGRICULTURAL UNIVERSITY
Main Campus, Vellanikkara, Thrissur-680656

No.GA.E2/36516/10

Dated: 7.1.2011.

From

The Registrar

To

The Ex-Officio Principal Secretary to Government &
Chairman, Coastal Zone Management Authority,
Science and Technology (A) Department,
Sasthra Bhavan, Pattom,
Thiruvananthapuram.

DS
20.1.11 Sir,

Sub:- KAU, Vellanikkara - Destruction of Mangroves in the campus of College of Fisheries, Panangad, Kochi - Explanation called for - Reply furnishing of - reg.

Ref:- Government letter No.660/A2/2010/S&TD dated 29.09.2010.

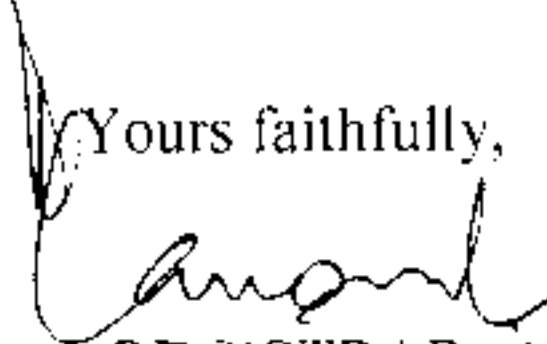
With reference to the letter cited above, I am to inform the following.

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21/1

1. The referred area where destruction of mangroves was said to have occurred lies on the western side of the College of Fisheries campus, comprising of approximately 15 hectares of traditional Pokkali cum Prawn fields with coconut plantations on the embankments. These were private Pokkali fields, inhabited by their traditional owners, but acquired by the Kerala Agricultural University (KAU) during the 1980s for instructional purposes.
2. Unfortunately, these fields were not properly utilized for the purpose for which it was acquired, and left barren without any activity for several years. It was how these lands became covered with thick thorny bushes, mostly the 'muthala chully' as it is locally called, and inhabited with venomous snakes and other dangerous pests, which became a menace to the local people. The place had become a dump yard for all the domestic and industrial wastes, including seafood waste, from local, and from outside the district. Miscreants found it convenient to easily dispose of many dangerously polluting and environmentally damaging wastes in these productive lands, posing severe health hazards to the population. The problem became severe, when an unidentifiable dead body was found from this place.

3. The Kumbalam Grama Panchayath where the College of Fisheries is situated had requested the Dean, College of Fisheries to clear the land of the bushy vegetation, as per their Resolution No.15 dated 08.01.2009 (copy attached). They have cited the bad state of these lands and the worsening situation leading to a public health hazard. They had suggested that these lands should be cleared and reclaimed for paddy cum fish cultivation, for which these lands were acquired by KAU from the local traditional owners.
4. Under these circumstances, the Faculty Advisory Committee of College of fisheries had decided to clear about 2.5 acres of land and reclaim it for traditional Pokkali-prawn filtration activity. This was also in line with the proclaimed policy of the KAU to utilize all the productive areas for paddy cultivation, and thereby strengthen the state's food security. The University had also been actively pursuing a paddy mission in Kerala in association with the State Government, in order to reclaim all unutilized productive paddy fields under KAU for paddy cultivation.
5. While clearing these lands for paddy - fish cultivation, only a few thorny bushes and creepers were removed retaining any mangrove vegetation present. The entire stretch of bushy growth along the National Highway has been retained. All the true mangroves were retained, and the reclaimed fields were immediately used for cultivation of Pokkali rice, which is revealed from the photographs attached herewith. Water channels were dug into the field to preserve the retained mangroves.
6. Action has also been taken by the College to plant mangrove saplings near to the backwaters and within the channels, since these are the wetland regions that are significant to the growth of mangroves and their associated benefits.
7. These facts have been brought to the notice of the Fact-finding Committee who visited the College. It may also please be noted that only one of the members (Dr.N.R.Menon) of the Committee constituted by the Kerala Coastal Zone Management Authority (CZMA) had visited the Campus, and this delegation was apprised of these facts in a convincing manner. Despite this, it is not clear how such a report had been submitted to the CZMA that mangrove vegetation was removed in the campus. It is requested that a copy of the Report may please be made available for making appropriate comments on the observations made.

Thanking you,

Yours faithfully,

REGISTRAR

