

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

51st MEETING

Agenda & Notes

*Venue : Conference Hall, 2nd Floor, Sasthra Bhavan, Pattom,
Thiruvananthapuram.*

Date : 2.30 P.M on 21st August 2012

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

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

51st MEETING

Date & Time _____ Venue _____ .

21st August, 2012
2.30. P.M

Sasthra Bhavan
Pattam, Thiruvananthapuram

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Agenda Item No.51.1

Confirmation of the Minutes of the 50th meeting

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

Agenda Item No.51.2

Action Taken Report (50th meeting)

Agenda Item No.	File No.	Subject and Decision	Action Taken
50.3.1	493/A2/12/KCZMA/S&TD	<p>Sub :- CRZ violation in Kozhikde District – Kamburam Beach, Awareness Programmes on CRZ Notification and Formation of District Level Committees.</p> <p>Decision:- <i>KCZMA discussed the case and decided</i></p> <ol style="list-style-type: none"><i>1. To issue notice against CRZ violation in Kamburam Beach, Kozhikode to the violation noticed during the site inspection.</i><i>2. To take necessary steps to conduct awareness programme.</i><i>3. KCZMA noted the case.</i>	Notice issued against the violation on 26/7/12. Direction issued to Member Secretary, KSCSTE to conduct awareness programme.
50.4.1	87/A3/11/KCZMA/S&TD	<p>Sub:- Construction of houses under Government Supported Schemes at Perayam Grama Panchayat</p> <p>Decision:- <i>The Authority discussed the case and decided to grant CRZ clearance.</i></p>	Decision communicated to the Secretary ,Perayam Gramampanchayat on 27.07.2012.
50.4.2	99/A3/12/KCZMA/S&TD	<p>Sub :- Reconstruction of a residential building at Chirayinkeezhu Grama Panchayath</p> <p>Decision:- <i>The Authority discussed the matter in detail and decided to grant CRZ clearance</i></p>	Decision communicated to the Secretary, Chirayinkeezhu Grama Panchayate on 23.07.2012
50.4.3	289/A3/12/KCZMA/S&TD	<p>Sub :- CRZ clearance for the regularization of a residential building at Panayam Grama panchayat</p> <p>Decision:- <i>The Authority discussed</i></p>	Decision communicated to the Secretary, Panayam Grama Panchayat on 23.07.2012

		<i>the case in detail and decided to grant CRZ clearance</i>	
50.4.4	354/A3/12/ KCZMA/S&T D	<p>Sub :- Construction of Diesel Pump at Neendakara Grama Panchayath</p> <p>Decision:- The Authority discussed the case in detail and decided to grant CRZ clearance subject to condition that the project proponent shall implement the safety regulations including guidelines issued by Oil Industry Safety Directorate in MoEF (Clause 3 (ii) of CRZ Notification 2011). The Grama Panchayath shall ensure that all the conditions are satisfied.</p>	Decision Communicated to the Secretary, Neendakara Grama Panchayat on 30.06.2012
50.4.5	404/A3/12/ KCZMA/ S&TD	<p>Sub :- Construction of a Diesel Pump – Marine Retail outlet at Alappad Grama Panchayath</p> <p>Decision:- The Authority discussed the case in detail and decided to grant CRZ clearance subject to condition that the project proponent shall implement the safety regulations including guidelines issued by Oil Industry Safety Directorate in MoEF (Clause 3 (ii) of CRZ Notification 2011). The Grama Panchayath shall ensure that all the conditions are satisfied.</p>	Decision Communicated to the Secretary, Alappad Grama Panchayat on 06.07.2012
50.4.6	428/A3/11/ KCZMA/ S&TD	<p>Sub :- NOC for Wave Ventilator - A beach restoration project by Dr. S. Santhosh, Assistant Professor, M.M.N.SS College, Kottiyam.</p> <p>Decision:- The authority deferred the case and opined that the principal investigator of the project shall make a presentation in the next authority meeting.</p>	Decision Communicated to Dr. Santhosh on 19.07.2012
50.4.7	449/A3/12/ KCZMA/ S&TD	<p>Sub :- Construction of additional building for Sharon Cashew factory at Thekkumbhagam Grama Panchayath, Kollam.</p>	Decision Communicated to the Secretary, Thekkumbhagam Gram

		<p>Decision:- <i>The Authority discussed the case and rejected the same as setting up of new industries and expansion of existing industries except directly related to waterfront or directly needing foreshore facilities are prohibited in CRZ area.</i></p>	a Panchayat on 11.07.2012
50.4.8	620/A2/12/ KCZMA/ S&TD	<p>Sub :- Construction of Armed Forces Tribunal at Mulavukadu Village, Ernakulam District.</p> <p>Decision:- <i>The Authority discussed the proposal, reviewed the case and decided to reject the request.</i></p>	Decision Communicated to the Commandar Southern Naval Command on 30.06.2012
50.4.9	809/A2/12/ KCZMA/ S&TD	<p>Sub:- Constitution of Expert Committee.</p> <p>Decision:- <i>The proposal for the constitution of fresh expert pannel was considered by KCZMA. During the discussion the Chairman entrusted the members to furnish nominations and the nominations be placed in the next meeting of the Authority to form a panel.</i></p>	Nomination from the members still pending.
50.4.10	860/A3/12/ KCZMA/ S&TD	<p>Sub :- Construction of Municipal building in Kayal land at Karunagappally.</p> <p>Decision:- <i>The Authority Discussed the case and decided to call for report from the Secretary , Karunagappally Municipality.</i></p>	Letter send to the Secretary, Karunagappally Municipality on 11.07.2012.
50.4.11	1256/A2/11 /KCZMA/ S&TD	<p>Sub :- Construction of industrial building in Vallikkunnu Grama Panchayath area – Application of Sri. Krishnan, Ocholi House, Ariyallur.P.O, Malappuram.</p> <p>Decision:- <i>The Authority discussed the case in detail and decided reject the proposal.</i></p>	Case rejected. Decision communicated to Vallikkunnu Grama Panchayat and applicant on 4.07.2012

50.4.12	1259/A2/11 /KCZMA/ S&TD	<p>Sub:- Oceanarium Project – Sy.No. 238/4, Puthyvyype village, Kochi</p> <p>Decision:- <i>The Authority discussed the Oceanarium Project in the light of the information given by the Secretary, Fisheries Department who is also a member of the authority. The Members of the authority were not properly informed the CRZ and other aspects of the project because of the absence of Mandatory documents / details. However after deliberation finally the Chairman came to the conclusion that “in Principle CRZ clearance” can be granted and a sub committee of the Authority will oversee the project from the beginning to end. .</i></p> <p><i>Two members namely Sri. Baby John and Dr. Padmakumar expressed their disagreement on this. Sri. Baby John has submitted a dissent note which is as follows :</i></p> <p><i>“I submit my strong dissent against the Agenda No. 50.4.12 presented during the 50th Meeting of KCZMA held on 11.06.2012 due to the following reasons :</i></p> <ol style="list-style-type: none"> <i>1) Incomplete Agenda,</i> <i>2) Project proposal not provided to the Committee,</i> <i>3) Application form I includes false and violative information,</i> <i>4) The project layout is not superimposed on the CRZ map,</i> <i>5) CRZ map covering 7 K.M radius around the site not provided,</i> 	Action pending as the chairman ordered that any action on the minutes is after confirmation only.
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6) EIA report prepared by the accredited agencies is included,

7) This committee can only recommend to MOE&F for clearance and cannot issue CRZ clearance as the project is in CRZ I.”

Dr. Padmakumar pointed out various discrepancies in the Form submitted for clearance of Oceanarium and expressed need for time to study the matter. Also the proponents should give a presentation to look into the merit of the case for CRZ clearance.

The Chairman insisted to include the following points also “The draft minutes on Agenda item No.50.4.12 (Oceanarium Project, Puthuvype village, Kochi) File No.1259/A2/11/KCZMA/ S&TD –does not properly reflect the deliberations on this item by the authority in its meeting on 10th June 2012. The decision was to clear the proposal and to permit the Kerala State Fisheries Management Society, a Kerala Government Undertaking, to go ahead with the initiation of the project with due observance and compliance of the suggestions made by the members with regard to CRZ regulations and environmental protection. In this context it was also decided that a 3 member committee from the KCZMA should monitor the project at all stages from start to finish and report to the progress and CRZ violations, if any, at the level of

execution of the project. It was also observed that the project was cleared from the department of environment and by the CESS expert committee.

The observations made by Shri. Baby John, with regard to the incompleteness of the agenda note on this item and the fact that the detailed proposal was not circulated among the members in advance were seriously noted by the Authority. The chairman regretted the lapse of his office of the KCZMA in this regard, However, the entire documents like the project layout, CRZ map covering the 7 KM radius, the Form I and the EIA report were prosecuted in the meeting by the Executive Director of the Fisheries Management society. The details presented shall Form parts of the minutes of the meeting. The observations made by Dr. Padma Kumar, member of the authority were also noted by the Authority and resolved to instruct the State Fisheries Resource Management Society to comply with these constructive suggestions.

With these observations and conditions, the Authority resolved to clear the proposal for the Oceanarium Project, Puthvype Village, Kochi. A 3-Memebr expert committee, from among KCZMA members, shall oversee the project with regard to the compliance of the suggestions and observance of the CRZ regulations at all levels of execution.”.

50.4.13	2295/A2/11 /KCZMA/ S&TD	<p>Sub :- Hotel constructed in violation to CRZ norms -‘Hotel Crown Plaza’ - Maradu, Ernakulam by M/s. KGA Hotels and Resorts Private Ltd.</p> <p>Decision:- <i>The KCZMA considered the request received from M/s. KGA Hotels and resorts Pvt. Ltd the proposal was examined with respect to old files and connected court cases. From the records it is clear that the construction of Hotel ‘Crown Plaza’ was done in violation of CRZ norms. Stop Memo also issued against the violated construction earlier. KCZMA decided to reject the request and to issue notice.</i></p>	Notice issued on 6.07.2012
50.4.14	2398/A2/11 /KCZMA/ S&TD	<p>Sub:-Dumping of waste at Pettippalam, Thalassery Municipal Area – complaint</p> <p>Decision:- <i>KCZMA considered the complaint on the illegal dumping of city/town waste at Pettippalam, Thalassery and the reply submitted by the Municipal Secretary. The Authority examined the mater and decided to issue notice to the Municipality against the violation.</i></p>	Notice issued to the Secretary, Thalassery Municipality on 26.07.2012.
50.4.15	2523/A2/20 11/KCZMA/ S&TD	<p>Sub :- Re-construction of dwelling unit in Ward No. III 62/7 of Valapattanam Grama Panchayat by Sri. Pallikkalakathu Soujath.</p> <p>Decision:- <i>The Authority discussed the case and decided to grant CRZ clearance for the project.</i></p>	CRZ clearance granted on 04.07.2012.
50.4.16	715/A2/201 2/KCZMA/ S&TD	<p>Sub:- Construction of pneumatic conveying system of Cement Bulk Terminal in Cochin Port Trust area (M/S Ultra Tech Cement Ltd.)</p> <p>Decision:- <i>The Authority discussed the case and decided to recommend to Ministry of Environment and</i></p>	Recommended and forwarded to the Ministry of Environment and Forest on 03.07.2012.

		<i>Forests (MoEF) as per CRZ Notification 2011 clause 4 (ii) d; laying of pipelines, conveying systems.</i>	
50.4.17	837/A3/2012/KCZMA/S&TD	<p>Sub:- Construction of building for coastal police station at Pallithottam, Kollam.</p> <p>Decision:- <i>The Authority decided to call for formal application from the Commissioner of Police Kollam as the activity is permissible in the area.</i></p>	Lr. sent to the District Police Commissioner , Kollam on 26.06.2012
50.4.18	135/A2/12/KCZMA/S&TD	<p>Sub:- Construction of Fishing Harbour at Thanur</p> <p>Decision:- The Chief Engineer, Harbour Engineering Department appeared before the Authority, asking for granting permission for the construction of fishery Harbour at Thanur. The proposal was pending since EIA report from an authorised firm and other documents have not been received. The Chief Engineer presented the copies of EIA report and other documents in the meeting. Based on the reports and after due deliberations, resolved to recommend the proposal. The Authority decided to recommend the proposal to MoEF. It was also decided that the proposals for the construction of Fishing Harbour at Vellayil and Manjeswaram shall be included in the next meeting and the project proponent shall make Power Point Presentation before KCZMA.</p>	Recommended and forwarded to SEIAA on 7.07.2012.

Agenda Item No.51.3

Consideration of Deferred Agenda item.

NOC for Wave Ventilator - A beach restoration project by Dr. S. Santhosh,
Assistant Professor, M.M.N.SS College, Kottiyam

The Ministry of Earth Sciences, Government of India requested for No Objection Certificate to the Principal investigator (Dr. S. Santhosh, Assistant Professor M.M.N.SS College , Kottiyam) of the project named “Wave Ventilator : A Beach Restoration and Anti Sea Erosion Project” , so as to get financial support from Ministry of Earth Science (MoES) New Delhi. The Project is for installing Wave Ventilator for one Kilometer stretch of sea at Panmana, Karunagappally, The project proponent has claimed that installation of Wave Ventilator in the shore region will act as an artificial reef which will reduce sea erosion and allow accretion of sand in the beach. The Department of Water Resources is required to provide necessary permission as the Coastal water bodies are owned by that Department. Since the study requires permission for placing huge concrete structures in the sea to form as a reef, they seek permission for the same. The area is in CRZ. The proposal is enclosed for reference.

Hence placed before KCZMA for a discussion and appropriate decision.

Agenda Item No.51.4

Consideration of New Agenda item.

Agenda Item No. 51.4.1

File No.76/A2/12/S&TD

Cnstruction of fishing harbour at Manjeswaram

- Name of the project** : Construction of a fishing harbour at Manjeswaram
- Project Details** : The Harbour Engineering Department, Government of Kerala proposes to establish a fishery harbour with two breakwaters on either side of the tidal inlet of Uppla / Manjeswaram river at Manjeswaram in Kasaragod District. The aerial extent of the project is 18.1546 hectare. Reclamation of sea is proposed for an area of 19600m². The break waters are having a length of 1020m. An approach road and parking area is proposed with a total area of 9888m² is also proposed. A bridge is also proposed to connect Uppala Village and Hosabettu village.
- Activities proposed** : Construction of administrative building, gate house, bridge, workshop, toilet block, net mending shed, auction hall, treatment plant, shop, gear shed, canteen, establishment of green belt, compound wall, reclamation bund, parking area and roads
- Location Details** : The site proposed for the breakwater construction is located in the coastal zone bordering the Lakshadweep Sea in Mangalpady and Manjeswaram Panchayath on either side of the tidal inlet of Uppala / Manjeswaram river inlet. The South part of the inlet is Mangalpady and the north part is Manjeswaram. The sea shore has well developed beaches. The site is covered in map No. 81 of Kerala Coastal Zone management plan. The major landuse is coconut plantations. The site is located at Lat 12^o 42' 30"N and Long 74^o53'14".
- CRZ of the area** : The Centre for Earth Science Studies have prepared the CRZ map for the area in cadastral scale. As per the report the site is located in Mangalpady and Manjeswaram

panchayaths therefore the CRZ of the area, except those belonging to CRZ 1 and CRZ IV are CRZ III. The intertidal zones are CRZ I B and the mangroves in the area are CRZ 1A. The sea and river are classified as CRZ IV.

Project cost : Rs. 4981 lakh

Environmental Aspects : Rapid EIA report prepared by Harbour Engineering Department is submitted. As per the guidelines issued by MoEF the reports of accredited agencies alone can be accepted. This is required for evaluating the Environmental impact. The Environment Clearance from State Environment Impact Assessment Authority is required. This is based on the capacity of the project. The installation of breakwaters will have impact on the sea coast. A morphogenamic impact assessment study may have to undertaken prior to construction and necessary mitigation measures are to be incorporated.

Other details : i) The water requirement for the proposal is stated to be 50000 LPD and the source for the water is from Kerala Water Authority.
ii) The total waste generation is not provided. It is informed that Biogas plant will be provided to convert the waste into manure.

Provisions of CRZ Notification: Construction of fishing harbour is a permissible in CRZ. Clause 4.1(f) of CRZ notification 2011 states that '*construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures are regulated and can be permitted*'. The Clause 4.1 (b) states that '*for those projects which are listed under this notification and also attract EIA notification, 2006 (S.O.1533 (E), dated the 14th September, 2006), for such projects clearance under EIA notification only shall be required subject to being recommended by the concerned State or Union territory Coastal Zone Management Authority*'. Fishing harbours with 10,000 or more TPA of fish handling capacity are categorised as *Category B* and hence requires EIA clearance from State EIA Authority. The proposal submitted by Harbour Engineering Department, Government of Kerala lacks the details of handling capacity of the proposed harbour.

Land reclamation is proposed in the area. As per the provisions of CRZ notification 2011 clause 3 (IV) Land reclamation, bunding or disturbing the natural course of seawater except those, *required for setting up, construction or modernisation or expansion of foreshore facilities like ports, **harbours**, jetties, wharves, quays, slipways, bridges, sealink, road on stilts, and such as meant for defence and security purpose and for other facilities that are essential for activities permissible under the notification;* are prohibited. Hence land reclamation for the development/construction of harbour can be permitted.

Placed before KCZMA as decided in the 50 the meeting

Agenda Item No: 51.4.2

File No: 212/A3/12/KCZMA/S&TD

Construction of Ice Plant by Shri. Thomas Dannel at Alappad Grama Panchayat

Name of the project : Construction of Ice Plant by Shri. Thomas Dannel.

Project Details : Construction of building for ice plant and an outhouse with plinth area of 22.5m².

Activities proposed : construction of building and Installation of 132.50 HP Motor.

Location Details : Survey No. 56/8-5-2, 56/6-6-2, 56/6-3-2, 56/8-6-2 of Alappad village in Karunagappally Taluk in Kollam District.

CRZ of the area : Construction is on the banks of T.S Canal. The CRZ will be equivalent to the width of the canal in the area (46m).

Provisions of CRZ Notification: As per CRZ Notification 2011 para 8 III A (iii) facilities required for fishing communities such as ice plant, ice crushing unit etc are permissible. Construction of outhouse is also mentioned in the plan. This is outside CRZ.

Hence Kerala Coastal Zone Management Authority may consider case for the CRZ clearance for ice plant only.

Construction of retaining walls along Kadinamkulam Kayal in Cheramanthuruth and reclamation for the construction of a resort.

- Name of Project** : Construction of retaining walls along Kadinamkulam Kayal in Cheramanthuruth and reclamation for the construction of a resort.
- Project Details** : Construction of a resort in Cheramanthuruthu of Kadinamkulam on the banks of Kadinamkulam kayal.
- Activities done** : The owner of land had constructed retaining walls along the backwaters. Nearly 1km along the kayal boarder around the plot has been reclaimed. An area inside the backwater has been encroached by construction of a wall using granite boulder and it is stated to be meant for boat landing.
- Location Details** : Cheramanthurthu of Kadinamkulam Panchayat
- CRZ of the area** : The water body in the area is CRZ IV and remaining 100m from HTL or distance equivalent to the width are CRZ III NDZ.
- Provision of CRZ Notification** : The reclamation and construction made amounts to violation of provisions of CRZ Notification . Issuance of building permit can be stopped by the Panchayat authorities. They can initiate action against the violations made by the petitioner. Regularization of building in CRZ area without CRZ clearance is not allowable. EP Act 1986 can be imposed for blocking the violations.

Hence placed before KCZMA for a decision.

**Destruction of Mangroves in Asramam of Kollam for tourism- complaint by
Sasthra Sahithya Parishath**

- Subject** : Destruction of Mangroves in the Ashtamudi backwater near Kollam by DTPC Kollam for Tourism Projects.
- Location** : In Astamudi Backwater near Ashramam, Kollam
- CRZ Status** : The mangroves areas in the Astamudi backwater near Ashrama categorised as CRZ 'B' CRZ I (i).
- Action proposed** : Mangroves are considered as ecologically sensitive area. As per CRZ notification 2011 clause 81 (i) No new construction can be permitted except projects relating to Department of Atomic Energy, pipelines, conveying systems including transmission lines weather radars of meteorological Department District Collector, Kollam who is also chairman of DTPC has been directed not to undertake any activity in CRZ I. He was also informed that destruction of mangroves and other activities in CRZ area tantamount to violation of the provisions of CRZ Notification and EPA 1986. A subcommittee may be constituted with experts and members of KCZMA, and the matter may be referred to that committee.

Hence the matter may be placed before KCZMA meeting for discussion and a decision.

Agenda item No. 51.4.5

File No. 598/A2/12/KCZMA/S&TD

**Construction of residential building- Application from Smt. Sreeja Anilkumar ,
Varappuzha Grama Panchayat**

- Name of the project** : Construction of residential building by Smt. Sreeja Anilkumar, Varapuzha.
- Project Details** : Construction of a residential building with a plinth area of 121.69m².
- Activities proposed** : Construction of single storied building. The distance of the construction from the HTL is 18 mts.
- Location Details** : Survey No. 371/1 of Varapuzha village, Varapuzha Panchayath ward XVI.
- CRZ of the area** : The area is on the banks of Pokkali fields. The pokkali fields are also considered as tidal influenced water bodies. These are categorised as CRZ IV. The banks are categorised as CRZ III. The proposed area for the construction is CRZ III – No Development Zone.
- Provisions of CRZ Notification:** As per CRZ Notification 2011 (Clause 8 III A (ii)) no new constructions can be permitted in the No Development Zone except reconstruction of authorised structures.

Hence placed before KCZMA for discussion and appropriate decision.

Construction of eight houses under Government Supported Schemes at Purakkad Grama Panchayat

- Name of Project** : Regularisation of six reconstructed dwelling units and two newly constructed dwelling units.
- Project details** : 6 reconstructed dwelling unit and 2 newly constructed in Purakkad Grama Panchayat under Government sponsored schemes
- Activities** : Reconstruction of 6 dwelling units and construction of two new dwelling units. Construction completed.
- Location details** : In Purakkad Grama Panchayat
- CRZ of the area** ; The area is in CRZ III NDZ
- Provisions of CRZ** : Reconstruction is a permissible activity, in CRZ III-No Development Zone subjected to the conditions that without increasing in the existing plinth, area FSI and density as per CRZ notifications 2011. No new constructions are permissible in the No Development Zone of CRZ III.
- Other Details** : Reconstructed buildings;

Sl. No	Name & address	Distance from Waterbody	Plinth Area
1	Smt. Sobhana, Puthoppil, Thottappally	54.70 m	24.48 m ²
2.	Shri. Thankappan, Aryasseri Puthen Veedu, Purakkad	47.7 m	8.96 m ²
3.	Sri. Ravi, Veliyathu veetil, Ambalapuzha	31 m	67.98 m ²
4.	Shri. Suresh, Puthenparambil	32.8 m	25.56 m ²
5.	Shri Sakki Hussiar, Thoppil Veedu, Purakkad	59.74 m	68.75 m ²
6.	Shri. Kankan and jayamol, Arayantte Parambil, Thottappally.	41.5 m	40.24 m ²

Details of old buildings such a FSI/FAR not available

The newly constructed buildings

Sl. No	Name & address	Distance from Waterbody	Plinth Area
1	Smt. Hashim, Devaswam parambu, purakkad	81.02 m	187.14 m ²
2.	Smt. Sindhu Sahadevan	29.10 m	16.16 m ²

KCZMA had on earlier occasions allowed regularisation of reconstructed houses for traditional communities / fisher folk where the plinth area of reconstructed houses is less than or equal to 60m². The two new constructions made without prior permission are violative of the provisions in the CRZ Notifications.

Hence placed before KCZMA for a decision.

Agenda item No. 51.4.7

File No. 880/A3/12/KCZMA/S&TD

**CRZ clearance for construction of House – Application of Smt. Sarasamma A,
at Thiruvananthapuram Corporation**

- Name of the project** : Reconstruction of dwelling unit by Smt. Sarasamma. A,
Parampuvilakathu Veedu, Thottamukku, Panathura, Pachalloor.
- Activities proposed** : Reconstruction of house No. TC 67/35 with a plinth area of 55.77m².
- Location Details** : 2.5 cents of land in Survey No. 427/7/6 of Thiruvallam village (Ward
67 of Thiruvananthapuram Corporation).
- CRZ of the area** : The area is in CRZ III No Development Zone as per the approved
Coastal Zone Management Plan of the State.

Provisions of CRZ Notification: As per CRZ Notification 2011, reconstruction of existing authorised buildings can be permitted subject to condition that existing plinth area, FSI and density shall not increase. The details of authorised existing buildings are not provided. Kerala Coastal Zone Management Authority had earlier permitted construction of dwelling units upto 60m².

Hence the matter is placed before KCZMA for decision.

Construction of a Beach Resort by Manthra Beach Resorts Private Limited at Kanhangad

- Name of the project** : Construction of beach resort by Manthra Beach Resorts Private Limited.
- Project Details** : The construction has already completed without prior clearance from Ministry of Environment and Forests (MoEF).
- Activities done** : Constructed resort with cottages, Villas, Suit block, Meditation hall, Ayurveda block, Restaurant and kitchen with a plinth area of 3986.4m².
- Location Details** : Survey No. 594/1A, 594/2, 589/3, 589/4, 589/8, 589/9, 680/1 of Kanhangad village. Total area is 2.979 ha.
- CRZ of the area** : The proposed development site being within a municipal area, the CRZ other than those belonging to CRZ I is categorised as CRZ II (Map no. 72 in the Coastal Zone Management Plan of the State). The seasonal beaches belong to intertidal zone and are CRZ IB. Other than the seasonal beaches, there are no sensitive or important ecosystems in the project area eligible to be categorised as CRZ I. The entire project site is within the CRZ. Constructions including resort development are permissible in CRZ II subject to conditions (para 8 (II) & Annexure III of CRZ Notification 2011).
- Project cost** : 4.938 crores.
- Provisions of CRZ Notification:** As per CRZ Notification 2011, construction of beach resorts in CRZ II and CRZ III area is regulated as per the provisions in Annexure III of CRZ Notification 2011.

Provisions	Status
(a) The project proponent shall not undertake any construction within 200 mts in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;	All constructions are carried out within 200m from HTL - violates the provisions of CRZ notification

(b) The proposed constructions shall be beyond the hazard line or 200mts from the High Tide Line whichever is more;	All constructions are carried out within 200m from HTL - violates the provisions of CRZ notification
(c) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;	No details provided
(d) no flattening of sand dunes shall be carried out;	No sand dunes in the area
(e) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;	No mention in the application
(f) Construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect the flow of groundwater in that area; g) the State Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate	Basement not constructed
(h) though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;	FAR is 0.13
i) the total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetative cover;	Plot is 2.979 ha Total covered area is 13.4%
(j) the construction shall be consistent with the surrounding landscape and local architectural style;	Kanhangad Municipality to ensure the same
(k) the overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);	Building details not provided

(l) groundwater shall not be tapped within 200metre of the High Tide Line; within the 200metre 500metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;	Groundwater is being tapped within 200m from HTL – violates the provisions of CRZ notification
(m) extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;	Construction is already completed. The details cannot be ascertained.
(n) the quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986;	Should be applicable if the project is permitted.
(o) necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;	90kg/day waste will be generated. Details of treatment plan not provided
(p) to allow public access to the beach, atleast a gap of 20metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500metres apart; and	To be verified on the ground
(q) if the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and	No forest land
(r) approval of the State or Union territory Tourism Department shall be obtained.	No certificate is produced
II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or State Government Union territories) construction of beach resorts or hotels shall not be permitted	Not a sensitive area.

Hence placed before KCZMA for a decision.

**Construction of commercial Complex –Application from Smt. Busrath, Bhantha
Valappil House at Valapattanam Grama Panchayat**

- Name of the project** : Construction of shop building by Bushrath, Bhantha valappil house.
- Project Details** : Construction of a single storied shop building with a plinth area of 16.92m².
- Activities proposed** : Construction of a shop building.
- Location Details** : Valapattanam Grama Panchayath – Survey No. 48/9, 48/17 – 1 1/2 cent.
- CRZ of the area** : No Development Zone of CRZ III on the banks of Valapattanam River. CRZ is 100m landward of High Tide Line.
- Provisions of CRZ Notification:** As per CRZ Notification no new constructions can be permitted in the No Development Zone of CRZ III. Only reconstruction of authorised structures without increase in existing plinth area/FSI and density can be permitted. The present construction is not an authorised one. Only the basement was completed prior to 1991. Hence Kerala Coastal Zone Management Authority may decide.

Hence placed before KCZMA for a decision.

Construction of Residential Building by Smt. Rajamma at pachalloor
Thiruvananthapuram Corporation

- Name of the project** : Construction of residential building by Smt. Rajamma,
TC 67/1021 (1), Vazhamuttam, Pachalloor, Thiruvananthapuram.
- Project Details** : Single storied construction of building with a plinth area of 76.48m².
- Activities proposed** : Building construction for residential purpose.
- Location Details** : Survey No. 517/2-6-1 and 517/3 (19 cents), 200m from High Tide
Line of sea in Pachalloor of Thiruvallam village.
- CRZ of the area** : The area where proposed construction is to be made is in CRZ III.
The site is 200m from High Tide Line. Hence it is a regulated zone.

Provisions of CRZ Notification: Construction of dwelling units of traditional communities can be permitted in the area subject to local town and country planning rules with overall height of construction not exceeding 9m with two floors (G+I). Smt. Rajamma belongs to Fishermen community. Present construction is single storied with an overall height of 4.5m.

Hence placed before the KCZMA for a decision.

Agenda Item No. 51.3.11

File No.961/A2/12/S&TD/KCZMA

**Construction of a dwelling unit by Shri.C.K.Karunakaran, S/o Chaman Kunhikannan,
Syamalalayam, Vishnumadam P.O, Bekkal.**

- Name of the project** : Construction of dwelling unit by Shri. C.K. Karunakaran, S/o Chaman Kunhikannan, Syamalalayam, Vishnumadam P.O, Bekkal.
- Details of applicant** : The applicant is a traditional fisherman (Certified by Village Officer).
- Project Details** : A residential building with plinth area of 1200 Sq.ft.
- Activities proposed** : Construction of residential building.
- Location Details** : Survey No. 249/3 (34 cents), in between 100-200m from High Tide Line of sea.
- CRZ of the area** : The area is in CRZ III, No Development Zone -in between 100-200m from sea.
- Provisions of CRZ Notification** : As per the CRZ Notification 2011 clause 8 III A (ii) construction of dwelling units of traditional communities including fisherfolk may be permitted between 100 & 200m from the High Tide Line along the seafront in accordance with a comprehensive plan prepared by the State Government in consultation with the traditional coastal communities including fisherfolk and incorporating necessary disaster management provision, sanitation and recommended by State Coastal Zone Management Authority to National Coastal Zone Management Authority for approval. No comprehensive plan is prepared / approved till date.

Hence placed before KCZMA

**Upgradation of Pilathara – Pappinissery Road (20.9 KM) and Kasargod –
Kanhangad Road (27.78 KM) by KSTP – Renewal of CRZ clearance**

The Project Director, KSTP, Thiruvananthapuram has requested to renew the CRZ clearance issued for the upgradation of Pilathara – Pappinissery Road (20.9 KM) and Kasaragod – Kanhangad Road (27.78 KM). Environmental clearance for the project had been issued by Ministry of Environment & Forest (MoEF) in the year 2005. But the applicant, could not execute the project in view of the land acquisition problems. Hence they have requested to renew the CRZ clearance, the documents as per CRZ Notification 2011, is also submitted along with the request. Copy of the order of MoEF may be seen as Annex 12(a).

Hence placed before KCZMA for a decision.

**Mall of Travancore by Malabar Commercial Plaza (Pvt) Ltd. in Chakka at
Thiruvananthapuram**

- Name of the project** : Mall of Travancore.
- Project Details** : Commercial complex with a plinth area of 68795.19m² in a total plot area of 23512.23. FAR is 1.81, Coverage is 58.378%, Two Blocks – Block I is having carpet area of 31653.29 m² (7 floors). Block II is having carpet area of 2356.4m² (5 floors)
- Activities proposed** : Construction of shopping mall, excavation for basement floor and construction of STP.
- Location Details** : Survey Nos: 508/1-1, 508, 508/1, 507/1, 506/2, 506/1, 511/2, 511/1, 511/3, 511/4, 511, 507/2-3, 507/2-1, 507/2-3-1, 507/2-4, 507/2, 510/1, 509/1, 510/2, 510/3, 510/4, 512/2-1, 512/2-2, 512/1-2, 507/2-2, 515 of Pettah village of Thiruvananthapuram District, Thiruvananthapuram Corporation.
- CRZ of the area** : The High Tide Line is along the embankments along the banks of Parvathy Puthanar. Along the banks of the canal, the CRZ extends landward from the High Tide Line upto a distance equal to the width of the waterbody which is about 17m. The CRZ other than CRZ IV in the project area and its vicinity is CRZ II. The water and the bed area between Low Tide Line at the bank to the Low Tide Line on the opposite side of the bank of the canal are CRZ IV. No mangroves are found at the banks of the canal. Part of the proposed development is in CRZ II. The proposed development is on the landward side of the road running parallel to Parvathy Puthanar.
- Project cost** : 175 crores.
- Provisions of CRZ Notification:** The area being in CRZ II, construction of building as per clause 8 II (i) of CRZ Notification 2011 can be permitted only on the landward of existing road or on the landward of authorised existing construction.

The construction is landward of existing road as per the CRZ map prepared by Centre for Earth Science Studies.

Hence placed before KCZMA for a decision..

CRZ clearance sought by Mrs. Vimala D, Thiruvananthapuram for a construction proposed at Pallithura in Attipra Village

Name of Project : Construction of a Residential Building

Project details : Construction of a Residential building in Sy.No.13/1-14 at Pallithura in Attipra Village

Activities Proposed : Construction of Residential building with plinth area of 191.64 m² with two floors.

Location details : Sy.No. 13/1-14 at Pallithura village 20meters away from sea

CRZ Status : The area will fall under NDZ

Provision of CRZ Notification: Construction of new residential building is a not permissible activity as per CRZ Notification.

Other Details : The Thiruvananthapuram corporation has provided building permit violating provisions of CRZ Notification 2011/1991. This was brought to the notice of KCZMA in its 46th meeting. KCZMA decided “ **to issue notice to the Corporation seeking explanation on granting permit for the construction, which is in violation of the provision of the CRZ Notification of 1991 marking a copy to Mrs. Vimal D.** ”. Accordingly a notice issued to the Secretary, Thiruvananthapuram Corporation vide letter No.1014/A3/11/KCZMA/S&TD Dated 03.03.2012, seeking

explanation within 15 days of receipt of the notice. , The Secretary, Thiruvananthapuram Corporation has not responded to the above notice even after a lapse of 3 months. Further notice if any will dilute the seriousness of the issue. The fact may be brought to the notice of the KCZMA for discussion and initiating action.

Agenda Item No. 51.4.15

File No.1268/A3/12/S&TD/KCZMA

**Reconstruction of a Residential building by Smt. Seenamma E,
Plakkattumelathil, Padappakkara Mulavana, at Perayam Grama Panchayat**

- Name of the Project** : Reconstruction of residential building by Smt. Seenamma E, Plakkattumelathil, Padappakkara Mulavana, Perayam.
- Project Details** : Reconstruction with a plinth area of 44.20m² - single floor.
- Activities proposed** : Reconstruction of existing building with a height of 6m
- Location Details** : Survey No.65/19/2, 65/19/3, 65/19/1
04/25, 03/64, 03/01
- CRZ of the Area** :The area is on the banks of Ashtamudi backwaters. The area upto 100m from High Tide Line is categorised as CRZ III and this lies in No Development Zone.
- Provisions of CRZ Notification** : As per CRZ Notification 2011 clause 8 III (ii) only reconstruction of existing authorised buildings without increase in existing plinth area, density and FSI can be permitted. The detail of existing building is not provided. New constructions are not permitted within the No Development Zone.

Hence placed before KCZMA for a decision.

Construction of Residential Apartment – Chakolas Habitat, Kochi

The Town Planning Officer, Cochin Corporation has forwarded the proposal for the construction of a residential apartment in Survey No.201/1, 201/2, 1510, 1523 and 1546 of Eda Kochi Village, M/s. Chakolas Habitat for CRZ clearance.

The total plinth area of the building 5596.05 m² and the estimated cost is Rs.8.68 Crore. The project proponent has remitted Rupees Five Lakh as scrutiny fee. The FAR of the construction is 2.5, which was existed in Cochin Corporation area in 1991.

The Environment group of KSCSTE opined that the construction comes partly in CRZ area as per the CRZ status report. The area is categorised as CRZ-II and hence construction can be permitted landward of existing authorised structures. The buildings adjacent to the proposed constructions are authorised as per the letter issued by the Public Information Officer, Corporation Zonal Office, Palluruthy on 19.07.2011.

Hence Placed before KCZMA after ascertaining the FAR, as decided by the Authority vide item No. 49.3.12.

Construction of Fishing Harbour at Vellayil, Kozhikode

- Name of the project** : Construction of Fishing Harbour at Vellayil, Kozhikode
- Project Details** : The Harbour Engineering Department, Government of Kerala proposes to establish a fishery harbour at Vellayil in Kozhikode District with a fish handling capacity of 8,980 tonnes of fish per annum. It is in the sea coast bordering Lakshadweep sea.
- Activities proposed** : The activities include construction of rest shed, shop rooms, administrative blocks, quay wall, treatment plants, workshop, auction hall, compound walls, development of landing area and construction of two break water.
- Location Details** : Vellayil in Kozhikode District. Latitude 11⁰ 15' 56" N and Longitude 75⁰ 46' 01" E, Total area is 27.58 Ha
- CRZ of the area** : The area being in the Corporation, the CRZ except those belong to CRZ I has been categorised as CRZ II. The monsoonal berm are categorised as CRZ I. The proposed breakwater is in CRZ IV. The inter tidal zones are CRZ I.
- Project cost** : 3824 lakhs.
- Provisions of CRZ Notification** : Construction of fishing harbor is permissible in CRZ. Clause 4.(i)(f) of CRZ notification 2011 states that '*construction and operation for ports and harbors, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groins, erosion control measures are regulated and can be permitted*'.
- Other Details** : Rapid EIA is conducted by L&M Associates which does not seem to be an approved agency. It may be pointed out that E.I.A report is a condition as per clause 4.2 of CRZ Notification 2011. As per CESS report EIA and permissibility also depends on the status of erosion. As per the shore line charge map approved by MoEF, the area has been demarcated as an accreting beach. The capacity of the harbour is less than 10,000 TPA. Copy of the Form I is appended.

Hence the matter is placed before KCZMA as decided in the 50th meeting.

Additional Agenda Item No. 1
File No.1051/A2/10/S&TD/KCZMA

Construction of an Ayurvedic Resort at Punnayur Grama Panchayath Thrissur District.

- Name of the project** : Ayurvedic Resort Project at Punnayur Village, Chavakkad.
- Project Details** : Construction of resort building with a plinth area of 20327.30m², in which 2327.m² is existing and 18000m² is proposed. The total area of the plot is 18.2186 HA)
- Activities proposed** : Construction of resort building with plinth area of 20327m². Other constructions include rainwater harvesting tank, swimming pool, water treatment plant etc.
- Location Details** : The proposed site comprises of survey No.47,48,49,53 and 54 of Village Punnayur, Thrissur District. It is located at Lat.10⁰ 38' 17" N Long.75⁰58'46"E; The coast at Akalad is part of a more or less straight sandy coast extending from Chettuwa tidal inlet of Chettuwa river to the Veliyangod tidal inlet of Kaniramukku river.
- CRZ of the area** : The site is in a Grama Panchayath area. As per the CRZ status report prepared by Centre for Earth science studies the seasonal beaches being an area between the High Tide Line and Low Tide Line is CRZ I (ii) and other areas are CRZ III. The construction as per the map is between 200-500m from High Tide Line in CRZ III(map No.45).
- Project Cost** : Rs.6.63 Crores.
- Provisions of CRZ Notification** : As per CRZ Notification paragraph 8 III B(i) development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors are permissible subject to conditions in Annexure III of the Notification. Following conditions are verified and found satisfactory.
- a) Construction is beyond 200m from High Tide Line.
 - b) The total construction is less than 33% of the plot size.
 - c) Arrangements are mentioned for waste management.
- The height of the building is not mentioned in the application. Only two floors with maximum height of 9m can be permitted. The Kerala Coastal Zone Management Authority may consider recommending the construction subject to following conditions.

1. Live fencing and barbed wire fencing with vegetative cover may be allowed, no permanent walls to be erected on the border.
2. No permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp post.
3. Groundwater shall not be tapped within 200m of High Tide Line; within 200-500m zone it can be tapped only with the concurrence of Central or State Groundwater Board/Department (It is mentioned that ground water will be used for meeting the requirement of the resort).
4. Construction of basement may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of groundwater in that area.
5. The construction shall be consistent with the surrounding landscape and local architectural style.
6. Extraction of sand, leveling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line.
7. The quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection)Act, 1986.
8. Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach.
9. To allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500 metres apart.
10. Approval of the State or Union territory tourism Department shall be obtained.

Hence placed before KCZMA

Complaint on the Reclamation of Cochin Backwaters

The Secretary, Association for Environmental Protection Council Aluva lodged a complaint on the reclamation of Cochin Backwater and the construction of high-rise buildings in the area. Copy of the complaint is attached herewith.

The main points raised in the complaint are.

1. The construction of Lulu Convention centre in the reclaimed land between the lake and Bolgatty palace road.
2. GCDA is planning to implement the 2nd stage development of Marine Drive Scheme. As per the available information it is proposed to reclaim 150 hectares of backwater.

The Activity will reduce the area of backwater and lead to the intrusion of saline water into higher levels.

As per (clause 3 -IV) of CRZ Notification 2011, and as per clause 4(1) (i) of wetland conservation and Management Rules 2010 reclamation is a prohibited activity. The backwater in Kochi are part of Vembanad which is declared as RAMSAR site. This is also declared as critically vulnerable coastal area under CRZ Notification 2011.

In the circumstances LSGD and GCDA may be addressed for stopping all such unauthorised activities.

Hence placed before KCZMA for discussion and decision.

Additional Agenda Item No.3
File No.670/A2/12/S&TD/KCZMA

Construction of a Convention and Exhibition Centre in Bolgatty Island

- Name of the project** : Lulu Convention and Exhibition Centre in Bolgatty Island at Mulavukad Village
- Project Details** : Plot area 1,05,900 m², Built up area 1,49,820m², Hotel rooms (217 Nos)+ Apartments (572 Nos), Convention Centre(3400 seats) + Restaurant and Health club.
- Activities proposed** : Construction of building with 1,49,820m² plinth area..
- Location Details** : Survey No 31/4 & 31/20 Bolgatty island at Mulavukad Village, Kanayannur Taluk, Ernakulam District, Kerala.
- CRZ of the area** : The High Tide Line is along the embankments on the sides of the backwater. A major part of the site proposed for development and reclaimed from Vembanad backwater during 2005-06 modifying the high Tide Line to the present position. The proposed development site being in Mulavukad Panchayath, the CRZ landward from the High Tide Line, except those categorised as CRZ I, is CRZ III (CRZ 2011; 1991). Bolgatty in which the proposed site falls is an island. Hence the CRZ extends landward from the High Tide Line upto 50m(CRZ 2011; vide para 8V 2(ii)). The waterbody (Ernakulam Kayal/Vembanad lake and the bed) is CRZ IV. There are no mangroves in the project site. But there are mangroves along the banks of backwater in the nearby areas. These are CRZ IA.
- Project Cost** : Rs.380 Crores.
- Provisions of CRZ Notification** : The major part of the site proposed for development was reclaimed from Vembanad backwater during 2005-06. As per CRZ Notification 1991/2011 land reclamation is a prohibited activity as per clause 3 (vi) of CRZ Notification 2011 and clause 2 (VIII) of CRZ Notification 1991. The CRZ status report is prepared based on the present landform. The HTL as on 1991 will be applicable and the construction shall be permissible only after

leaving 50m landward of HTL of 1991 as 50m from HTL landward is earmarked as No Development Zone of CRZ III, where no new constructions can be permitted.

Other Details

: Solid and liquid effluent treatment plants are proposed.

Water Requirements

: 508.6 KL/day to be met from rainwater harvesting, public supply, groundwater (open/bore well) and treated water from STP.

I may be also noted that we received a complaint on the unauthorised reclamation made in the area. The same is dealt within file No.1262/A2/12/S&TD.

Hence placed before KCZMA

Form I and CESS report attached.

Additional Agenda Item No.4
File No.2295/A2/11/S&TD/KCZMA

Violation of CRZ norms –Construction of Hotel Crown Plaza, Maradu,Ernakulam
by M/S KGA Hotels and Resorts (P) Ltd-reg.

Shaw cause Notice was issued to Sri.K.G Abraham, KGA Hotels and Resorts (P) Ltd. Ernakulam, for undertaking construction in the CRZ area of Maradu Municipality (Erstwhile Maradu Grama Panchayat) in violation to the provisions of CRZ Notification 1991,as decided by the KCZMA in the last meeting. The matter came up for consideration before the Authority during the period 2008-2009. After conducting site inspection and examining the CRZ status report of the area, it was found that, the construction was made even in the No Development Zone of CRZ-III area. Notice was issued accordingly and also direction was given to the District Collector, Ernakulam to stop all the illegal constructions.

In the meantime the project proponent, approached the Hon'ble High Court and completed almost all the construction work. He has furnished reply to the notice vide his letter dated 14/7/12 . Copy of the same may be seen as **Annex 4(a)**.

In this context it may be noted that as per para I of CRZ Notification 2011 it is stated that the things done or omitted to be done prior to 6th Jan 2011 has to be dealt in accordance with CRZ Notification 1991. The referred construction was undertaken while CRZ Notification 1991 was in force. Hence the argument of the petitioner in Para 1,2 & 3 are baseless and against rules. The relaxation granted for the constructions in the backwater islands of Kerala, in the CRZ Notification 2011, is not applicable in this case.

In the meantime the applicant has filed writ petition before the court and obtained order to do the constructions at the risk of the party. It seems that this has no bearing to the Authority.

Adv. Prakash C. Vadakkan, Standing Counsel of KCZMA is also requested to present before the Authority to explain the legal position.

Hence Placed before KCZMA

Additional Agenda Item No.5
File No. 504/A2/12/S&TD/KCZMA

**Terms and conditions of the appointment of Adv. Prakash.C.Vadakkan,
Vadakkan House, Anthinadu.P.O, Pala as Standing Counsel, KCZMA.**

Adv. Prakash C.Vadakkan.J, Vadakkan House, Anthinadu.P.O, Pala was appointed as Standing Counsel of KCZMA as per the order dated, 02.05.2012. The terms and conditions of the appointment was not fixed at that time. Now it is proposed to grant him an amount of Rs.5,000/- as Retainer Fee, Rs.3,000/- for each case and Rs.1,000/- for Stationery charges. The expenditure shall be met from the budgetary provisions of KSCSTE for KCZMA.

The duties and responsibilities of the Standing Counsel also shall be specified clearly. The terms of appointment shall be initially for a period of one year.

KCZMA may approve the above.

Additional Agenda Item No.6
File No.1089/A3/12/S&TD/KCZMA

Construction of Residential building for Ms. Reetha, Thottumugathu Villa
Chemmakkad, Kollam at Perinad Grama Panchayat

Name of the project : Residential building for Ms. Reetha, Thottumugathu villa, Chemmakkad, Kollam.

Project Details : A residential building with a plinth area of 95.15m². single storied with a maximum height of 4.5m.

Activities proposed : Construction of residential building.

Location Details : Survey No. 410/9, 412/1, 2 at Perinad Grama Panchayath, Kollam.

CRZ of the area : The area is in Panchayath and is on the banks of Ashtamudi backwater. The CRZ will be CRZ III upto 100m from High Tide Line and No Development Zone.

Project cost : No details provided.

Provisions of CRZ Notification: As per CRZ Notification 2011 clause 8 III (ii) no new constructions can be permitted in the No Development Zone of CRZ III. Only reconstruction of existing authorised buildings without increase in existing plinth area, FSI and density can be permitted.

Hence Placed before KCZMA

Draft Additional Agenda Item No. 7
File No.1067/A3/12/S&TD/KCZMA

Allegation of acceptance of bribe from M/S Royal Blue Hotels Pvt. Ltd for issuing CRZ clearance.

In its 49th Meeting KCZMA considered the Hotel construction by Royal Blue Hotels Pvt. Ltd in Kadinamkulam Village of Thiruvananthapuram District. As per the CRZ status the construction is outside CRZ. But the proponent has reclaimed a large waterbody near the site. Hence the authority decided to issue direction to the proponents to restore the waterbody reclaimed within a period of 3 months and report compliance. It was also decided to take action under EP Act if the project proponent fail to do so within the time limit. Accordingly Notice was issued to the authority.

At Present the hotel authorities has filed a W.P(C) 14902/12 against KCZMA decision claiming that they had made no reclamation but constructed a bund in the site. It is against the rules.

Meanwhile Sri. Sunilkumar, Praveena Kottage, Methukkada, Irikkaom raad , Thiruvananthapuram has submitted petition alleging that CRZ authorities has accepted Rs.50,000/- as bribe for issuing clearance for the Hotel construction. The allegation is a very serious one as it is raised against the transparency and credibility of the authority.

Hence the matter is Placed before KCZMA for discussion and for an appropriate decision.

Additional Agenda Item No. 8
File No.1179/A2/12/S&TD/KCZMA

Construction of Reading Room in Vallikkunnu Grama Panchayat

- Name of the project** : Construction of a Reading Room in Vallikkunnu Grama Panchayat
- Project Details** : Construction of a building with plinth area of 85.9m². Single storied.
Height not provided.
- Activities proposed** : Construction of a building.
- Location Details** : Resurvey No. 244/5, ward 17 of Vallikkunnu Grama Panchayat.Extent
10.8 cent..
- CRZ of the area** : The area is within 200m from High Tide Line of sea. Distance from High
Tide Line is not provided. The area will be in CRZ III No
Development Zone. The presence of inland water body/Mangroves is
not mentioned in the application.

Provisions of CRZ Notification: In the No Development Zone of CRZ III construction of schools
which are required for the local inhabitants may be permitted in a case
to case basis by the Kerala Coastal Zone Management Authority. If
the library which plays a vital role in the informal education it can be
considered as school/education centre. Therefore this may be
considered for according CRZ clearance.

Hence Placed before KCZMA

Additional Agenda Item No. 9
File No.975/A3/12/S&TD/KCZMA

Construction of Boat yard and Marine Workshop Building Yard in Alappad

- Name of the project** : Construction of boat building yard in Alappad.
- Project Details** : Construction of workshop building and boat yard installation of motors.
- Activities proposed** : Construction of building and motor installation
- Location Details** : Survey No. 44/18,44/18-2,44/25,44/26 of Alappad Village,
Kollam District.
- CRZ of the area** : The CRZ status report is not prepared by authorised Agency. Requires site inspection as the site is on banks of TS Canal. There a few patches of mangrove near Cheriyaazheekkal in Alappad.

Provisions of CRZ Notification: As per CRZ Notification 2011 clause 8 III A (iii) facilities required for local fishing community including traditional boat building yards can be permitted in CRz III No Development Zone. The CRZ status of site is not examined. If the area is having mangrove, then the area will be CRZ I A and then it shall not be permissible.

Present Status : A 3 Member committee was constituted to undertake a detailed assessment of the status of the are based on field visit, discussion with the various stakeholders and analyses of satellite imageries and other evidences, and provide a comprehensive report within one week. But out of the three, 2 members ie. Dr.Padmalal, Scientist, CESS and Dr. Dinesh Kumar has submitted requests to exempt them from the site inspection as one of them is not an expert in the field and the other one has previous commitments. Hence the committee became nonfunctional.

The constitution of the committee by non-experts and their withdrawal from the committee is a serious issue affecting the conduct of site inspections and the standard of site inspection report.

Hence Placed before KCZMA

