

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

48th MEETING

Date & Time

Venue

26th MARCH, 2012
2.30. P.M

Sasthra Bhavan
Pattam, Thiruvananthapuram

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Agenda Item No.48.1

Minutes of the 47th meeting

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

Agenda Item No.48.2

Action Taken Report (46th meeting)

Agenda Item No.	File No.	Subject	Action Taken
46.3.1	96/A2/11/S &TD	Development of Moollampilly Chathanad Road	Proposal forwarded to MoEF
46.3.2	147/A3/11/ S&TD	CRZ clearance for 14 houses constructed under TRP in Punnapra South Grama Panchayat	CRZ clearance granted to 10 constructions subject to condition. Decision communicated. Notice issued to constructions which violated norms and to the Panchayath

46.3.3	226/A2/11/ S&TD	Vellangallur Grama Panchayat construction of house under Government Housing Scheme- Application of Smt. Vilasini	CRZ clearance granted. Decision communicated to Secretary Vellangallur Grama panchayat and applicant
46.3.4	257/A2/11/ S&TD	Construction of House in Sy.No. 74/1 in Moonniyur Village Malappuram Dt. Application of Sri.Maliyekkal Koyamutti	CRZ clearance granted. Decision communicated to the Secretary, Moonniur Grama panchayat and applicant
46.3.5	422/A2/11/ S&TD	Construction of houses in CRZ area, Varappuzha Grama Panchayat Applications of Smt. Rosily Valerious & Smt. Mable D'Cruz	Proposal rejected. Decision communicated to the Secretary, Varappuzha Grama Panchayat and applicant
46.3.6	472/A2/11/ S&TD.	Venkitang Grama Panchayat -Regularisation of residential building of Smt.Nisha Jose, Vellara Veedu, Enamakal.P.O., Thrissur	CRZ clearance granted. Decision communicated to the Secretary, Venkitang Grama Panchayat and applicants
46.3.7	518/A2/11/ S&TD	W.P(C) No.6721/11 filed by Sri.Boney T.A Judgment - reg.	Request rejected. Decision communicated to Standing Counsel, KCZMA, Grama Panchayat & Petitioner
46.3.8	584/A3/11/ S&TD	Clearance for bund construction across Mala Kayal, in Kollam District	Rejected. Informed all concerned
46.3.9	655/A3/11/ S&TD	CRZ clearance sought for construction of hatchery & store room in Elakamon Grama Panchayat	CRZ clearance granted. Decision communicated to the Grama Panchayat and applicant
46.3.10	876/A3/11/ S&TD	Permission sought by the Secretary, Panayam Grama Panchayat for house construction by Shri. Sabu Jose	Granted CRZ clearance. Decision communicated to the Grama Panchayat and applicant
46.3.11	1102/A2/11/ S&TD	Construction of dwelling unit under EMS Housing Scheme. Application of Smt. Ibrahim Nabeeza, Koyilandi	CRZ clearance granted. Decision communicated to the Secretary, Koyilandi Municipality & Applicant

46.3.12	1014/A3/11/S&TD	CRZ clearance sought by Mrs. Vimala D, Thiruvananthapuram for a proposed construction at Pallithura in Attipra Village	Notice given to Thiruvananthapuram Corporation. Copied to applicant
46.3.13	1117/A2/11/S&TD	Construction of Houses in Orumanayur Grama Panchayat, in the NDZ of CRZ area	Decision communicated to the Secretary, Orumanayur Grama Panchayat and applicant
46.3.14	1172/A2/2011/S&TD	Construction of residential buildings in Uduma Grama Panchayat under Government Scheme	CRZ clearance granted. Decision communicated to the Secretary, Uduma Grama Panchayat
46.3.15	1248/A2/11/S&TD	Construction of Houses under Government Housing Scheme Padanna Grama Panchayat	CRZ clearance granted. Decision communicated to Secretary Padanna Grama Panchayat and applicants
46.3.16	1087/A2/11/S&TD	Matsyafed-Establishment of a Nylon Net Factory at Kannur	CRZ clearance granted. Decision communicated to Matsyafed and Fisheries Department.
46.3.17	1320/A2/11/S&TD	Functioning of Plywood Company- Destruction of mangroves - Pappinissery, Kannur	Notice issued to Pappinissery Grama Panchayat and the project proponent.
46.3.18	1358/A3/11/S&TD	CRZ clearance sought by the Secretary, Thrikkaruva Grama Panchayat for a residential building	Rejected. Informed the Grama Panchayat and applicant
46.3.19	1511/A3/11/S&TD	CRZ clearance sought by the Secretary, Thekkumbhagam Grama Panchayat for construction of a Sunday school	CRZ clearance granted. Informed the Grama Panchayat and applicant
46.3.20	1554/A2/11/S&TD	Valapattanam Grama Panchayat shed constructed in CRZ area. Request for CRZ clearance	CRZ clearance granted. Decision communicated to the Secretary, Valapattanam Grama Panchayat

46.3.30	2261/A3/10 / S&TD	CRZ clearancce for Resort Project at Maraikulam North Village by Mari Beach Resorts (P) Ltd	Case deferred
46.3.31	1796/A3/11 /S&TD	DPR of Pilot Project at Mathipuram Slum in Vizhinjam -Rajiv Awaz Yojana	Proposal forwarded to Ministry of environment and Forest
46.3.32	1133/A2/11 / S&TD	Construction of Hospital Complex Cum-Hotel & convention Centre Cheranellore Grama Panchayt, D.M Medicity Hospitals -Reg.	Case deferred
46.3.33	1678/A3/11 /S&TD	Approval of Expert Committee. Report on construction of Engineering College by Quilon Educational Trust	CESS requested to submit report on CRZ situation of the construction with reference to MAP No. 14A of KCZMP & also measure the width of river at undisturbed locations.

Action Taken Report (47th meeting)

Agenda Item No.	File No.	Subject	Action Taken
47.3.1	115/A2/11/ S&TD	Construction of resort in Ramanattukara Grama Panchayat- Application of Sri. Aravindakshan white Line Hotels Ltd.	Proposal forwarded to SEIAA
47.3.2	225/A3/11/ S&TD	CRZ clearance sought by the Secretary, Thekkumbhagom Grama Panchayat for 2 houses in the area.	Clearance granted for one house, other rejected. Decision communicated
47.3.3	262/A3/11/ S&TD	CRZ clearance sought by the Secretary, Chirayinkeezh Grama Panchyat, for a single room shop	CRZ clearance granted. Decision communicated

47.3.4	368/A3/11/ S&TD	CRZ clearance for a house constructed in the Panayam Grama Panchayat	CRZ clearance granted, Explanation sought from Grama Panchayat
47.3.5	1557/A3/11 /S&TD	Request for change of CRZ Status of Edava Grama Panchayat	Rejected. Informed Grama panchayat and copied to LSGD
47.3.6	2053/A2/11 /S&TD	Construction of Petrol pump and office building in Re-Sy.No.145/15,20 in Feroke Grama Panchayat, Kozhikode	Proposal rejected. Decision communicated to the Secretary, Feroke Grama Panchayat, and BPCL
47.3.7	198/A2/11/ S&TD	GCDA-Ring Road Project Phase-1	CRZ clearance granted. Decision communicated to GCDA.
47.3.8	2261/A3/10 /S&TD	Resort Project at Mararikulam by Marari Beach resorts	Scrutiny fee received on 16.03.2012. File under processing
47.3.9	1133/A2/11	Construction of hospital complex cum Hotel & convention centre- Cheranellore Grama Panchayat D.M Medicity Hospital -reg.	Revised CRZ map received. All constructions lies outside 100m of HTL of waterbody. NOC granted.
47.3.10	2287/A3/11	Sewage Treatment Plant at Kureepuzha, Kollam	CRZ clearance granted subject to conditions
47.3.11	2385/A2/11	Construction of commercial building in Re.sy.No.111/8 of Madayi village. Application of Smt. CMK Ramlath	Case deferred. Submitted for consideration of 48 th meeting
47.3.12	897/A2/11	Sewage Treatment plant Mundamveli	Case deferred for detailed examination
47.3.13	2534/A2/11	Construction of STP Karimbanapalam, Kozhikode	CRZ clearance granted.

Agenda Item No. 48.3.

Consideration of Deferred items from the 47th meeting

**Construction of a commercial building in Re. Sy.
No.111/8 of Madayi Village. Application of Smt. C.M.K
Ramlath - Reg.**

The Secretary, Madayi Grama Panchayat has forwarded the proposal for the reconstruction of a commercial building in Re.Sy.No.111/8 of Madayi Village. The site is at a distance of 85m from the banks of Pazhayangadi river. As per the assessment register, the building existed in the plot prior to 1986. The total built up area of the Ground+1 Floor of the proposed building is 141.43m². The height of the building is 7m. The estimated cost of the building, as per records is Rs.8,20,000/- (Eight Lakh Twenty Thousand only)

The following is the observation of the Environment group of KSCSTE.

“The proposed reconstruction of commercial building is to be made in the No Development Zone of CRZ III. As per CRZ notification, reconstruction of existing authorised

building is permissible in the NDZ of CRZ III, without increase in existing plinth area, FSI and density. The existing construction is authorised and was built and regularised prior to 1991. The existing building is single storied and the ground floor plinth area is 123.32m². The proposed reconstruction is a two storied building with ground floor plinth area of 67.63m² and 1st floor plinth area of 73.80m² totalling 141.43m². The height of the building is 7m(maximum permissible is 9m). The plinth area is being normally considered for ground floor of the building. Since there is an increase in total plinth area including first floor, the item may be discussed in KCZMA meeting for granting clearance”.

As per Para 8 III(ii) of CRZ Notification 2011, repairs or reconstruction of existing authorised structures not exceeding existing FSI, existing plinth area and existing density can be permissible. But in the case of the above construction, the proposed building has more plinth area, than that of the existing one. The matter may be discussed in the KCZMA and suitable decision may be taken on granting clearance to the proposal.

POINT FOR DECISION

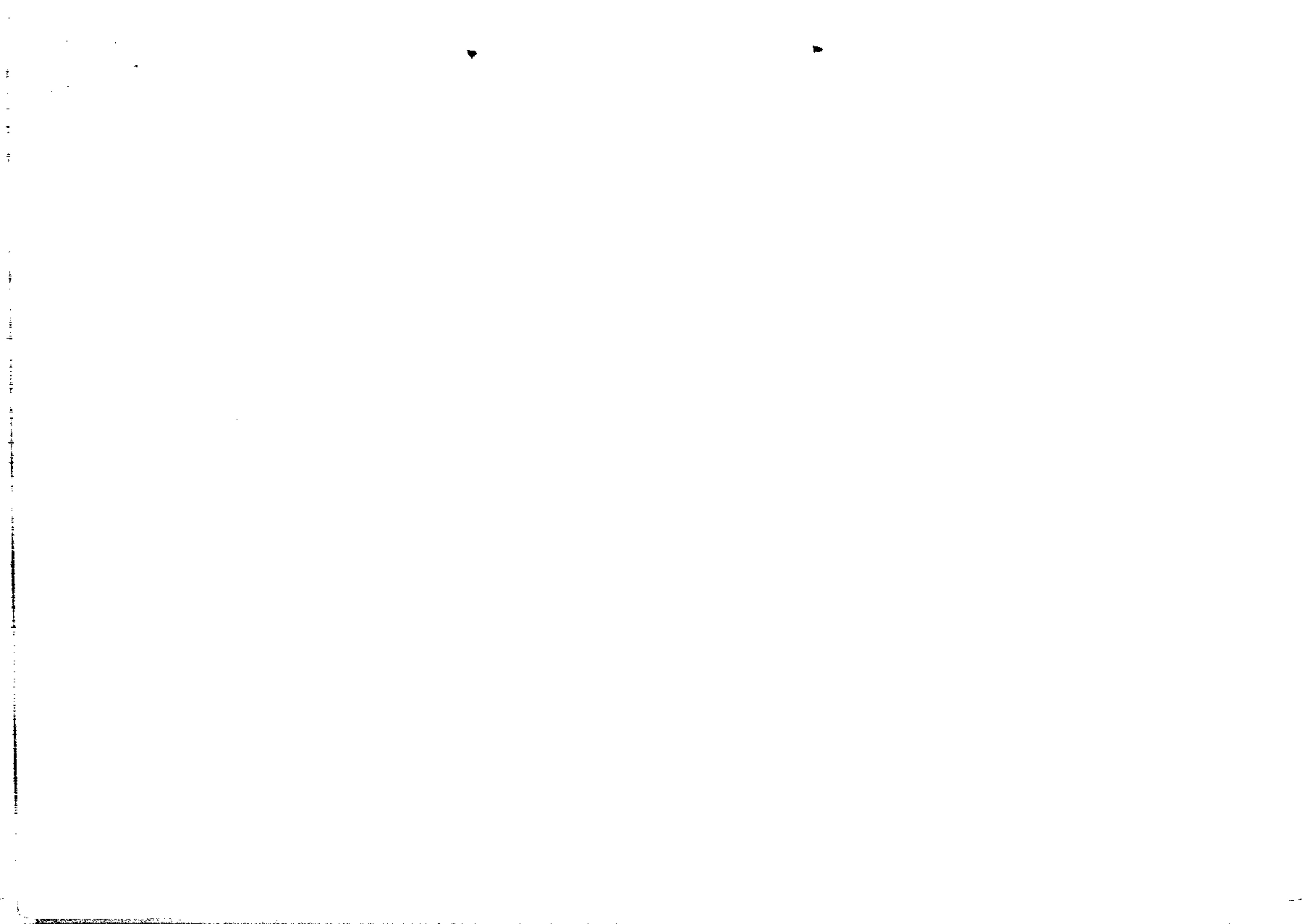
Whether CRZ clearance may be granted for the reconstruction.

Sewage Treatment Plant at Mundamveli, Kochi

News on the massive filling of ecologically sensitive marshy land and destruction of mangroves at Mundamveli, Kochi for STP by Corporation of Kochi was published in the New Indian Express daily on 17-5-2011. Following this a series of complaints on the issue were also received by the Authority. The authority appointed an expert committee to examine the matter. A showcause notice was issued to the Secretary, Cochin Corporation on 19-05-2011 on the ground that land reclamation, bunding or disturbing the natural course of sea water is prohibited as per section 3 (iv) of the CRZ Notification 2011.

The expert team has visited the site on 2-6-2011 and submitted the report on 1-7-2011. Copy may be seen as Annexure II (a).

The report was also sent to the Corporation, KSUDP and LS GD. They were also informed that the Corporation has violated the direction contained in Para 7 of CRZ Notification 2011, while making developmental activities.



The Secretary, Cochin Corporation has furnished their views with respect to the site inspection report.

On examining the reply the Environment group of KSCSTE remarked that “the Cochin Corporation has stated that the area is not CRZ. The committee that had inspected the site has clearly stated that the site falls in CRZ area in Map No.33 of CZMP of Kerala. There are abundant mangrove vegetation in the filtration ponds and along the banks in the site earmarked for STP. The contention that mangrove area over 1000 m² falls in CRZ I is wrong. If the mangrove area is more than 1000 m² then a 50 m buffer zone shall be provided where no development is permissible. If the mangrove inhabited area is less than 1000 m² only the area inhabited by mangrove vegetation is treated as CRZ I. The Cochin Corporation may be directed to obtain CRZ clearance for all projects in CRZ area prior to its implementation.”

Later, the Secretary, Cochin Corporation has submitted the proposal for the construction of a Sewage Treatment Plant at Mundamveli, Kochi for CRZ clearance. On examining the proposal, the Environment Group of KSCSTE opined that “the project site falls in CRZ IA, CRZ IB, CRZ II and CRZ III as per the CRZ status report prepared by CESS. As per the report major part of the area

is reclaimed land and lies in CRZ. Setting up of STP is permissible in CRZ subject to conditions in Para 3(v) (c) of CRZ Notification 2011. The condition for setting up of STP are “the treatment of waste and effluent arising from Hotels, Beach Resorts and human settlements located in CRZ areas other than CRZ I and disposal of treated waste and effluents” can be permitted. In the present case the area falls in CRZ IA and the STP is not permissible in CRZ IA. The Corporation authorities have violated the provisions of CRZ notification by illegally felling mangroves and reclaiming the land. ”

Point for Decision

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

Agenda Item No. 48.4.

New Proposals for consideration

Agenda Item No. 48.4.1

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

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

The Secretary, Chavara Grama Panchayat submitted a proposal for according CRZ clearance for houses (217 Numbers) under EMS Housing Scheme. The environment group conducted a detailed study and the matter was placed before the 44th KCZMA meeting. The decision was to authorize chairman, KCZMA & Member Secretary to examine the proposal and issue clearance to those constructions that are feasible as per rules. The environment group has submitted a report, which says that 7 proposals can be permitted as reconstruction, if the houses were in existence, prior to CRZ Notification 1991and56 proposals lie in the NDZ, between 100m – 200m from HTL which can be permitted only based on a comprehensive plan prepared by the Grama Panchayat in consultation with traditional local community and

approved by MoEF. The rest of the proposals are not permissible as per the existing provisions in the CRZ Notification

The constructions in the proposals have already been carried out.

Hence the matter is placed before the KCZMA for appropriate consideration.

CRZ clearance sought for the 11 small constructions in
Perinad Grama Panchayat

The Secretary, Perinad Grama Panchayat has sought CRZ clearance for 11 small constructions in his Grama Panchayat. Of these 10 are used for residential purpose and one is used as a small poultry farm. The inspection report is placed as Annexure 2 (a)

As per the inspection report all the 11 constructions are new constructions and are in the NDZ of CRZ III. Except the construction made by Smt. Leela Vincent the other constructions are dwelling units of poor men.

Hence the matter is placed before the KCZMA for discussion and decision.

**CRZ clearance sought for a petrol retail outlet catering
to fisherman needs in Thrikkunnappuzha Grama
Panchayat**

The Secretary, Thrikkunnappuzha Grama Panchayat has sought CRZ clearance for a petrol retail outlet intended to meet the needs of fishermen, in his Grama Panchayat. The applicant is Smt. K.Radhamany, mother of late L/NK Sujith Babu V (Shourya Chakra) who died in Kashmir fighting terrorists. She supports aged parents, husband & a daughter. The IOC Ltd has issued permit under Defence category for starting a Kissan Seva Kendra at the place. Akhila Kerala Dheevara Sabha & Thrikkunnappuzha Matsyathozhilali Vikasana Kshema Sahakarana Sanghom have also stated that this retail outlet will be a blessing to them, since they have to travel 15 Km to buy fuel now.

The report of the environment group says that the area lies in the CRZ ie. in between 200-500 m from HTL of sea. The area is 330 m from HTL of sea. As per CRZ

Notification para 8(iii) B(ii) facilities for receipt and storage of petroleum products and liquefied natural gas shall be permissible in the area. The notification has not clearly stated the permissibility of retail petroleum outlets.

Hence the matter is placed before the KCZMA for appropriate consideration and decision.

Structural Renovation in Gundu Island by Taj Resorts-

Renewal of CRZ Clearance.

The Kerala Coastal Zone Management Authority recommended the proposal for Structural Renovation in Gundu Island by Taj Resorts to Government of India for environmental Clearance vide Letter No. 1111/B1/2003/CZMA dated 01.07.2004, subject certain conditions. Copy of the same may be seen in Annexure (a)

The Government of India examined the case and accorded environmental clearance under Coastal Zone Regulation Zone Notification 1991 as amended from time to time. , vide order No.II-38/2005-IA-III dated 30.11.2005. Copy of the order of Ministry of Environment forest may be seen in Annexure (b)

The General Manager, Vivanta, Taj Group has requested to renew the order issued by the Ministry of Environment & Forest granting environmental clearance for the structural renovation in Gundu Island by Taj Resorts

since they have noticed that the order of sanction has expired by time. They have stated that they could not pursue the project since the Tourism Industry was affected by Global Recession and that the matter was kept pending till situation improves.

The environment group of Kerala State Council for Science, Technology and Environment has opined that the CRZ Clearance has only a validity period of five years. As the proponent has not initiated any construction/renovation as per the clearance provided, the sanction needs to be renewed and that the renewal has to be taken up with the Ministry of Environment and Forest. They have recommended that since CRZ clearance is involved the case may be forwarded to the Ministry of Environment and Forest after placing the matter in the next KCZMA Meeting.

The KCZMA may consider the case for suitable action.

POINT FOR DECISION

Whether the case may be recommended to the Ministry of Environment and Forest for consideration of the renewal.

Agenda Item No. 48.4.5
File No.1772/A2/11/S&TD

**Construction of building – shopping complex –in Re-
sy.No.71/2 A2 of Ezhome Village, Kannur-Application
of Sri. Cherichi Abdul Khader Haji.**

The Secretary, Ezhome Grama Panchayat has forwarded the application for the construction of a shopping complex in Re-Sy. No 71/2 A2 of Ezhome village. The site is at a distance of 90m on the banks of a river. The proposed building is a double storied one with plinth area 535.86m² and with a height of 7.15m

The environment group of KSCSTE has opined that the proposed commercial complex lies 90m from HTL of river while 100m is the CRZ in the area which is also No Development Zone and no new constructions can be permitted. Only reconstruction of existing authorized buildings can be permitted subject to conditions that the existing plinth area, existing FSI & existing density shall not be increased for permissible activities under the notification.

proposed construction.

Whether CRZ clearance may be granted for the

POINT FOR DECISION

discussion and decision.

The matter may be placed before the KCZMA for

The proponent had submitted an affidavit which is attested by Notary. He has stated that there was a building in the area and he had constructed one 'tailed scheduled bearing No. E.P XI/775 in the place'. Now he proposed to make a construction with plinth area of 535.86m² with two floors(Ground floor 246.12m² and First floor 289.74m²). The plinth area of building No.E.P XI/775 is not given and lies outside CRZ area. The existing building as per the plan given is 422.35m² and is single storied (not certified). The Photograph of the building shown that the existing construction is close to the river and not as per given in the plan submitted. The new construction, if considered as reconstruction, can be permitted subject to the condition that existing plinth area, FSI and density shall not be increased. As per the plan the total plinth area permissible is 422.35m². The proposed plinth area is 535.83m² and for the existing building the plinth area is less when it is taken together for both floors of proposed construction.

Agenda Item No. 48.4.6
File No.1927/A3/11/S&TD

CRZ clearance sought for an old age home in Paravur
Municipality

The Secretary, Paravur Municipality has sought CRZ clearance for an old age home near Akath Kayal. The environment group has remarked that major portion of the area is in CRZ -IV and remaining in CRZ -II. Construction of old age home will not be possible in the plot as it will violate the provisions of CRZ Notification 2011. A small part of the waterbody has been reclaimed and it is in violation of CRZ Notification 2011 and 1991.

Copy of the site inspection report is enclosed as Annexure 6(a). The site inspection has recommended to initiate action against reclamation.

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

**Issuance of building number to shopping complexes
built in Neendakara Grama Panchayat by Harbour
Engineering Department**

Harbour Engineering Department has built 2 shopping complexes of 440 m² & 572.73 m² area in the Neendakara Fishing Harbour with NABARD assistance. The Neendakara Grama Panchayat has reported that these buildings have been constructed without prior clearance from the Grama Panchayat and that the construction falls in the NDZ of CRZ III. The Secretary, Neendakara Grama Panchayat has sought clarification on the issue. The environment group has opined that construction of commercial complex in the NDZ of CRZ-III, is not a permissible activity. The statement made by the Harbour Engineering Department that the port is exempted from provisions of CRZ Notification is not correct. Therefore the present constructions are violations of CRZ Notification 1991 and 2011. The Grama Panchayat has been informed that present construction ^{is} found as violation of CRZ

Notifications 1991 and 2011 and that it calls for action as per sections 5 and 19 of Environment Protection Act, 1986.

Section 5: Power to give directions- Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or authority and such person, officer or authority shall be bound to comply with such directions.

Explanation:- For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct:-

(a) Closure, prohibition or regulation of any industry, operation or process, or

(b) Stoppage or regulation of the supply of electricity or water or any other service

Section 19 :- Cognizance of offences- No court shall take cognizance of any offence under this Act, except on a complaint made by :

(a) The Central Government or any authority or officer authorized in this behalf by the Government; or

(b) any person who has given notice of not less than 60 days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or the officer authorized as aforesaid.

KCZMA may authorise an expert group to assess the environmental aspects/land modification etc owing to the construction and furnish a report. Notice may also be issued to show cause against action to be taken. KCZMA may discuss and take suitable action , since the constructions are violations of CRZ Notification 1991 and 2011 and calls for action as per section 5 & 19 of the Environment Protection Act, 1986.

POINT FOR DECISION

Whether action as suggested above may be pursued.

Agenda Item No. 48.4.8

File No.2273/A3/11/S&TD

Regularisation of a coir shed in Survey No. 9/2 in
Kayamkulam Municipality

The Secretary, Kayamkulam Municipality sought No Objection Certificate for a coir shed in Sy. No 9/2 in Puthupally Village of his Municipality in 2008. According to the environment group, the proposal for construction was in CRZ -II area. At that time, it was remarked that, if the proposed project is only for storage or sale and not for any manufacturing activity, then it can be considered subject to the condition that the proposed building is landward of the existing authorized structure (as on 19th Feb 1991) or landward of existing road (existing during 1995 at the time of preparation of Kerala Coastal Zone Management Plan). These details were sought for from the Municipality. Now the Municipality has furnished a reply stating that regularization is sought for a shed of plinth area 234.60m² where manufacturing and sale of coir is done. The building to be regularized is in the same line of buildings which were there in existence before 1991 and are also authorized.

The environment group has stated that coir manufacturing is usually done by traditional community. Though industries are not permissible in CRZ area, being a traditional community activity, permission may be considered subject to the condition that retting will not be done in the area. Sale of coir will be a permissible activity in CRZ II. As per CRZ Notification, 2011, construction is permissible landward of existing authorized buildings or approved roads in the KCZMP. The present construction to be regularized is located landward of the imaginary line drawn from the adjoining building and extended parallel to the HTL.

Hence the matter is placed before KCZMA for suitable decision.

Agenda Item No. 48.4.9

File No.2528/A2/11/S&TD

**Construction of a residential building in ward No.8, R.S
No. 25/6 of Vallikkunnu Grama Panchayat-application
of Sri. Muhammed Nizar, Cholayil Khadeeja, Kadalundi
Nagaram, Malappuram .**

The Secretary, Vallikkunnu Grama Panchayat has forwarded the application for the construction of a residential building in R.S. No.25/6 in Vallikkunnu Grama Panchayat area by Sri. Muhammed Nizar. It is reported that the construction falls between 400-500m of HTL of sea.

On consultation the Environment group of KSCSTE opined as follows “the proposed construction of the residential building lies in CRZ -III area. As per the provisions of CRZ Notification 2011, construction of dwelling units of traditional community can be permitted subject to condition. The overall height shall not be more than 9m and the number of floors shall be two (ground + one) the construction shall be subject to local, town and

country planning regulation. As per the building plan the height is 9.8m and number of floors is limited to two. Hence the matter is placed before KCZMA for consideration.”

CRZ clearance sought for the construction of
Fishing Harbour at Arthunkal (stage II) in Alappuzha
District

The Chief Engineer, Harbour Engineering Department has sought CRZ clearance for the second stage development of Fishing Harbour at Arthunkal in Alappuzha District. The environment group has opined that the harbour is a facility which requires water front. Hence it is permissible in CRZ area except in highly eroding area & CRZ I (i). The proposed construction of harbour is in CRZ III & CRZ I (ii), as per the CRZ map prepared by the CESS. The handling capacity of the port is less than 10,000 TPA of fish. Hence it does not require EIA clearance.

Hence the matter is placed before the KCZMA for suitable consideration.

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

Minutes of the 47th MEETING of KCZMA

Date & Time
7th February, 2012
2.30. P.M

Venue
Sasthra Bhavan,
Pattom, Thiruvananthapuram

The Meeting commenced at 2.30 p.m. the chairman welcomed all the members to the meeting of the Authority, thereafter the Authority considered the items in the Agenda

List of Participants

1. Shri. V.N. Rajasekharan Pillai (Chairman)
2. Dr. K. K. Ramachandran (Member Secretary)

Members

3. Dr. N. P. Kurian, Director Centre for Earth Science Studies, Akkulam, Thiruvananthapuram
4. Shri. James Varghese, Principal Secretary, Local Self Government Department
5. Dr. K. Padmakumar, Department of Aquatic Biology, University of Kerala
6. Dr. A Ramachandran, Director, School of Industrial Fisheries, CUSAT
7. Shri. Baby John, MCITRA,
8. Shri. K. Radhakrishnan, Additional Secretary, Fisheries Department (Representing Secretary, Fisheries Department)
9. Shri. K. Sajeevan, Chairman, Kerala State Pollution Control Board, Pattom, Thiruvananthapuram
10. Shri. K.P. Chandraprakash, Deputy Secretary, Industries, (Representing Secretary, Industries Department)

Agenda Item No. 47.1

Confirmation of the Minutes of the 46th Meeting

KCZMA considered the minutes of the 46th meeting and approved it.

Agenda Item No. 47.2

Action taken report on the 46th meeting of KCZMA

KCZMA directed to submit the action taken report in the next meeting.

Agenda Item No. 47.3

New Proposals for Consideration

Sd/-
Dr. K.K. Ramachandran, Member Secretary

Sd/-
Prof. V. N. Rajasekharan Pillai, Chairman

Construction of resort in Ramanattukara Grama Panchayat- Application of
Sri. Aravindakshan Water Line Hotels Ltd.

The Secretary, Ramanattukara Grama panchayat has forwarded the proposal for the construction of a resort in Re-Survey No 2/1, 2/2A,3/3, 3/5, 9/4, 9/5, 10, 11/1,11/2,12/1 in ward No 1, in Ramanattukara Grama Panchayat, Kozhikode District.

KCZMA considered the proposal and decided to recommend the same to State Environment Impact Assessment Authority (SEIAA), subject to the following conditions:

- a) The Project proponent shall undertake proposed constructions only beyond the hazard line or 100m from HTL whichever is more.*
- b) The project proponent shall not make any constructions within 100m from HTL.*
- c) No permanent structure for sports facilities except goal posts, net posts and camp post will be permitted.*
- d) Ground water shall not be tapped using mechanical means from CRZ area.*
- e) Extraction of sand, leveling or digging shall not be made in NDZ of CRZ III.*
- f) The quality of effluents, solid waste, emissions and noise level and the like from the project area must conform to the standards laid down by the competent authorities including the Central or State PCB and EP Act 1986.*
- g) Necessary arrangement shall be made for the treatment of the effluents and solid waste and it must be ensured that the untreated effluents and solid waste are not discharged into the river and*
- h) Necessary approval of State Tourism Department needs to be obtained.*
- i) As the site plan shows that water body is to be created in the NDZ, digging being a prohibited activity, it cannot be permitted in CRZ area.*

Agenda Item No. 47.3.2

File No.225/A3/11/S&TG

CRZ clearance sought by the Secretary, Thekkumbhagom Grama panchayat for 2 houses in the area

The Secretary, Thekkumbhagom Grama Panchayat has sought CRZ clearance for two houses to be constructed by Sri. Francis Xavier and Shri. Dominique under a Government aided housing scheme. The matter was placed before the KCZMA meeting held on 09.05.2011. KCZMA decided to defer the case for site inspection.

KCZMA discussed the case with reference to the site inspection and decided to grant CRZ clearance for the construction of Sri. Francis Xavier. The construction of Sri. Dominique is rejected as the distance is only 9 metres.

Agenda Item No. 47.3.3

File No.262/A3/11/S&TD

CRZ clearance sought by the Secretary, Chirayinkeezh Grama Panchayat, for a single room shop

The Secretary, Chirayinkeezh Grama Panchayat has sought CRZ clearance for a single - room shop of 13.44 m² constructed in front of the house of Shri. Muhammed Ummer, as a means of his livelihood. The construction is in the NDZ of CRZ -III area in the Panchayat. The matter was placed before the last KCZMA meeting held on 09.05.2011. KCZMA decided to defer the case for inspection report.

KCZMA considered the case with reference to the field inspection report and decided to grant CRZ clearance for the construction of the shop room in consideration of that the small shop (13.44 m²) is a means of livelihood and is of non-polluting nature.

Agenda Item No. 47.3.4

File No.388/A3/11/S&TD

CRZ clearance for a house constructed in the Panayam Grama Panchayat.

The Secretary, Panayam Grama Panchayat has submitted a proposal for CRZ clearance for a house constructed in the Panchayat. The matter was placed before the KCZMA meeting held on 09.05.2011 and the decision was to defer the case for consideration after obtaining a field inspection report.

The field inspection found that the construction was made 78m from the Kayal, which has more than 100m width. The construction seems to have been regularised, since during the inspection, the owner has informed that his building was allotted number during an Adalat. As per the provisions of CRZ Notification, the construction is violation of provisions in CRZ Notification.

KCZMA discussed the case with reference to the field inspection report and decided to issue CRZ clearance to the construction. It was also decided to call for explanation from the Secretary, Panayam Grama Panchayat, on issuance of building number, without obtaining clearance

Sd/-

Dr. K.K. Ramachandran, Member Secretary

Sd/-

Prof. V. N. Rajasekharan Pillai, Chairman

from the Authority; along with the details of the admittance and its decision upon which the building number was allotted.

Agenda Item No. 47.3.5

File No.1557/A3/11/S&TD

Request for change of CRZ status of Edava Grama Panchayat

Edava Grama Panchayat is currently put in CRZ III category. Considering the development status of the area, the panchayat has requested to include it in CRZ II category.

KCZMA discussed the case and decided to reject the request for reclassification as Edava Grama Panchayat is not a legally designated urban area and reclassification is not possible under the provisions and guidelines in the CRZ Notification 2011.

Agenda Item No. 47.3.6

File No.2053/A2/11/S&TD

Construction of Petrol pump and office building in Re-Sy.No.145/15,20 in Feroke Grama Panchayat, Kozhikode

The Secretary, Feroke Grama panchayat took up for clearance to the construction of a petrol pump and office building by BPCL on lease basis. The 34th KCZMA rejected the same on the ground that commercial ventures are not permissible in CRZ area under CRZ Notification 1991. Now a revised plan proposing construction of an office building of plinth area 39m² and canopy for petrol pump.

The proposed construction of office building for the petrol pump in Feroke Grama Panchayat falls in the No Development Zone of CRZ III as it lies within 100m from High Tide Line of the river, which has tidal influence. Construction of office building and part of petrol pump lie in the CRZ. Receipt and storage of petroleum product is permitted in the No Development Zone of CRZ III while the petrol pump is not mentioned in the CRZ notification.

KCZMA discussed the case and decided to reject the proposal.

GCDA-Ring Road Project Phase-1

The proposal for the construction of a ring road project by GCDA has been discussed in the 45th meeting of KCZMA and it was decided to direct GCDA to make a detailed presentation in the next meeting.

The proposed road starts from Cochin Marine Drive North end and ends at Kumbalam in NH-47. The alignment passes through CRZ-I, CRZ-II, CRZ-III & CRZ IV areas. Reclamation of area in CRZ IV category also involves in the project. But this activity is prohibited in CRZ area. Certain commercial activities including construction of offices of Port Trust, development of park, public recreation space, and for leasing of land for development are proposed in the project.

Construction of road is permissible except in CRZ 1(1) but other activities are not permissible.

Hence, the Authority decided to get more information from the applicant for which the presentation has been called for.

KCZMA decided, on the basis of the presentation made by the project proponent, to grant clearance to the GCDA Ring-Road project phase-1. Road construction alone other activities in the proposal including reclamation are not permitted.

Deferred Agenda Item No. 1

File No. 2261/A3/2010/S&T

CRZ Clearance for proposed Resort Project at Mararikulam North Village and Panchayat, Cherthala Taluk, Alappuzha District by Marari Beach Resorts (P) Ltd.

The Marari Beach Resorts (P) Ltd has sought CRZ clearance for a resort project at Mararikulam North Village, Alappuzha. The site is in between 200m to 500 m from HTL of sea. The matter was placed before the 45th Meeting of the KCZMA and the KCZMA decided to defer the proposal and to call for a presentation by the proponent.

KCZMA discussed the case and decided to recommend the proposal to MoEF, subject to conditions as at Annexure III of CRZ Notification 2011.

**Construction of Hospital Complex cum Hotel & Convention Centre in
Cheranellore Grama Panchayat area D.M. Medicity Hospitals Health Care
Pvt. Limited**

The Secretary Cheranellore Grama Panchayat has forwarded the proposal for the construction of Hospital Complex cum Hotel and Convention Centre in Re. Sy. No. 198,199,200,201-221 in Cheranellore Village Ernakulam District.

KCZMA discussed the case and decided to call for revised proposal re-locating the construction outside 100m or the width of the water body, whichever is less and appropriately buffered from the HTL of the water body.

Additional Agenda Item No. 1
File No. 2287/A3/2011/S&T

Construction of Sewage Treatment Plant at Kureepuzha, Kollam

The Project Director, KSUDP has requested CRZ clearance for the construction of a Sewage Treatment Plant at Kureepuzha, Kollam District.

KCZMA discussed the case in detail and decided to grant permission subject to the following conditions:

- a) The landfill should be shifted to outside CRZ area.
- b) The dumping yard should be replaced and no further dumping of waste should be made there.
- c) Wastes should be segregated at the source and only organic wastes shall be processed.

It was also decided to constitute a monitoring committee with two members:

The Chairman, Kerala State Pollution Control Board and Dr. Padmakumar, Department of Aquatic Biology, University of Kerala shall be the members.

The Kollam Corporation / KSUDP shall submit status report every six months till completion.

Additional Agenda Item No. 2
File No. 2287/A3/2011/S&T

Construction of a commercial building in Re. Sy. No. 111/B of Madayi Village. Application of Smt. C.M.K. Ramesh

The Secretary, Madayi Grama Panchayat has forwarded the proposal for the reconstruction of a commercial building in Re. Sy. No. 111/B of Madayi Village. The site is at a distance of 85 m from the banks of Pazhayangadi River.

As per Para 8 III (ii) of CRZ Notification 2011, repairs or reconstruction of existing authorised structures not exceeding existing FSI, Plinth Area and density can be permissible. But in the case of this construction, the proposed building has more Plinth Area than that of the existing one.

KCZMA deferred the case.

Additional Agenda Item No. 2
File No. 2287/A3/2011/S&T

Sewage Treatment Plant at Mundamveli, Kochi ^{897/12/11}

News on the massive filling of ecologically sensitive marshy land and destruction of mangroves at Mundamveli, Kochi for an STP by the Corporation of Cochin was published in the New Indian Express daily dated 17.05.2011. Following this a series of complaints on the issue were also received in the Authority. The Authority appointed an expert committee to examine the matter. A show cause notice was issued to the Secretary, Cochin Corporation on 19.05.2011 on the ground that land reclamation, bunding or disturbing the natural course of sea water is prohibited as per section 3 (iv) of the CRZ Notification 2011. An expert team visited the site on 02.06.2011 and has submitted a detailed report. The report was sent to the Cochin Corporation and the Local Self Government Department informing that the Corporation has violated the direction under para 7 of CRZ Notification 2011, while making developmental activities and asking their views in respect of the site inspection report. A reply has been received.

KCZMA discussed the case and decided to defer the same for detailed examination.

Additional Agenda Item No. 4
File No. 2534/A2/2011/S&T

Construction of STP at Karimbanapalam, Kozhikode Corporation - CRZ clearance

The Secretary, Kozhikode Corporation has submitted the proposal for the construction of 13.5 MLD STP at Karimbanapalam, Kozhikode for CRZ clearance.

KCZMA discussed the proposal in detail and decided to grant CRZ clearance for the project subject to the condition that Mangroves in the project area shall not be destroyed.

Sd/-
Dr. K.K. Ramachandran, Member Secretary

Sd/-
Prof. V. N. Rajasekharan Pillai, Chairman

**REPORT OF THE EXPERT COMMITTEE ON
RECLAMATION & DESTRUCTION OF MANGROVES FOR
CONSTRUCTION OF STP AT MUNDAMVELL, KOCHI**

1. Introduction

Under the Kerala State Urban Development programme (KSUDP), a Sewage Treatment Plan (STP) has been proposed to be constructed at Mundamveli, Kochi for treatment of sewage for Kochi Corporation. On understanding that the construction of STP has been initiated on a wetland system which comes under the purview of CRZ (2011 and 1991) notifications, the KCZMA issued a stop memo and constituted an Expert Committee to technically evaluate whether any CRZ violation has taken place in the construction of the STP. The Expert Committee was constituted by the Chairman, KCZMA, vide letter No. 897/A2/2011/KCZMA, dated: 19th May 2011 with Prof. B. Madhusoodana Kurup (Member, KCZMA), Prof. N.R. Menon (Member, KCZMA), Dr. K.V. Thomas (Head, Marine Sciences Division, CESS) and Dr. Kamalashan Kokkal (Joint Director, KSCSTE) as members.

2. CRZ of Mundamveli

Mundamveli where the developmental activities for the proposed STP are taking place is in CRZ. The CZMP of Kerala shows the area as Filtration Pond and in CRZ. The site under reference is in Map 33 of the CZMP (Plate 1). The landuse map prepared for coastal zone management (CESS, 1998) also shows the above site as filtration pond. The photographs (taken on 9 June 2011) and satellite imageries of 2002, 2005, 2006, 2010 and 2011 (Plate 2, 3, 4, 5, 6, 7, 8, 9 & 10) confirm this and also show that major reclamations of filtration ponds and other waterbodies were initiated after 2005. The CRZ (1991) classifies the banks of filtration ponds as CRZ I. As per CRZ 2011, the filtration pond and its bed are CRZ IV. Mangroves along the banks of the filtration ponds are CRZ I A as per CRZ (2011). Hence the Mundamveli area consists of CRZ I, CRZ II and CRZ IV.

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The members of the Expert Committee visited the proposed site on 2nd June 2011. The Committee also had a detailed interaction with the stakeholders including the Secretary and other officials of Kochi Corporation and environmental groups. The Committee made the following observations:

3. Observations

1. The proposed site for STP falls in Map No. 33 of the CZMP of Kerala
2. The site lies on the banks of Vembanad backwater system which is influenced by tidal action and consists of filtration ponds inhabited by mangroves.
3. About 16,000 m² of CRZ area consisting of waterbody and tidal marsh have been reclaimed as on 9 June 2011.

4. The proposed site where reclamation is being undertaken for STP, falls mostly in CRZ IA and CRZ IV (as per CRZ 2011)
5. CRZ Clearance from KCZMA and MoEF is required for the establishment of STP in CRZ area. This will ensure the construction and other activities as per the provisions of CRZ and also ensure compensatory measures for the damages to coastal ecosystems.

6. There are abundant mangrove vegetation (CRZ IA) in the filtration ponds and along the banks in the site under reference

7. Part of the waterbody and filtration ponds (CRZ IV) are being reclaimed with soil brought from outside places

8. Mangrove vegetation has been cut and destroyed for facilitating the above reclamation.

9. Construction activities are being carried out in the adjacent areas also, where CRZ area has been reclaimed.

10. Setting up and expansion of units or mechanism for disposal of wastes and effluents are prohibited in CRZ except facilities required for:

- (a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

- (b) storm water drains and ancillary structures for pumping;
- (c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in CRZ areas other than CRZ-I and disposal of treated wastes and effluents;
- (vi) discharge of untreated waste and effluents from industries, cities or towns and other human settlements.

11. No CRZ clearance was obtained from KCZMA/MoEF for the construction of the STP, though it is in the CRZ.

12. The area is part of Vembanad backwater and is defined as a Critically Vulnerable Area (CVC) in the CRZ (2011) notification. Reclamation and cutting of mangroves are being carried out in the area in violation of the provisions of CRZ notification 2011. Further, Vembanad backwater being a Ramsar site, reclamation in the proposed STP area is also in violation of Wetland 2010 notification, Govt. of India.

13. The reclamation activities in the proposed area are in violation of Paddy and Wetland Conservation Act 2008, Govt. of India.

14. It is understood from the officials of the Corporation and KSUDP that the Consultants engaged by them for EIA studies has misled them by giving the advice that the area is not in CRZ and CRZ clearance is not required for the STP project.

3. Recommendations

1. Kochi Corporation and KSUDP may be directed to approach the KCZMA and MoEF with necessary documents to seek clearance/permission for the STP project
2. Kochi Corporation and KSUDP may be directed not to resume any work in the referred site before taking necessary approval/permission from KCZMA and MoEF.
3. Kochi Corporation and KSUDP may be issued show cause notice to explain why they have destroyed mangroves, reclaimed CRZ and initiated

construction/development activities for STP without proper clearance from KCZMA and MoEF.

4. Action may be initiated against the Kochi Corporation and KSUDP as per the provisions of CRZ (2011) notification for taking up construction/development activities in the CRZ without proper approval/permission from KCZMA.
5. Kochi Corporation may be directed to take action against CRZ violations taking place in the adjacent plots including the constructions that are taking place on a reclaimed CRZ area close to and on the other side of the road adjoining the referred site for STP.
6. The Consultants who prepared the EIA for STP, gave a wrong advice that the area is not in CRZ and does not require CRZ clearance. Kochi Corporation and KSUDP may be advised to seek an explanation from the Consultants why such a wrong advice was given and take necessary precautions so that such things are not repeated.
7. The CZMP map No. 33, photographs taken on 9 June 2011 and the satellite imageries attached with the report may also be referred.

Sd/-
Prof. Dr. B Madusoodana Kurup
Member, KCZMA

Sd/-
Prof. Dr. N R Menon
Member, KCZMA

Sd/-
Dr. K.V. Thomas
Head, Marine Sciences Division, CESS

Sd/-
Dr. Kamalakshan Kokkal
Joint Director, KSCSTE

13
Annexure: 2(a)

Field Inspection Report

Ref: file No. 045/ENV/2011/CZMA

The Perinad Grampanchayath has forwarded 11 applications ^{6.} ~~was~~ CRZ clearance of dwelling units. The Chairman KCZMA had forwarded these applications and requested to conduct a field inspection and furnish report. Based on this a field inspection was conducted on 24th December 2011 to verify the CRZ status of the sites ~~the~~ ^{where} dwelling units are made.

CRZ of Perinad Panchayath

CRZ shall apply to the land area between HTL of backwater to 100 mts or width of the backwater whichever is less on the landward side and the Ashtamudi backwater. The area between LTL and HTL and other ecologically sensitive areas are CRZ I. The other land areas are CRZ III. The waterbody is CRZ IV. The CRZ III area will be No development Zone.

CRZ status of dwelling unit sites

The dwelling units in the Edakara Jayanthi colony are made using coconut leaf/wood as wall and roof ~~is~~ using sheet. All the dwelling units in the colony are temporary in nature and are mostly single or two rooms at the maximum. The area of construction is less than as shown in the records from panchayath. The distance mentioned in the records is correct. The construction made by 1. Shri. Rajcev, 2. Smt. Kamamma 3. Shri. Jerome Ramani, 4. Smt. Ambili, 5 Shri. Rajagoplan Achari are in Edakara Colony. All these are in the NDZ of CRZ III. The constructions except by Shri Rajagoplan Achari are in elevated region almost 10 m from water level of the Kayal.. Shri. Rajagoplan Achari's plot is about 2 m above water level in the area.

The construction made by 6. Smt Selina is on the slope of a Hill which is densely populated there are numerous houses in the colony. This is also a very small hut which is having thatched roof using coconut leaf. It is 65m from the HTL of backwater and it is in the NDZ of CRZ III.

Shri Yesudsan, Puthen veedu, Velimon had constructed a dwelling unit which is 132m² area and it is 35m from the HTL of backwater. The construction in the CRZ III No Development Zone.

Smt Leela Vincent, Pradeep Bhavan had made the construction in the NDZ of CRZ III and the purpose is poultry farm. This is a commercial activity.

Smt Shaida and Yousf, Phathamelkodi had constructe their dwelling unit in the CRZ No development Zone. The construction is 70m from HTL.

Smt Jainamma, Kaithakodi has made a small hut in the CRZ No Development Zone and the hut is in an elevated area.

Smt Vijamma, Maniyath Thekethil has made a small hut in the NDZ of CRZ III

Recommendation

All the 11 constructions are in the No Development Zones of CRZ III. Except the construction made by Smt Leela Vincent all are dwelling units of poor men who were traditionally being staying in the panchayath. As per CRZ notification only reconstruction of existing authorised constructions can be permitted in the NDZ of CRZ III. But all the constructions are newly made. KCZMA may take a decision

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26/12/11
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Form (72)



GOVERNMENT OF KERALA

SCIENCE, TECHNOLOGY AND ENVIRONMENT DEPARTMENT

Sasthra Bhavan, Pattom

Thiruvananthapuram - 4.

Phone : 0471-2543701-05, Fax : 0471-2543558

E-mail : stecgok@hotmail.com, Website : www.stedk.org

No.1111/B1/2003/CZMA

01.07.2004

From

Director, STED and Ex-officio
Additional Secretary and Member Secretary
Kerala Coastal Zone Management Authority

To

The Secretary
Ministry of Environment and Forests
Paryavaran Bhavan, CGO Complex
Lodhi Road, New Delhi.

Sir,

Sub : Structural renovation in Gundu Island by the Taj Resorts -
CRZ clearance - reg.

6/e
The General Manager, Taj Resorts India Ltd. has submitted a request for CRZ clearance for the establishment of a major conference and convention destination in the Gundu island in Kochi.

The Gundu island is situated in the backwaters east of Vypeen and west of Vallarpadam. The proposed site for development is in the vicinity of the backwater ecosystem which is influenced by tidal action. The Gundu island is an uninhabited island. A coir factory under the Coir Products Co-operative Society existed since 1960. The project proponent proposes to repair the above defunct old buildings to house the Conference centre. The entire project area is protected with vertical embankments. An opening in the embankment on the western side permits tidal water to enter the northwest region.

As per the revenue records the island has an area of 19 acres and 92 cents. Out of this only 5 acres 18 cents alone are remaining. A master plan for developing the available area has been prepared by the project proponents.

Mangrove vegetation is present in the north west part of the island and the inter tidal zones which are under CRZ-1(i) categories. The project site falls within the sheet No.34 of the Coastal Zone Management Plan of the State (CZMP, 1995).

In the CZMP (1995) of Kerala, the project site was shown to be part of Elamkunnapuzha Grama Panchayath and categorized as CRZ - III. A recategorization based on the claim that it belongs to Kochi Corporation is possible only by the approval of Ministry of Environment and Forests. The above case was considered by the 4th Kerala Coastal Zone Management Authority (KCZMA) meeting. The KCZMA noted that only 5 acres and 18 cents of the originally available 19 acres and 92 cents of land remain in the island, due to natural erosional and denudational activities. Hence the KCZMA considered that issue of CRZ clearance for the proposed project would help to protect the island from further deterioration. As per the CZMP (1995) of Kerala, the project site was shown to be part of Elamakkara Panchayath and categorized as CRZ-III. The KCZMA agreed to the issuance of CRZ clearance to M/S Taj Resorts for the proposed construction by recategorisation with the approval of Ministry of Environment and Forests (MoEF) based on the communication from the Kochi Corporation that it belongs to Kochi Corporation and hence Zone-II subject to the following conditions :

- (i) The construction of the structures should be undertaken as per the plans approved by the concerned local authority/local administration, conforming to the existing local and central rules and regulations including the provisions of CRZ notification.
- (ii) On getting the final environmental clearance from MoEF, the date of commencement of the project may be communicated to the KCZMA.
- (iii) All safety norms would be ensured and proper arrangements may be made for providing the fire extinguishers and other equipments as per the relevant regulations/guide lines of the State/Central authorities.
- (iv) The construction activities should not destroy any mangroves, and no construction activities shall be allowed in CRZ-I area.
- (v) Wastes should not be dumped into the Kayal.
- (vi) Payment of required scrutiny fee by the proponent.

Since the project proponent has remitted the scrutiny fee, the CRZ status report with necessary documents are also forwarded, herewith, for the consideration of the Ministry of Environment & Forests. The environmental clearance from the Ministry of Environment and Forests for the proposed renovation works in the Gundu island may please be issued at the earliest.

Yours faithfully,

Dr. K R S Krishnan
Director, STED

Dr. K R S. M.
DIRECTOR, STED

EX-OFFICIO ADJ. SECY

Encl : CRZ status report and relevant documents

Copy to : The General Manager
Taj Resorts India Ltd.
Ernakulam.

No.11-38/2005-IA-III
Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhavan,
CGO Complex, Lodhi Road,
New Delhi - 110003.

Dated the 30th November, 2005

Subj: Coastal Regulation Zone clearance for structural renovation in Gundu Islands, Kerala for development of Gundu Islands Convention Centre by M/s Taj Hotel Resorts & Palaces.

Reference is invited to letter dated 20th June, 2005 from M/s Taj Hotels Resorts and Palaces, Mumbai and a letter No.1111/B1/2003/Coastal Zone Management Authority, dated 1.7.2004 from the Director, STED, Science, Technology and Environment Department, Government of Kerala, Thiruvananthapuram and Consent to Establish from Kerala State Pollution Control Board, Thiruvananthapuram, letter No.CE (DC)/P/EKM-TAJ/2003-04/619 dated 7.6.2003 on the above subject were also considered.

As per the proposal, M/s Taj proposes to renovate the existing building of M/s Gundu Island Coir Product Society Limited, which has an area of 5.50 acres located within Gundu Islands. It is indicated that the coir factory is a defunct old building bearing Corporation Building No.1/218-223. The Coir Factory is existing since 1960. The total area to be used is as 0.6 ha with ground+1 floor consisting of 2,852.75 sq. mts and 459.95 sq. mts as plinth area respectively. All proposed developmental activities are located between 200-500 mts. The main activities to be carried-out as a part of the activities are renovation of the existing buildings, landscaping including setting up of the wastewater treatment facilities. The FSI for the proposed project is 0.17 m square. The proposed development is located beyond 100 mts for the mangrove area. The water requirement is around 10,000 litres/month. The project proponent proposes to meet the water requirement by rainwater harvesting of 1 lakh litres of storage capacity and through municipal water supply. No groundwater is proposed to be extracted for the project. The solid waste generated would be 50 kgs per month which is proposed to be segregated and recycled. A green belt of 0.6 ha is proposed to be developed with 25 m width. STP is proposed to be installed to treat the wastewater. The total cost of the project is Rs.482 lakhs.

The proposal has been examined in this Ministry and environmental clearance under Coastal Regulation Zone Notification, 1991 as amended from time to time, is hereby accorded to this project, subject to the effective implementation of the following conditions including conditions contained in the Annexure:-

- i) The mangroves of 0.6 ha and the buffer zone of 50 metres will not be disturbed during construction and operational phase of the project.
- ii) The project proponent will undertake mangrove/greenbelt development all along the inter-tidal area of the island.
- iii) No ground water will be extracted for the project.
- iv) No activities in the foreshore will be taken up which would lead to erosion of shore of the island.
- v) Public access should be provided, in accordance with the guidelines for development of beach resorts contained in Annexure II of the Coastal Regulation Zone Notification, 1991.

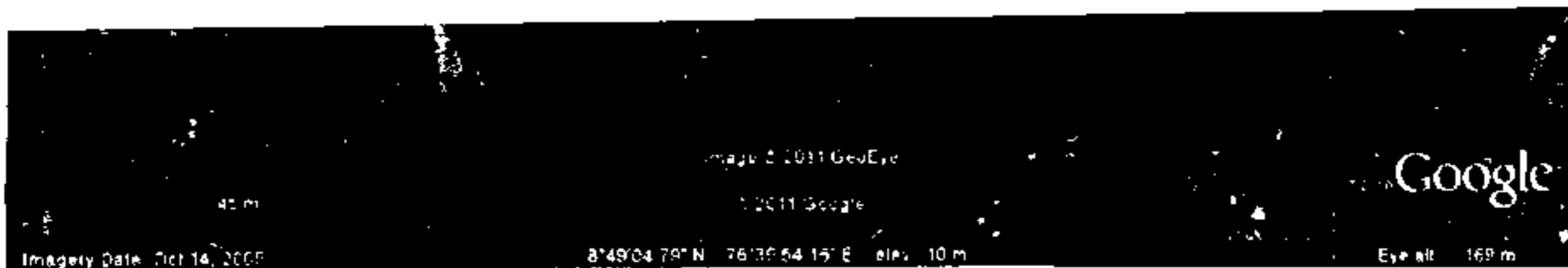
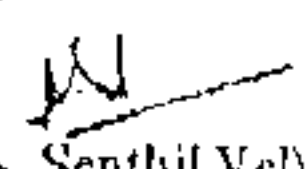


Plate 1: Google image of the area as on 14th October 2009

- vi) There shall be no constructions within 200 m from the HTL.
- vii) The Ministry reserves the right to revoke the clearance, if implementation of the terms and conditions stipulated is not satisfactory. This Ministry or any other competent authority may also modify or alter the stipulated conditions or may stipulate any other additional conditions for environmental protection, subsequently, if deemed necessary.
- viii) Conditions imposed with Consent to Establish issued by the Kerala State Pollution Control Board vide their letter No.PCB/CE/EK/712/2004 dated 30.7.2004 and environmental conditions/recommendations by Kerala Coastal Zone Management Authority vide their letter No.1111/B1/2003/CZMA, dated 1.7.2004 should be strictly implemented.

3. The Regional Office of the Ministry located at Bangalore will monitor implementation of the above conditions. Necessary information/data should be provided by the project proponents to the staff of the Ministry during their inspection. The project proponents should send a six monthly report to the Ministry's Regional Office regarding their compliance with the above conditions.

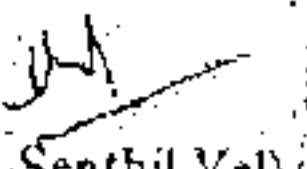
4. These stipulations will be enforced among others, under the provisions of the Coastal Regulation Zone Notification dated 19.2.1991 as amended subsequently, the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986. The project authorities should also ensure that the construction complies with the orders of the Supreme Court passed on 18.4.1996 in the W.P. (C) No. 664 of 1993 to the extent it applies to this case and also the provisions of the Coastal Zone Management Plan of Kerala approved by this Ministry.


(A. Senthil Vel)
Additional Director

To
Shri Ajit Manchanda,
General Manager-Corporate Co-ordination,
Taj Palace Hotel, Sardar Patel Marg,
New Delhi - 110021.

Copy to:

1. The Commissioner, Kochi Municipal Corporation, Kochi, Kerala.
2. The Chief Conservator of Forests, Kendriya Sadan, IV Floor, E&F Wings, Office (SZ), 7th Main Road, II Block, Koramangala, Bangalore - 560034.
3. The Chairman, CPCB, Parivesh Bhawan, CBD-cum-office Complex, East Arjun Nagar, Delhi - 110 032.
4. The Chairman, Kerala State Pollution Control Board, Pattom PO, Thiruvananthapuram - 695 004.
5. DIG (SU), Regional Office (HQ), Ministry of Environment and Forests, New Delhi.
6. Guard File.
7. Monitoring Cell.
8. Director (EI), Ministry of Environment & Forests, New Delhi.


(A. Senthil Vel)
Additional Director

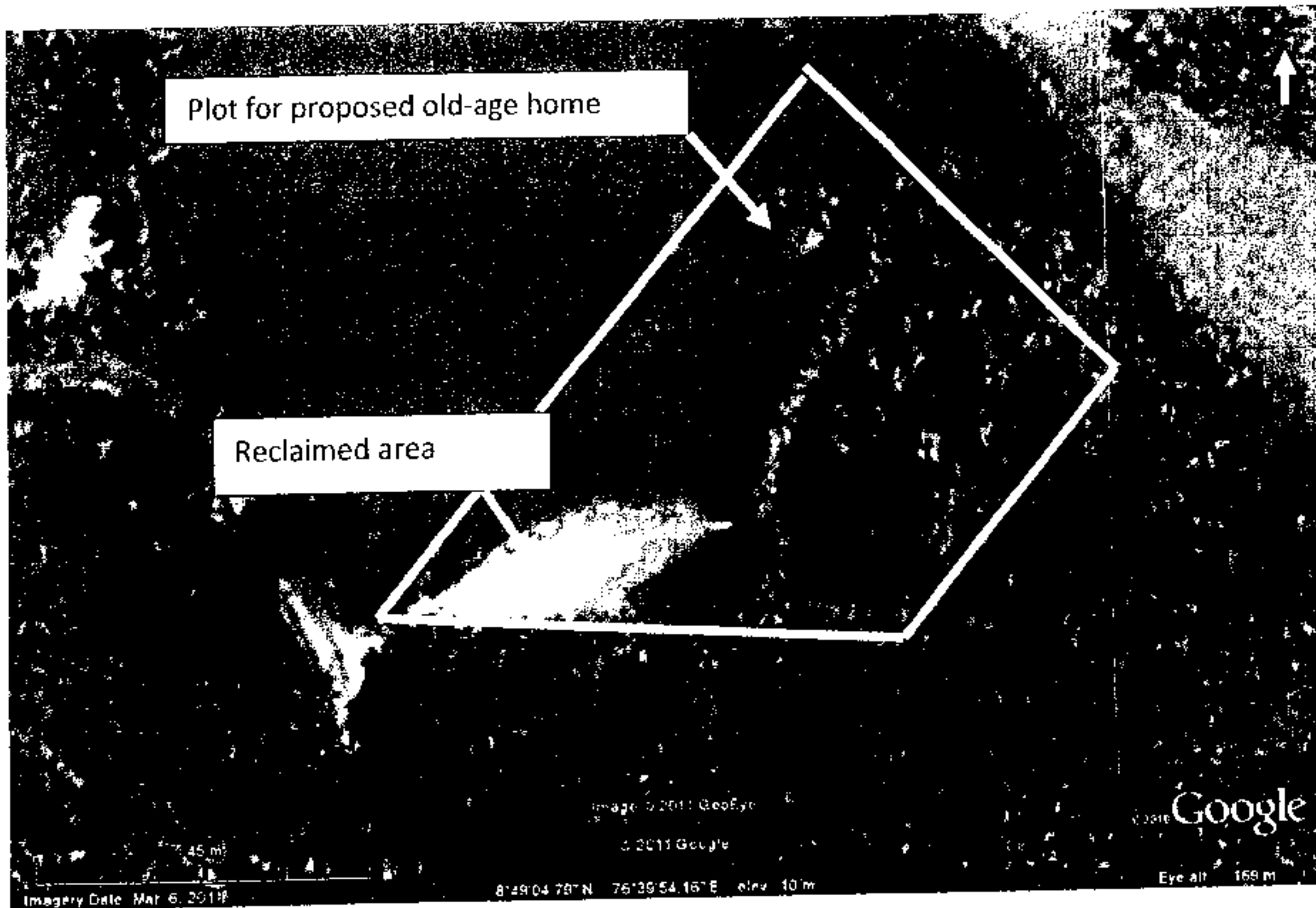


Plate 2: Google image of the area as on 06th March 2011

Conclusion:

The major area is in CRZ IV and remaining in CRZ II. Construction of old age home will not be possible in the plot as it will violate the provisions of CRZ Notification 2011. Action may be initiated against reclamation in the area made by violating the provisions of CRZ Notification.

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26/12/11