

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

60th MEETING

Agenda & Notes

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

Date : 3.00 P.M on 18th November 2013

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

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

60th MEETING**Date & Time****Venue**

18th November, 2013
3.00 P.M

Sasthra Bhavan
Pattom, Thiruvananthapuram

Agenda Items

Item No.	Subject & File No.	Page No.
60.1	Confirmation of the Minutes of 58th meeting held on 27.07.2013.	Annx-I
60.2	Confirmation of the Minutes of 59th Special Meeting held on 04.09.2013.	Annx-II
60.3	Action Taken report on the decisions of 57th meeting on 24.06.2013.	4 - 12
60.4	Action Taken report on the decisions of 58th meeting on 27.07.2013.	12 - 16
60.5	Action Taken report on the decisions of 59th Special Meeting on 04.09.2013.	16 - 20
60.6	Consideration of new Agenda Items of 60 th meeting.	21
60.6.1	Construction of Residential Building by Shri.K.P.John, Kulangara, Thaikkal.P.O, Cherthala, Alappuzha. (971/A3/2013/KCZMA/S&TD)	21
60.6.2	Construction of Building for Packed Drinking Water and Soda making unit by Sri.Christy Boy / Vijayamma, Mathalayam, Thrikkadavoor, Kollam. (1059/A3/2013/KCZMA/S&TD)	22
60.6.3	ആദിച്ചനല്ലൂർ പഞ്ചായത്തിൽ ഇത്തിക്കര ആറിന്റെ തീരത്ത് CRZ നിയമം ലംഘിച്ച് ശ്രീ. നജുമുദ്ദീൻ ഷോപ്പിംഗ് കോംപ്ലക്സ് പണിയുന്നതായി ശ്രീ.കെ.ശ്രീകുമാർ, സെക്രട്ടറി, മൈലക്കാട് പൗരസമിതിയുടെ പരാതി. (2474/A3/2011/KCZMA/S&TD)	23
60.6.4	Regularisation of Construction of dwelling unit by Smt. Ambujam, Puthen Paramba, Purakkad, Alappuzha. (1210/A3/2013/KCZMA/S&TD)	24
60.6.5	Construction of Office Building for Purakkad Grama Panchayath, Purakkad P.O, Alappuzha. (1399/A3/2013/KCZMA/S&TD)	25
60.6.6	Construction of Marine diesel outlet by Shri. Lixon Xavior & Smt. Mercy Lixon, Bethel, Thrikkadavur, Kureepuzha P.o, Kollam. (1486/A3/2013/KCZMA/S&TD)	26

60.6.7	Re-construction of Residential Building by Shri. Suran and others, Kiliyante Mudumbu Veedu, Panthura, Pachalloor P.O, Thiruvananthapuram. (819/A3/2013/KCZMA/S&TD)	27
60.6.8	CRZ clearance for proposed expansion at Club Mahindra "Holidays & Resorts" (Ashtamudi Resort) at Thekkumbhagam, Kollam. (1527/A3/2013/KCZMA/S&TD)	28
60.6.9	Report of the Sub Committee constituted to study the CRZ aspects for construction of Houses under Government Housing Scheme in Edavanakkad Grama Panchayath (208/A2/2011/KCZMA/S&TD)	29
60.6.10	Construction of Commercial Building by Smt.Veena. V.Shenoy, Karuvachery, Nileswar.P.O, Kasargod (1895/A2/2012/KCZMA/S&TD)	30
60.6.11	Construction of two Sewage Pump House at Fort Kochi Village, Ernakulam (1303/A2/2012/KCZMA/S&TD)	31
60.6.12	Complaint against the construction of Hotel Raviz in Thrikkadavoor Grama Panchayath, Kollam by Sri.K.C.Esthappan, Palakkad. (2402/A3/2011/KCZMA/S&TD)	32
60.6.13	Construction of Residential Building by Smt.P.Shylaja & Sri.D.Deepak, Pulukul House, Kovapuram, Ramanthali.P.O, Kannur (1625/A2/2013/KCZMA/S&TD)	33
60.6.14	Construction of Building for Coastal Police Station at Arthungal, Cherthala South Grama Panchayath, Alappuzha. (1715/A3/2013/KCZMA/S&TD)	34
60.6.15	Construction of Residential Building by Smt. Anitha T.A, Anil Bhavan, Kurakkanni, Varkala. (1885/A3/2013/KCZMA/S&TD)	35
60.6.16	Construction of Residential Building by Mr.Joseph Luka, Mattappilli Puthuchira, T.V. Puram, Vaikom, Kottayam.(1597/A3/2013/KCZMA/S&TD)	36
60.6.17	കാപ്പിക്കോ കേരള റിസോർട്ട്സ് പൊളിക്കുമ്പോഴുണ്ടാകാവുന്ന പരിസ്ഥിതി പ്രശ്നങ്ങൾക്ക് പരിഹാരം കാണുന്നതിന് മത്സ്യതൊഴിലാളികളുടെ നിവേദനം. (1797/A3/2013/KCZMA/S&TD)	37
60.6.18	Reconstruction of Residential Building by Shri.Ulahannan (John), Vadappurath, Ambika Market P.O, Vechoor, Vaikom -686144, Kottayam. (1799/A3/2013/KCZMA/S&TD)	38
60.6.19	Construction of a star Hotel "ALL SEASON" in Thrikkadavoor Grama Panchayat violating CRZ Provisions. (593/A3/2013/KCZMA/S&TD)	39
60.6.20	Construction of Residential Building by Shri. Joseph.C.A, Chullikkal, Vallarpadam, Ernakulam (1116/A2/2013/KCZMA/S&TD)	40
60.6.21	Mining of Heavy Mineral Sand from 9.025 acres in Neendakara Village, Kollam. (2103/A3/2013/KCZMA/S&TD)	41
60.6.22	Construction of Telecommunication Tower at Arattupuzha Village by M/s. ATC Telecom Tower Corporation Pvt. Ltd., Kochi. (1334/A3/2013/KCZMA/S&TD)	42
60.6.23	Alleged violations in Thalassery Municipal area complaint received from Sri. Muhammed Afsal. K.P. (766/A2/2013/KCZMA/S&TD)	43
60.6.24	Construction of Residential Building by Dr. Varghese Mathew, Dr. Elizabeth Mathew & Silpa Mathew, Diya Gardens-66-Lake Dharsan Nagar, Kollam. (1746/A3/2013/KCZMA/S&TD)	44

Agenda Item No. 60.1

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

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

Agenda Item No. 60.2

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

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

Agenda Item No.60.3

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

Agenda Item No.	File No.	Subject and Decision	Action Taken
57.5.1	1697/A2/ 2011/KCZMA/ S&TD	Sub:- WP(C) No. 21621/11 filed by Dr. Francis Puthanagadi, Thrissur - Construction of Building Decision:- The KCZMA discussed the report in detail and decided to permit construction only for permissible activity subject to the condition that the building shall be used strictly for residential purpose.	Decision communicated on 22.07.2013.
57.5.2	2002/A2/201 2/KCZMA/ S&TD (1)	Sub:- Construction of Residential building by Smt. Kunnath Ayisha, Near Oliyakara Beach.P.O, Mattool South, Kannur. Decision:- The KCZMA discussed the proposal for construction of residential building by Smt. Kunnath Ayisha, Near Oliyakara Beach.P.O, Mattool South, Kannur and decided to constitute a committee for site visit with Shri. Baby John, Member KCZMA and Dr. P. Harinarianan, Scientific Officer, KSCSTE as members. The site visit will be carried out specifically on the hazard point of view.	Sub Committee constituted dated 26.08.2013.
57.5.3	2002/A2/201 2/KCZMA/ S&TD (2)	Sub:- Construction of Residential building by Sri. Pandaravalapil Shameem, Pandaravalapil House, P.O. Mattool South, Kannur. Decision:- The KCZMA discussed the	Sub Committee constituted.

		proposal for construction of residential building by Sri. Pandaravalapil Shameem, Pandaravalapil House, P.O. Mattool South, Kannur and decided to constitute a committee for site visit with Shri. Baby John, Member KCZMA and Dr. P. Harinaryanan, Scientific Officer, KSCSTE as members. The site visit will be carried out specifically on the hazard point of view.	
57.5.4	60/A2/2013/ KCZMA/S&TD	Sub:- Establishment of Container Freight Station at Vallarpadam - MIV Logistics Pvt. Ltd. Decision:- The KCZMA had discussed the proposal for establishment of container freight station at Vallarpadam - MIV Logistics Pvt. Ltd. The KCZMA is not satisfied with the letter from Cochin Port Trust submitted by the proponent and decided that specific document is required on the time of reclamation to lead to a decision. The proposal is thus deferred.	File under process.
57.5.5	135/A2/2013 /KCZMA/ S&TD	Sub:- Construction of Residential building by Smt.K.Savithri, W/o.Vijayan, Perumpadappil (H), Mukkom. P.O, Kozhikode. Decision:- The KCZMA discussed proposal for Construction of residential building by Smt.K.Savithri, W/o.Vijayan, Perumpadappil (H), Mukkom.P.O, Kozhikode and decided not to grant clearance for the construction as it is in the No Development Zone of CRZ III.	Decision communicated on 13.06.2013.
57.5.6	187/A2/2013 /KCZMA/ S&TD	Sub:- Construction of Residential building in Thalassery Municipal area - Application of Smt.Sushida.D, Suresh Nivas, Chala, P.O. Thottada, Kannur-7. Decision:- The KCZMA discussed the proposal for construction of residential building in Thalassery Municipal area - Application of Smt.Sushida.D, Suresh Nivas, Chala, P.O. Thottada, Kannur and decided to grant clearance for the regularization of the residential building constructed in CRZ II landward of existing building.	Decision communicated on 30.07.2013.
57.5.7	221/A2/2013 /KCZMA/ S&TD	Sub:- Construction of building for Rural Apparel Park, Thalikkulam Grama Panchayath Decision:- The KCZMA discussed the appeal in detail and decided not to reconsider the earlier decision of the KCZMA that the construction is not permissible as per the CRZ Notification.	Decision communicated on 30.07.2013.

57.5.8	253/A2/2013 /KCZMA/ S&TD	<p>Sub:- Reconstruction of Shop Building as Residential Building by Sri.Valsan.K, Sivaranjini, Vadakkumbad, Erunjoli, Thalassery, Kannur.</p> <p>Decision:- The KCZMA discussed the proposal for reconstruction of existing shop building as residential building by Sri.Valsan.K, Sivaranjini, Vadakkumbad, Erunjoli, Thalassery, Kannur and decided to grant CRZ clearance as reconstruction for residential building is a permissible activity as per CRZ Notification.</p>	Decision communicated on 25.07.2013.
57.5.9	301/A3/2013 /KCZMA/ S&TD	<p>Sub:- Construction of Residential building by Mr. Sivakumar, C.S. Bhavan, Kurumandal, Paravoor, Kollam.</p> <p>Decision:- The KCZMA discussed the proposal for construction of residential building by Sri. Sivakumar, C.S.Bhavan, Kurumandal, Paravoor, Kollam and decided to grant CRZ clearance.</p>	Decision communicated on 22.07.2013.
57.5.10	500/A3/2013 /KCZMA/ S&TD	<p>Sub:- Construction of Residential Building by Sri.Moinual Haq, Chandrathil, Thekkumbhagam, Paravoor, Kollam.</p> <p>Decision:- The KCZMA meeting discussed the proposed the construction of residential building by Sri. Moinual Haq, Chandrathil, Thekkumbhagam, Paravoor, Kollam and decided to grant CRZ clearance.</p>	Decision communicated on 22.07.2013.
57.5.11	567/A2/2013 /KCZMA/ S&TD	<p>Sub:- Re-Construction of Residential Building by Smt. Madhavi Kunnumakkara.P.O, , Oorkkattery, Kozhikode</p> <p>Decision:- The KCZMA discussed the proposal for re-construction of residential building by Smt. Madhavi Kunnumakkara.P.O, , Oorkkattery, Kozhikode and decided to grant CRZ clearance.</p>	Decision communicated on 27.07.2013.
57.5.12	577/A3/2013 /KCZMA/ S&TD	<p>Sub:- Construction of additional area of existing Residential Building by Sri.A.Sisupalan, Punnapra South Grama Panchayath, Alappuzha.</p> <p>Decision:- The KCZMA discussed the proposal for construction of additional area of existing residential building by Sri.A.Sisupalan, Punnapra South Grama Panchayath, Alappuzha and decided to grant CRZ clearance.</p>	Decision communicated on 22.07.2013.

57.5.13	617/A2/2013 /KCZMA/ S&TD	<p>Sub:- Construction of building for Crematoria at Thalikulam Grama panchayat.</p> <p>Decision:- The KCZMA discussed the proposal for construction of building for crematoria at Thalikulam Grama panchayat and decided to grant CRZ clearance.</p>	Scrutiny fee pending.
57.5.14	662/A2/2013 /KCZMA/ S&TD	<p>Sub:- Construction of Residential Building by Sri. Sudheer P.K, Puthuvel Nikath, pannakkad, Kizhakkappam, Thathappilli P.O North Paravoor, Ernakulam.</p> <p>Decision:- The KCZMA discussed the proposal for construction of residential building by Sri. Sudheer P.K, Puthuvel Nikath, pannakkad, Kizhakkappam, Thathappilli P.O North Paravoor, Ernakulam and decided to constitute a committee comprising of Dr. A. Ramachandran, Member KCZMA and Dr. Kamalakshan Kokkal, Head CED, KSCSTE to conduct site visit and report to the KCZMA.</p>	Committee constituted on 27.07.2013 for site inspection.
57.5.15	702/A3/2013 /KCZMA/ S&TD	<p>Sub:- Construction of Apartment Building by M/s. Heera Kerala Developers Pvt. Ltd., - 'Heera Blue Waters' in Attipra Village, Thiruvananthapuram.</p> <p>Decision:- The KCZMA discussed in detail the proposal for construction of apartment building by M/s. Heera Kerala Developers Pvt. Ltd., 'Heera Blue Waters' in Attipra Village, Thiruvananthapuram and noted that there is a disparity in the NOC issued by Pollution Control Board in the built up area approved and proposed in the application for CRZ clearance. It is further noted that the proposed construction falls partly in CRZ area where new constructions are prohibited. The KCZMA decided that the area which was reclaimed by the proponent need to be restored. Construction can be permitted only outside CRZ area. Action against reclamation of lake shall be proceeded by invoking EP Act 1986.</p>	Notice issued to all the concerned on 12.08.2013.

57.5.16	753/A2/2013 /KCZMA/ S&TD	<p>Sub:- Construction of Residential Building by Sri.M.K.Abdul Rahman, M.K. House, Ariel.P.O, Pattuvam, Kannur.</p> <p>Decision:- The KCZMA discussed the proposal for Construction of Residential Building by Sri.M.K.Abdul Rahman, M.K. House, Ariel.P.O, Pattuvam, Kannur and decided to constitute a committee comprising of Shri. Baby John and Dr. P. Harinarayanan to conduct site inspection and report on the point of view of CRZ/hazard status of the location to the KCZMA.</p>	Sub Committee constituted.
57.5.17	756/A2/2012 /KCZMA/ S&TD	<p>Sub:- Construction of Building for Hydrographic Survey Office, Port Department at Munambam, North Paravur, Ernakulam.</p> <p>Decision:- The KCZMA discussed the proposal for construction of building for Hydrographic Survey Office, Port Department at Munambam, North Paravur, Ernakulam and decided to grant CRZ clearance.</p>	CRZ clearance granted.
57.5.18	800/A2/2013 /KCZMA/ S&TD	<p>Sub:- Construction of Residential Building by Smt. Seena, Punnathara House, Vallarpadam.P.O, Panambukadu, Mulavukadu, Ernakulam.</p> <p>Decision:- The KCZMA discussed the proposal for Construction of Residential Building by Smt. Seena, PunnatharaHouse, Vallarpadam. P.O, Panambukadu, Mulavukadu, Ernakulam and decided to not to grant CRZ clearance as the location is prone to natural hazards.</p>	Decision communicated on 30.07.2013.
57.5.19	825/A2/2013 /KCZMA/ S&TD	<p>Sub:- Reconstruction of Residential building by Sri.Hameed, S/o. Kunhammad kutty, Kunnummakara, Eramala Panchayath, Vadakara, Kozhikode.</p> <p>Decision:- The KCZMA discussed the proposal for reconstruction of residential building by Sri.Hameed, S/o. Kunhammad kutty, Kunnummakara, Eramala Panchayath, Vadakara, Kozhikode and decided to call for details pertaining to the plinth area of the existed building from the Panchayat.</p>	Reply from the Grama Panchayath awaited.
57.5.20	828/A3/2013 /KCZMA/ S&TD	<p>Sub:- Judgement in WP(C) No. 6649/07 filed by Sri. V.C. Augustine, Alappuzha.</p> <p>Decision:- The KCZMA discussed the judgement in WP(C) No. 6649/07 filed by Sri. V.C. Augustine, Alappuzha and</p>	Letter issued to District Collector and Grama Panchayath on

		decided to call for status of reclamation from the Panchayat and the District Collector to take action on illegal encroachment if any as per the provisions contemplated under the Land Conservancy Act 1957.	30.07.2013.
57.5.21	861/A2/2013 /KCZMA/ S&TD	Sub:- Construction of Dwelling unit by Smt.B.K.Narayani, D/o, Umbungan (L), Udma West, P.O. Udma West -671319, Kasargod. Decision:- The KCZMA discussed the construction of dwelling unit by Smt.B.K.Narayani, D/o, Umbungan (L), Udma West, P.O. Udma West -671319, Kasargod and decided to grant CRZ clearance.	Decision communicated on 27.07.2013.
57.5.22	886/A3/2013 /KCZMA/ S&TD	Sub:- Construction of Building for Hollow Brick Unit by Sri. Yesudasan, Das Bhavan, Meenathucherry, Kavanad.P.O, Sakthikulangara, Kollam. Decision:- The KCZMA discussed the proposal for construction of building for hollow brick Unit by Sri. Yesudasan, Das Bhavan, Meenathucherry, Kavanad.P.O, Sakthikulangara, Kollam and decided to not to grant CRZ clearance.	Decision communicated on 22.07.2013.
57.5.23	918/A2/2013 /KCZMA/ S&TD	Sub:- Construction of Wood Polishing Centre by Shri.P.T. Shamsudheen, Puthiyangadi Village, Kozhikode corporation. Decision:- The KCZMA discussed the proposal for construction of wood polishing centre by Shri.P.T. Shamsudheen, Puthiyangadi Village, Kozhikode corporation and decided to call for NOC from Pollution Control Board.	Reply from the applicant awaited.
57.5.24	940/A2/2013 /KCZMA/ S&TD	Sub:- Construction of Building for Tourist Police Assistance Centre by District Police, Kozhikode. Decision:- The KCZMA discussed the proposal for Construction of Building for Tourist Police Assistance Centre by District Police, Kozhikode and decided to grant CRZ clearance.	CRZ clearance granted communicated on 03.08.2013.
57.6.1	850/A3/2013 /KCZMA/ S&TD	Sub:- Construction of Office Cum Laboratory Building CMFRI, Vizhinjam Research Centre, Thiruvananthapuram. Decision:- The KCZMA discussed the proposal for construction of office cum laboratory building of CMFRI, Vizhinjam Research Centre, Thiruvananthapuram and decided to grant CRZ clearance as the research activities of CMFRI require water frontage.	Decision has not been communicated since Dr.K.Padmakumar, Member, KCZMA raised an objection against the decision. Proposal again placed in the 58 th meeting of KCZMA.

57.6.2	1674/A3/ 2012/KCZMA/ S&TD	<p>Sub:- Construction of Residential building of Sri.Gopalakrishnan, Puthen Veettil, Adinadu South, Kulasekharapuram, Kollam.</p> <p>Decision:- The KCZMA discussed the proposal for construction of residential building of Sri.Gopalakrishnan, Puthen Veettil, Adinadu South, Kulasekharapuram, Kollam and decided to grant CRZ clearance.</p>	Decision communicated on 22.07.2013.
57.6.3	913/A3/2013 /KCZMA/ S&TD	<p>Sub:- Construction of Marine Diesel outlet by Sri.Thomson Gilbert/Philomine Antony, Thuruthil Puthen Benglaw, Sakthikulangara, Kollam.</p> <p>Decision:- The KCZMA discussed the proposal for Construction of Marine Diesel outlet by Sri.Thomson Gilbert/Philomine Antony, Thuruthil Puthen Benglaw, Sakthikulangara, Kollam and decided to grant CRZ clearance subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF.</p>	Decision communicated on 22.07.2013.
57.6.4	1548/A2/ 2012/KCZMA/ S&TD	<p>Sub:- Construction of building for AFT, Mulavukad Grama Panchayat.</p> <p>Decision:- The KCZMA heard the Registrar, AFT and discussed the matter in detail. Further, KCZMA decided that the committee consisting of Dr. A. Ramachandran, Member KCZMA, Dr. K. Padmakumar Member KCZMA, Dr. K.V. Thomas, Scientist, CESS, Dr. Sajith Babu, Asst. Commissioner, CLR (representing Principal Secretary, Revenue) and Dr. Kamalakshan Kokkal shall make a site visit to appraise the CRZ status to the KCZMA.</p>	Committee constituted on 30.07.2013 for site inspection.
57.6.5	593/A3/2013 /KCZMA/ S&TD	<p>Sub:- Construction of a star Hotel "ALL SEASON" in Thrikkadavoor Grama Panchayat violating CRZ Provisions.</p> <p>Decision:- The KCZMA discussed the Construction of a star Hotel "ALL SEASON" in Thrikkadavoor Grama Panchayat violating CRZ Provisions and decided to call for explanation from the Secretary, Thrikkadavoor Grama Panchayat and instruct to issue Stop Memo to the proponent of the Hotel.</p>	Notice issued to the Grama Panchayath on 24.07.2013.

57.6.6	1831/A3/ 2012/KCZMA/ S&TD	<p>Sub:- Representation of Kerala Hotel & Restaurant Association, Thiruvananthapuram District Committee against the Vizhinjam International Sea Port.</p> <p>Decision:- The KCZMA discussed representation of Kerala Hotel & Restaurant Association, Thiruvananthapuram District Committee against the Vizhinjam International Sea Port and the letter submitted by VISL in this regard. The KCZMA decided that the apprehensions raised by the KHRA is premature and the KHRA can raise their objections/suggestions during the public hearing.</p>	Decision communicated to the Environment Department on 21.06.2013
57.6.7	849/A2/2013 /KCZMA/ S&TD	<p>Sub:- Construction of Residential building by Sri.Prasanth.C & Lincy.T.M. Chandrathil (H), Ariyalloor.P.O, Malappuram district.</p> <p>Decision:- The KCZMA discussed Construction of residential building by Sri. Prasanth.C & Lincy.T.M. Chandrathil (H), Ariyalloor.P.O, Malappuram district and decided to grant CRZ clearance as per the CRZ Notification 2011, Clause 8 III B(vii).</p>	Decision communicated on 27.07.2013.
Other Items		<p>In compliance of the Interim Orders of the Hon'ble High Court dated 06-12-2012 and 07-06-2013 in the petition moved by the Pentagon Builders, Calicut as per W.P.(c) NO. 22854/2012, The KCZMA heard the Petitioner M/s Pentagon Builders, Calicut represented by one of its Advocates Shri. Mathew B.Kurian. He then submitted a statement containing 12 points to the KCZMA and also presented their points before the KCZMA. The members of KCZMA also deliberated based on the hearing note circulated by the Member Secretary and also by perusing the relevant files.</p> <p>Based on the statement and points submitted by the Petitioner, the KCZMA decided the following:</p> <ol style="list-style-type: none"> (1) The construction is taking place without obtaining CRZ clearance which is in violation of the provisions of CRZ Notifications 1991 and 2011. (2) The proponent shall submit a certificate from the local authority (Kozhikode Corporation) or from the Chief Town Planner to Govt. of 	Decision communicated.

		<p>Kerala on the approved F.A.R. as on 1991 in that area.</p> <p>Meanwhile, it was also decided that the KCZM5A shall write to the Secretary, Kozhikode Corporation and the Chief Town Planner to obtain information on the approved F.A.R as on 1991 in that area.</p>	
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Agenda Item No. 60.4

Action Taken Report (58th meeting held on 27.07.2013)

Agenda Item No.	File No.	Subject and Decision	Action Taken
58.3.1	File No. 138/A2/2013/ KCZMA/S&TD	<p>Sub:- Regularization of Construction of Mosque Building at Vaikom, Kottayam.</p> <p>Decision:- The KCZMA discussed the proposal in detail and decided not to regularize the construction. The decision will also be communicated to the panchayath.</p>	Decision communicated to the Grama Panchayath and the applicant on 17.09.2013.
58.3.2	File No. 870/A2/2013/ KCZMA/S&TD	<p>Sub:- Construction of Dwelling house by Smt. Saritha Babu, Valiyaparambu House, Ettithara, Vaniyakkad, Mandham.P.O, North Paravoor, Ernakulam.</p> <p>Decision:- The KCZMA discussed the proposal in detail and decided to grant CRZ clearance for the construction of dwelling unit proposed by Smt. Saritha Babu, Valiyaparambu House, Ettithara, Vaniyakkad, Mandham.P.O, North Paravoor, Ernakulam.</p>	Decision communicated on 13.09.2013.
58.3.3	File No. 1248/A3/2013 /KCZMA/S&TD	<p>Sub:- Comprehensive Environmental Impact Assessment (CEIA) study for Vizhinjam International Seaport Project – Complaint against violations of CRZ Notification, 1991 by Resorts.</p> <p>Decision:- The KCZMA discussed the agenda in detail and decided to constitute a committee with Dr A. Ramachandran - Member KCZMA, Dr. A Padmakumar – Member KCZMA, Chief Town Planner and Director CESS or his nominee (Convenor) to examine the violations and submit report to KCZMA.</p>	Committee has been constituted vide proceedings dated, 10.09.2013.

58.3.4	File No. 1081/A3/2013 /KCZMA/S&TD	Sub:- Regularisation of Shed (Residential) built by Sri.Manoj, Kochemparambu, Punnapra, Alappuzha. Decision:- The KCZMA discussed the proposal for regularization of the shed and decided not to regularize the construction as the location is vulnerable to hazard.	Decision communicated on 02.09.2013.
58.3.5	File No. 1037/A3/2012 /KCZMA/S&TD	Sub:- CRZ violations in Karumkulam Grama Panchayath, Neyyattinkara, Trivandrum alleged by Sri.T.Joseph. Decision:- The KCZMA discussed the alleged violations in the area and decided to constitute a committee to enquire the violations with Dr. A Padmakumar, Member KCZMA and Dr. Kamalakshan Kokkal, Joint Director, KSCSTE as members.	Committee has been constituted for site inspection on 06.09.2013.
58.3.6	File No. 1114/A3/2013 /KCZMA/S&TD	Sub:- Regularisation of Residential building built by Sri. Suresh, Chitra Bhavan, Aadhinad.P.O, Kulasekharapuram, Kollam. Decision:- The KCZMA discussed the proposal in detail and decided to permit the regularization of the construction of residential building made by Sri. Suresh, Chitra Bhavan, Aadhinad.P.O, Kulasekharapuram, Kollam, who belongs to the fishermen community.	Decision communicated on 29.08.2013.
58.3.7	File No. 1285/A3/2013 /KCZMA/S&TD	Sub:- CRZ clearance for the development of Vizhinjam International Deep water Seaport Project. Decision:- A presentation was made by the proponents and the consultants before the KCZMA. The KCZMA discussed the proposal in detail decided to recommend the proposal to MoEF, Government of India.	Letter issued to Ministry of Environment & Forest on 24.08.2013.
58.3.8	File No. 1031/A2/2013 /KCZMA/S&TD	Sub:- Establishing Marine Diesel Outlet by Smt. Shahitha.T.A, Marackaparambil House, Kunjithai, Vadakkekara, North Paravoor, Ernakulam. Decision:- The KCZMA discussed the proposal in detail and decided to permit the establishment of Marine Diesel Outlet by Smt. Shahitha.T.A, Marackaparambil House, Kunjithai, Vadakkekara,	Decision communicated.

		North Paravoor, Ernakulam subject to implementation of safety regulations including guidelines issued by the oil industry safety directions in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementations of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF.	
58.3.9	File No. 2288/A2/2012 /KCZMA/S&TD	Sub:- Construction of Residential Building by Sri. Sunil Kumar.P.P, Aryallur.P.O, Malappuram. Decision:- The KCZMA discussed the proposal for construction of a residential building by Sri. Sunil Kumar.P.P, Aryallur.P.O, Malappuram and decided to grant CRZ clearance for the construction of the residential building of 82.264m ² , Height 6.095m (Two floors) in Re. Sy. No. 103/16, (0.0314 hectare).	Decision communicated on 28.09.2013.
58.4.1	File No. 1055/A2/2013 /KCZMA/S&TD	Sub:- Regularisation of Construction made for Apartment by Shri.Shanmugan and Others, Elathur, Kozhikode. Decision:- The KCZMA discussed the proposal in detail and decided to take action against the violations by invoking the provisions of EP Act and rules thereon.	Notice issued on 23.10.13.
58.4.2	File No. 721/A3/2013/ KCZMA/S&TD	Sub:- Regularisation of construction made for Residential purpose by Sri. Santhosh, Bhakthi Vilasam, Ashtamudi, Thrikkaruva, Kollam. Decision:- The KCZMA discussed the proposal in detail and decided to permit the regularization of the construction made for Residential purpose with plinth area of 107m ² , height 6.5m, two floors in Sy. No. 57/10/3 of Thrikkaruva Village (7 cents) by Sri. Santhosh, Bhakthi Vilasam, Ashtamudi, Thrikkaruva, Kollam.	Decision communicated on 29.08.2013.
58.4.3	File No. 1316/A3/2013 /KCZMA/S&TD	Sub:- Construction of Residential Building by Smt. Mini, Ayyanparambu, Punnapra.P.O, Alappuzha. Decision:- The KCZMA discussed the proposal in detail and decided	Decision communicated on 27.08.2013.

		to grant CRZ clearance for the construction of residential building with a plinth area of 109.92m ² (two floors), height 6.9m in Re. Sy. No. 54/2-1 by Smt. Mini, Ayyanparambu, Punnapra.P.O, Alappuzha.	
58.4.4	File No. 1317/A3/2013 /KCZMA/S&TD	Sub:- Regularisation of Residential Building by Sri. Maji.P.J, Karukaparambil, Punnapra.P.O, Alappuzha-4. Decision:- The KCZMA discussed the proposal in detail and decided to permit regularization of residential building with a plinth area of 67.50m ² . single storied in Sy. No. 88/26 in Punnapra Village by Sri. Maji. P.J, Karukaparambil, Punnapra.P.O, Alappuzha-4.	Decision communicated on 27.08.2013.
58.4.5	File No. 333/A2/2013 /KCZMA/S&TD	Sub:- മത്സ്യതൊഴിലാളികളുടെയും അനുബന്ധ തൊഴിലാളികളുടെയും ക്ഷേമം സംബന്ധിച്ച നിയമസഭാ സമിതിയുടെ (2011-14) ഒന്നാമത് റിപ്പോർട്ടിന്മേലുള്ള തീരുമാനം Decision:- KCZMA decided that CESS shall develop a model plan for one of the coastal panchayats and submit within a month to KCZMA.	Report awaited.
58.4.6	File No. 1051/A2/2013 /KCZMA/S&TD	Sub:- Construction of Building by Sri. Madhu P.P, Puthiyapurayil (H), Thekekkad, Padnakadappuram P.O, Kasaragod, Decision:- The KCZMA discussed the proposal in detail and decided to grant CRZ clearance the construction of residential building with plinth area of 35.20m ² , single storied in Re. Sy. No. 267/6 by Sri. Madhu P.P, Puthiyapurayil (H), Thekekkad, Padnakadappuram P.O, Kasaragod.	Decision communicated on 13.09.2013.
58.4.7	File No. 1276/A2/2013 /KCZMA/S&TD	Sub:- Construction of Commercial Building by Smt. Kochan Kudukil Khadeja and 8 others, Vadakumbad.P.O, Ramanthali, Kannur Decision:- The KCZMA discussed the proposal in detail and decided not to permit the regularization of the building as it amount to violation.	Decision communicated on 02.09.2013.
58.4.8	File No. 1555/A3/2013 /KCZMA/S&TD	Sub:- CRZ clearance for the Pilot Project at Mathipuram Slum, Vizhinjam, Thiruvananthapuram Decision:- The KCZMA discussed	Decision communicated on 26.08.2013.

		the proposal in detail and decided to permit construction of the buildings with ground floor + One floor.	
58.4.9	File No. 2173/A2/2012 /KCZMA/S&TD	Sub:- Construction of Houses under EMS Housing Scheme, Chorodu Grama Panchayath, Kozhikode district Decision:- The KCZMA discussed the proposal in detail and decided to communicate to the Panchayat that the locations of the proposed construction are in proximity to the sea front and hence is vulnerable to hazard.	Decision communicated.
58.4.10	File No. 513/A2/2013/ KCZMA/S&TD	Sub:- Construction of Mobile Telecommunication Tower in Kadappuram Village, Chavakkad Taluk, Thrissur District. Decision:- The KCZMA discussed the proposal in detail and decided not to permit the construction of the telecommunication tower as the location being in No Development Zone of CRZ III.	Decision communicated to Grama Panchayath and applicant.

Agenda Item No. 60.5

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

Agenda Item No.	File No.	Subject and Decision	Action Taken
59.1	1779/A2/ 2013/KCZMA /S&TD	Sub:- The KCZMA then decided to take up the following Court cases and the orders/notice issued thereon for discussion in the following order: 1) Suo Moto Writ Petition (Civil) No. 687/2013 and the notice of the Hon'ble Supreme Court on CRZ violations to the KCZMA, 2) Judgement of the Hon'ble Supreme Court on S.L.P. (Civil) Nos. 24390-24391 of 2013 in the case of M/s Vamika Island (Green Lagoon Resort) as petitioner, 3) Judgement of Hon'ble High Court of Kerala with respect to WP(C). Nos. 19564 of 2011, 28485 of 2011, 34799 of 2011, 4808 of 2012, 12965 of 2012, 8299 of 2012 & 2947 of 2013.	Notice issued to all the concerned on 19.09.2013.

		<p>Decision:-</p> <p>(1) In the case of the Suo Moto WP (C) referred above, the Hon'ble Supreme Court of India issued notice to the KCZMA (through its Member Secretary) as third respondent. The KCZMA decided to take strict compliance and timely actions to the notice issued by the Hon'ble Supreme Court. Discussion was specifically held in the light of the direction to the KCZMA as quoted below from the judgement:</p> <p><u>The necessity of effective implementation of CRZ Notifications also requires serious attention at the hands of KCZMA; and</u></p> <p><u>Considering the large public interest and the importance of the issue we are inclined to issue notice to the following authorities to explain the steps they have taken to implement CRZ, in the lake and Islands as a whole, steps they have taken to restore the illegally reclaimed banks of the lake, steps taken to avert pollution etc. within a period of six weeks from today:</u></p> <p>(a) Since the hearing in the case is posted for 30-9-2013 by Hon'ble Supreme Court, the KCZMA agreed that statements of facts have to be finalized and forwarded by 23-9-2013.</p> <p>(b) Subsequently, for the benefit of the members, the Member Secretary presented the steps that have been taken by KCZMA, the nature and type of violations in and around Vembanad Lake, reports of experts committees constituted earlier by KCZMA on site visits in the area and also steps proposed for taking compliance to the above Suo Moto Notice.</p>	<p>Report sent to MOEF</p>
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		<p>(c) The Director, CESS agreed that CESS would submit whatever information available and possible within a week. The CESS is entrusted to carry out mapping of the violations in terms of reclamation, construction as well as any other regulated activities not permissible within the CRZ under different categories in and around Vembanad Lake CVCA. The Director, CESS informed that they would require 3 month time for completing the task.</p> <p>(d) The committee agreed that a draft on the requisite information and explanation detailing the above to be submitted to the Hon'ble Supreme Court can be circulated among the members to incorporate their suggestions before finalizing.</p> <p>(2) In the case of the Judgement on SLP by the Hon'ble Supreme Court, the KCZMA observed that the Court has concurred and reiterated the Judgement of the Hon'ble High Court in the case connected to the violations in Vettala Thuruthu by Vamika Resorts. Therefore, the directions of the Hon'ble High Court have to be complied in this respect.</p> <p>(3) With respect to the judgement of the Hon'ble High Court on the aforementioned 7 WP(C)s, the KCZMA decided to take the following courses of action:</p> <p>(a) Notices shall be issued to the Secretary Panavally Panchayat, District Collector Alapuzha, Director of Panchayats, Secretary LSGD for strict compliance of the Hon'ble High Court direction to ensure that ... the constructions which have been made by the</p>	<p>Report from CESS awaited</p> <p>Report sent to MOEF</p> <p>Notice issued to all the concerned on 19.09.2013</p>
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company (Kapico Resorts Pvt. Ltd) in the Nedyathuruthu island are removed in so far as it violates the terms of the 1991 Notification, as held by us. Action in this regard shall be taken within a period of three months from the date of receipt of a copy of this judgement' (by 31st of October 2013).

- (b) It shall also be communicated to the aforementioned authorities the Court direction that *'till such time as our directions as above are complied with, the company shall not proceed to make any further constructions. The company cannot carry out any kind of operations in the structures constructed in the island till the removal as ordered. As far as the island owners are concerned also, we direct that they will not carry out any further operations in the structures which are the subject matter of these cases after one week from today till such time as the direction given by us is complied with. We are allowing one week, as according to them, they are running the business. Thereafter, no kind of operations shall be done in those structures'. The Secretary, Panavally Panchayat shall be directed to take compliance to this part of the judgement by conducting verification on the ground and shall submit compliance report to the KCZMA within one week of receipt of the communication from KCZMA in this regard.*
- (c) Further, notices shall be issued to take action by all the authorities mentioned in para (3)(a) above and report to the KCZMA to ensure compliance to the direction of the Hon'ble

Court that **'...to take action against the island owner {M/s. Vamika Island (Green Lagoon Resort) in Vettilathuruthu} to ensure that the unauthorised structures which have been put up on the basis of the permit issued by the panchayat in 2012 and the buildings bearing Nos.193/D and 193/E are removed within a period of three months from the date of receipt of a copy of this Judgment. This direction will also embrace any new construction which has been noted by the panchayat itself'.**

(d) KCZMA also decided that, while writing to the Secretary, Panavally Panchayat, the officer shall be directed to take action and report to KCZMA **'...in regard to the unnumbered buildings found on Vettilathuruthu island as per law as against the island owners'.**

The Chairman, KCZMA circulated the representation of the MLAs received by the Hon'ble Chief Minister, Government of Kerala, and the KCZMA has decided to proceed in accordance with the judgements and directions of the Hon'ble High Court of Kerala and Hon'ble Supreme Court.

Further to the above, considering certain observations of the Hon'ble Supreme Court and Hon'ble High Court of Kerala, the KCZMA decided that as part of enforcing the CRZ Notification with full vigour in an effective manner, a circular shall be sent to Secretaries of all the Panchayats/Urban Local Bodies falling within the CRZ area. The Director of Panchayats and the Secretary, LSGD can be informed of the laxity on the part of the LSGs in implementing CRZ Notification.

Circular issued

Agenda Item No. 60.6

Consideration of **New Agenda items.**

Agenda Item No. 60.6.1

File No. 971/A3/2013/KCZMA/S&TD

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

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

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

Agenda Item No. 60.6.2**File No. 1059/A3/2013/KCZMA/S&TD****Construction of Building for Packed Drinking Water and Soda making unit by Sri.Christy Boy / Vijayamma, Mathalayam, Thrikkadavoor, Kollam**

- Name of Applicant** : Sri. Christy Boy / Vijayamma, Mathalayam, Nediyaazhikath Veedu, Thrikkadavoor, Kollam.
- Project Details** : Construction of building for Packed drinking water and soda making unit (industry).
- Activities proposed** : A building with total plinth area of 253m² (3 blocks) setting industrial unit. Drawing of ground water from CRZ area.
- Location Details** : Re. Sy. No. 239/4, 5, 7, 14. Ward No.III of Thrikkadavoor.
- CRZ of the area** : The area is on the banks of Ashtamudi Backwater. 100m landward of HTL is CRZ – No Development Zone.
- Provisions of CRZ Notifications.** : As per CRZ Notification 2011 Clause 3 (i) setting up industry is prohibited in CRZ area. Moreover as per Clause 8 III A (ii) No new constructions can be permitted in the No Development Zone of CRZ III. Drawing of ground water in CRZ area using mechanized means is also prohibited

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

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

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

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

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

മേൽ വിഷയത്തിന്മേൽ തീരുമാനമെടുക്കുന്നതിനായി KCZMA-യുടെ മീറ്റിംഗിൽ വയ്ക്കുന്നു.

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

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

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

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

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

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

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

- Name of Applicant** : Shri. Lixon Xavior & Smt. Mercy Lixon, Bethel Thrikadavur, Kureepuzha P.O, Kollam.
- Project Details** : Establishing Marine diesel outlet.
- Activities Proposed** : Construction of office building, setting up of fuel tank, dispense etc.
- Location Details** : Re. Sy. No. 46/9, 20/115-2 and 46/6 of Thrikkadavoor village 3m from HTL of backwater.
- CRZ of the area** : The area is in the NDZ of CRZ III.
- Provisions of CRZ Notifications.** : As per provisions of CRZ Notification 2011, facilities for receipt and storage of petroleum products can be permitted in CRZ area subject to implementation of safety regulations including guidelines issued by Oil Industry Safety Directorate in MoEF [Clause 3 (ii)]. The present application is for marine outlet and it is meant for the fisherman community.

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

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

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

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

Agenda Item No. 60.6.8

File No. 1527/A3/2013/KCZMA/S&TD

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

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

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



Kerala State Council for Science, Technology and Environment

No. 188/ENV/13/CZMA

Dated: 17.08.2013

From

The Joint Director
KSCSTE

To

The Ex- Officio Principal Secretary
S&T Department

Sir,

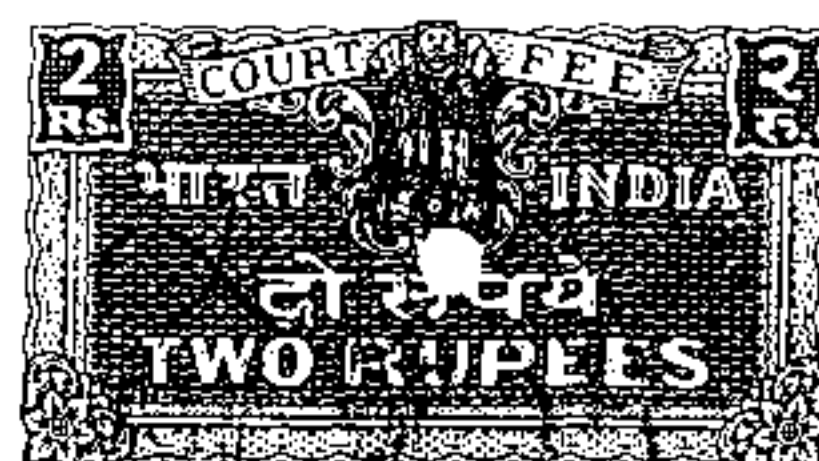
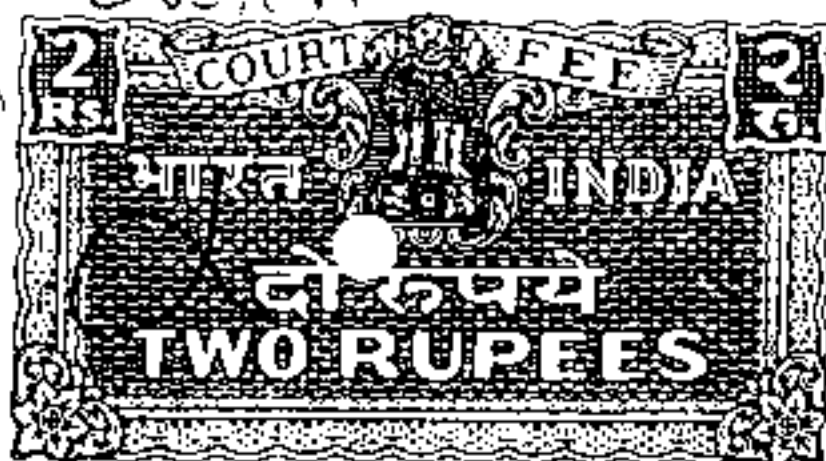
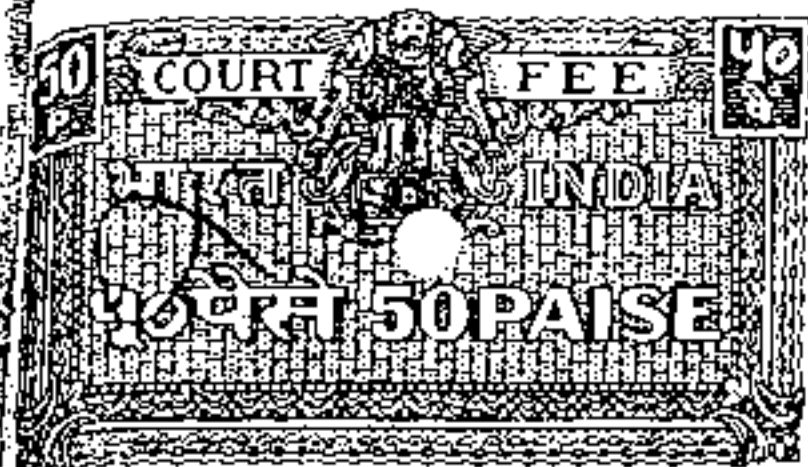
Sub: - Thekkumbhagam Panchayath- CRZ clearance for proposed expansion at Club Mahindra Holidays & Resorts-reg

Ref. No: 1527/A3/13/KCZMA/S&TD

With reference to the above, the proposed construction lies beyond 50m from HTL of backwater and hence outside CRZ. as per the CRZ report prepared by CESS. The existing buildings are in the CRZ area and as per judgment in W P © No.16876 of 2006 the court has stated, on the basis of Counter Affidavit submitted by respondents including S&T Department, that for the reconstruction of existing buildings CRZ 1991 is not applicable. Hence the reconstruction made earlier for existing building does not attract CRZ based on Court direction, which may be placed in the KCZMA meeting for discussion. The NoC may be provided to the new constructions as it lies outside CRZ limits after placing in the KCZMA meeting. This is for your kind information and necessary action.

Yours faithfully,

(Dr. Kamalakshan Kokkal)
Joint Director & Scientist F
For Member Secretary



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 13TH JULY 2006 / 22ND ASHADHA, 1928

WP(C).No. 16876 of 2006(H)

PETITIONER:

K. RADRAKRISHNA PILLAI,
AGED 40, S/O. KARUNAKARAN PILLAI,
SOPANAM, VADAKUMBHAGOM, CHAVARA SOUTH,
KOLLAM DISTRICT.

BY ADV. SRI. PRAMOD J. DEV

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, DEPARTMENT OF SCIENCE, TECHNOLOGY AND ENVIRONMENT, STATE SECRETARIAT, THIRUVANANTHAPURAM.
2. M/S. ASHTAMUDI RESORTS PVT. LTD., CHAVARA SOUTH, KOLLAM 691 584, REPRESENTED BY ITS MANAGING DIRECTOR VENU.

BY ADV. SRI. F. B. SAHASRANAMAN
SRI. K. JAGADEESH
SRI. T. S. HARIKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/07/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ATTESTED



(Signature)
No: 243/13

RAM MOHAN R.
ADVOCATE & NOTARY

10/3/2005
- 35
Mob: 9847088084

S.SIRI JAGAN, J.



W.P. (C).No.16876 of 2006

Dated this the 13th day of July, 2006

J U D G M E N T

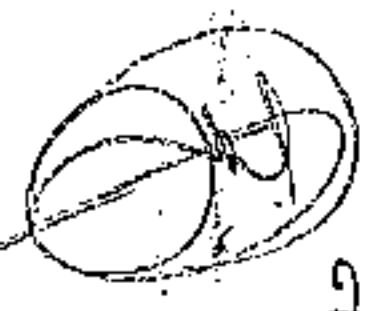
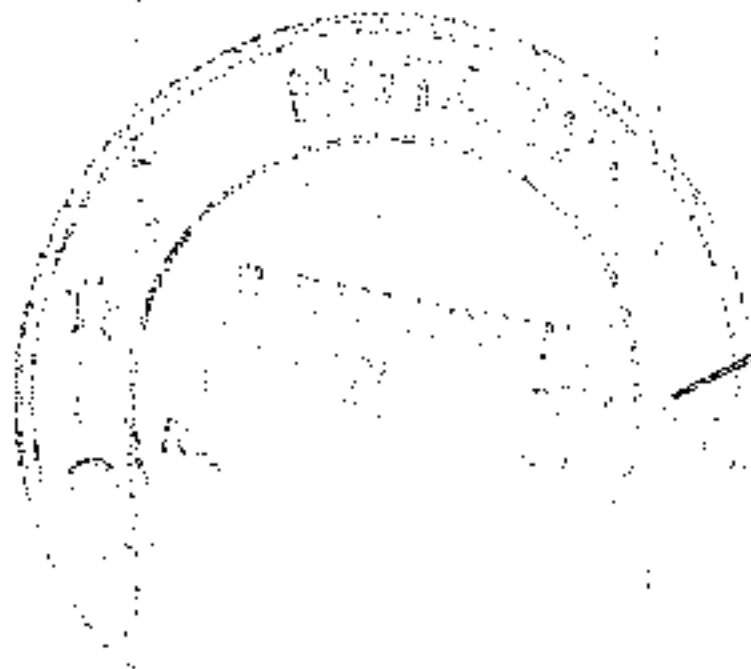
In view of the explanation given in the counter affidavit, the learned counsel for the petitioner submits that the petitioner is convinced that this is a case of reconstruction, in which case, Coastal Regulation Zone Notification 1991, is not applicable to the building in question and therefore, the writ petition can be closed. In view of the submission made by the counsel for the petitioner, this writ petition is closed.

sdk+

Sd/-
S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.



No. 243/13

RAM MOHAN P.
ADVOCATE & CO. PVT. LTD.
TALUKA 207703, MOBI: 9847000041

2

Agenda Item No. 60.6.9

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

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

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

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

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

1. Introduction

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

2. Methodology

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

3. Location

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

-203

4. CRZ Status

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

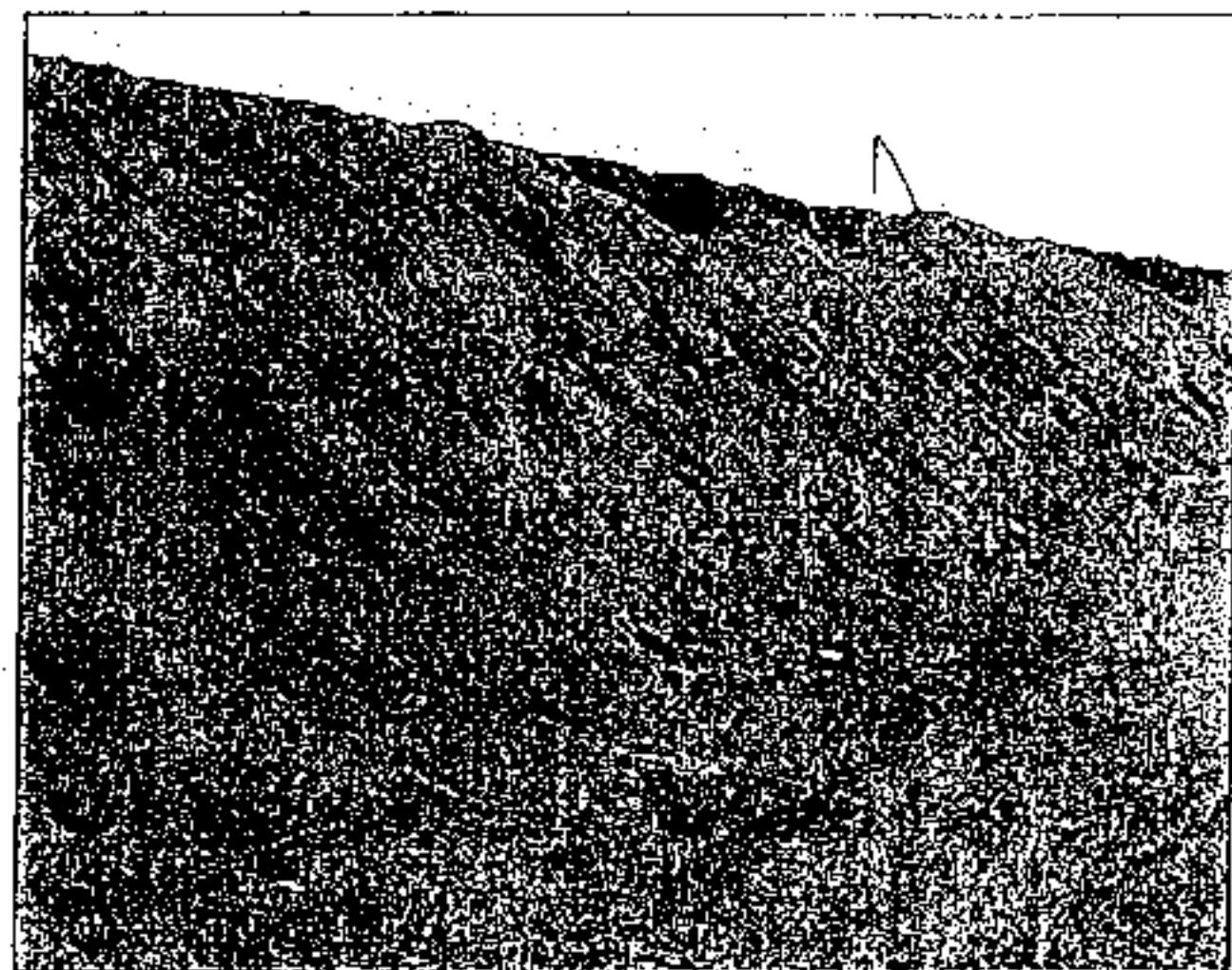


Photo 1 and 2: The buildings within the no development of sea and are vulnerable to hazards from the sea

Table 1: Details of construction under reference

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

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

20	✓						12.00
21	✓						5.0
22	✓						8.10

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

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

5. Recommendations

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

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

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

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

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

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

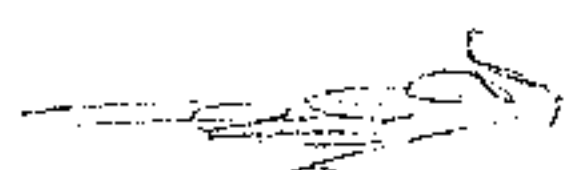
The committee classified the 22 constructions as per details given in Table 2.


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

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

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


Dr. Kamalakshan Kokkal
 Joint Director and Head, CED
 KSCSTE


Dr. A. Ramachandran
 Registrar, CUSAT

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

- Name of Applicant** : Smt. Veena.V.Shenoy, W/o. Vidhyadhar Shenoy, Karuvachery, Nileswar.P.O, Kasargod.
- Project Details** : Construction of a Commercial building with plinth area of 232.43m², FAR 0.23, Single storied.
- Activities proposed** : Construction of building, Drilling of a Bore well, Rain Water harvesting tank and Septic tank.
- Location Details** : Re. Sy. No. 659/1B of Kanhangad Village, Extent 25 cents, 26.5m from HTL of river.
- CRZ of the area** : The area being in Kanhangad Municipality, it is categorized as CRZ-II.
- Project cost** : Rs.42,00,000/-
- Provisions of CRZ Notification.** : As per CRZ Notification 2011, Clause 8 II (i) & (ii) construction of building can be permitted landward of existing authorized structures, subject to condition that existing FAR/FSI as on 19.02.1991 shall only be allowed. Drawl of ground water from CRZ using mechanical means is prohibited.
- Comments** : The FAR is less than existing as on 1991. The construction is landward of an imaginary line drawn from adjacent building No. 617/XXVII. Copy of the Site inspection report **enclosed**.

Hence placed in the KCZMA meeting for a decision.

Report on CRZ Site visit in Padanakkad in Kanhangad

1. Introduction:-

KCZMA has constituted a committee consisting of Dr. A. Ramachandran, Member, KCZMA & Registrar, CUSAT and Dr. Kamalakshan Kokkal, Joint Director, KSCSTE for conducting a site visit for a commercial building in Kanhangad Municipality area by Smt. Veena. V. Shenoy vide Ir. No. 895/A2/12/KCZMA/S&TD, dtd 23.05.2013.

2. Methodology:-

The Committee conducted the field visit during 19th & 20th July 2013 at Padanakkad in Kanhangad. Discussed the details with neighbours as well as project proponent.

3. CRZ Status:-

The proposed site lies in Padanakkad area on the bank of Baigotte river which enters into the Nileshwaram river. It lies in CRZ II category. There is a building on road existing between the proposed building and river. Existing buildings are lying in the adjacent plot on southern side of the proposed site while the plot on the northern side no such buildings are existing. In the site map submitted by the project proponent, building number XXVII-622 existing on the southern side and XXVII-616 on the northern side. If these buildings are on the adjacent plots as on 1991 and the buildings are authorised constructions can be permitted on the landward side of the imaginary line connecting the above buildings. The authorisation of the existing buildings on the adjacent plots as on 1991 may be done by the Municipality from their records.

4. Recommendations:-

The proposed site falls in CRZ-II category. As per the provisions of CRZ notification and the clarifications furnished by MoEF, the proposed construction is permissible if it lies landward of the imaginary lines connecting the authorised buildings in the adjacent plots of the proposed buildings. Hence subject to the above conditions permission may be issued to the Kanhangad Municipality after placing it in the KCZMA meeting.



Dr. Kamalakshan Kokkal
Joint Director & Scientist F,
KSCSTE



Dr. A. Ramachandran
Member, KCZMA

11

Agenda Item No. 60.6.11

File No. 1303/A2/2012/KCZMA/S&TD

Construction of two Sewage Pump House at Fort Kochi Village, Ernakulam

- Name of Applicant** : The Secretary, Corporation of Cochin.
- Project Details** : Kochi Sewerage Scheme – Construction of Sewage Pump House No.7 and No.8.
Pump House 7 : Capacity – 14.1 MLD – Pandinjare Veli.
Pump House No.8 : Capacity – 4.7 MLD – Fort Kochi.
- Activities Proposed** : Construction of Pump House.
- Location Details** : Pump House 7 : Survey No. 892/1A of Fort Kochi Village.
Area : 475m².
Pump House 8 : Survey No. 397/2 of Fort Kochi Village.
Area : 425m².
- CRZ of the area** : The proposed pumping house at Padinjare Veli is in CRZ II and proposed pumping house at Fort Kochi is outside the CRZ as per the CRZ status report prepared by CESS.
- Project cost** : Not provided.
- Provisions of CRZ Notifications.** : The Pump House as part of Sewage Treatment Plant can be permitted in CRZ-II, CRZ-III and CRZ-I (ii) areas. It is not permissible in CRZ-I (i).

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

Agenda Item No. 60.6.12

File No. 2402/A3/2011/KCZMA/S&TD

Complaint against the construction of Hotel Raviz in Thrikkadavoor Grama Panchayath, Kollam by Sri.K.C.Esthappan, Palakkad

Sri.K.C.Esthappan, Palakkad furnished a complaint against the construction of Hotel Raviz in Thrikkadavoor Grama Panchayath, Kollam as the construction is on the CRZ and the construction is made without obtaining any sanction. The Secretary, Thrikkadavoor Grama Panchayath reported that the area where the Hotel building is situated is included in the Kollam Development Master Plan and that permission was given as the area comes under CRZ-II **(copy attached)**. The Raviz has put in a representation **(copy enclosed)** requesting necessary changes to CZMP to include the area notified vide GO(MS) No. 219/86/LAD dated, 3rd November 1986 in CRZ-II, pointing it out that it was a serious error and omission on the part of CESS. CESS reported that the CRZ in Thrikkadavoor Grama Panchayath along the banks of Ashtamudi estuary has been categorized as CRZ-III or CRZ-I in the Coastal Zone Management Plan (CZMP) of Kerala **(copy attached)**. The Environment Group also agreed to the report of CESS and reported that the area is in the No Development Zone of CRZ-III.

Hence the matter is placed before the KCZMA for a decision on the action against the violation and reply to be given to the Raviz.

#3

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Thrikkadavoor Gramapanchayat (Special Grade)

Anchalummood, Perinad P.O. - 691 601

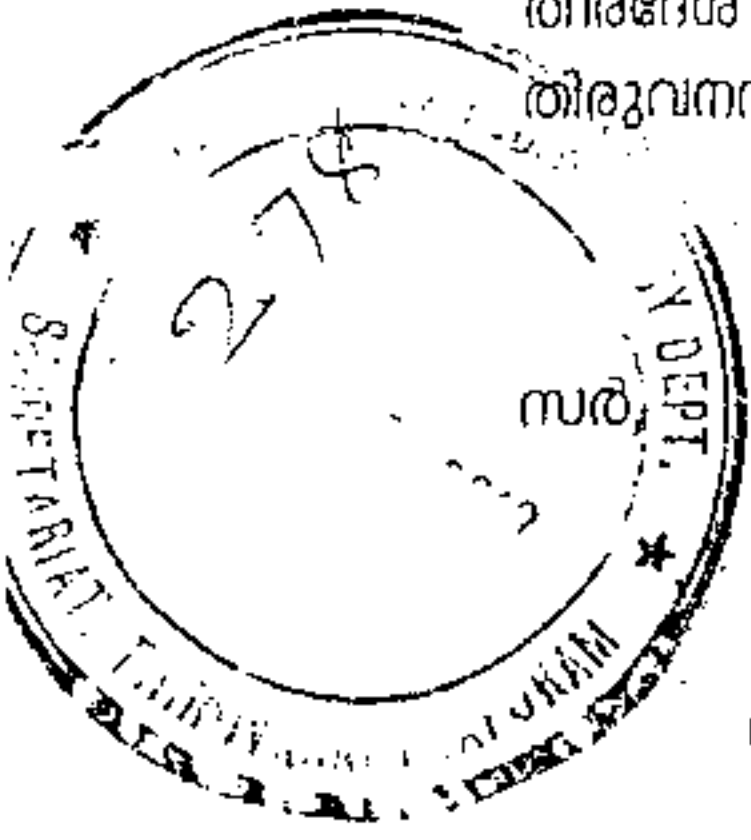
Ph: 0474-2702677, 270 0553, Fax: 0474 - 2702677
E-mail: thrikkadavoorgp@yahoo.in

Date: 10/02/2012

No. **A5-861/12**

From **സെക്രട്ടറി**
തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്ത്

To **ചെയർമാൻ**
തീരദേശ പരിപാലന അതോറിറ്റി
തിരുവനന്തപുരം



വിഷയം : **തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്ത് - റാവീസ് ഹോട്ടൽ നിർമ്മാണം - അനുമതി സംബന്ധിച്ച്**

സൂചന : **അങ്ങയുടെ 11/O1/2012 - ലെ 2402/A3/11/KOZMA/S-TD നമ്പർ കത്ത്.**

റാവീസ് ഹോട്ടൽ സ്ഥിതിചെയ്യുന്നത് തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്തിൽ കോട്ടയത്ത് കടവ് വാർഡിലാണ്. 1994 -ൽ നിർമ്മാണം ആരംഭിച്ച കെട്ടിടമാണ്. രണ്ട് കെട്ടിടമാണ് അവിടെ നിർമ്മിച്ചിട്ടുള്ളത്. 1991 -ൽ തീരദേശ പരിപാലന നിയമം വരുന്നതിന് മുൻപ് തന്നെ കേരള സർക്കാർ പഞ്ചായത്തിലെ കുറെ സർവ്വേ നമ്പരുകളിൽ വരുന്ന പ്രദേശങ്ങൾ കൊല്ലം വികസന മാസ്റ്റർ പ്ലാനിൽ ഉൾപ്പെടുത്തിയിട്ടുള്ളതാണ്. ആ സർവ്വേ നമ്പരിൽപ്പെട്ട സ്ഥലത്താണ് കെട്ടിടം നിർമ്മിച്ചിട്ടുള്ളത്. കൊല്ലം വികസന മാസ്റ്റർ പ്ലാനിൽ ഉൾപ്പെടുത്തിയിട്ടുള്ള പ്രദേശം CRZ-II -ൽ വരുന്നതിനാലാണ് അനുവാദം നൽകിയത്. തീരദേശ പരിപാലന നിയമത്തിൽ ഇളവ് വരുത്തി പുറപ്പെടുവിച്ച ഉത്തരവല്ലിത്. ടി ഉത്തരവ് കോടതി വിധി പ്രകാരം റദ്ദാക്കിയിട്ടില്ലാത്തതുമാണ്, 1986 -ലെ ഉത്തരവിന്റെ വെളിച്ചത്തിൽ മാത്രമാണ് അനുവാദം നൽകിയത് എന്ന വിവരം ബോധിപ്പിക്കുന്നു. ഉത്തരവിന്റെ പകർപ്പ് അനന്തര നടപടികൾക്കായി ഇതോടൊപ്പം സമർപ്പിക്കുന്നു.

15-2-12



വിശ്വസ്തതയോടെ,

സെക്രട്ടറി
തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്ത്

19/11/19

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Thevally, Mathilil PO,
Kollam, Pin 691601,
Kerala, India.

t +91 4742 751 111
f +91 4742 741 111

e info@theraviz.com
w theraviz.com

THE RAVIZ

It was a serious error and omission on the part of Centre for Earth Science Studies, to include the already notified coastal area of the municipal town of Quilon town(notified vide G.O.(MS) NO 219/86/LAD. Dated Trivandrum, 3rd November 1986) as CRZ III instead of notifying as CRZ II while preparing the coastal zone management plan .

In light of the above explanation, we request you to kindly make necessary changes in the CZMP of Kerala and allow us to continue our operation without any further adversity

For KOLLAM ROYAL PARK HOTEL & RESORTS PVT LTD.



JAYACHANDRAN.C.R
Vice President / Authorised Signatories

Sincerely yours

Manager RAVIZ

✓ CC: member secretary, KCZMA

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25.08.2012

CENTRE FOR EARTH SCIENCE STUDIES

(An R & D institution of the Kerala State Council for Science, Technology & Environment)

Government of Kerala)

P.B. No. 7250, Akkulam, Thiruvananthapuram-695 031, India

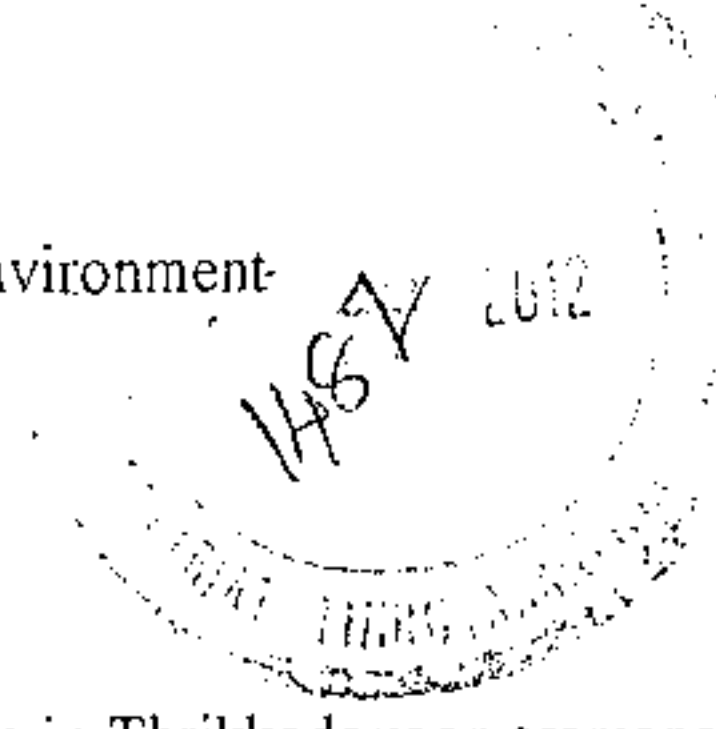
Dr. N.P. Kurian

Director

No. TC/CRZ/MSD/CESS/2012

21 August 2012

The Member Secretary
Kerala State Council for Science, Technology and Environment
Sasthra Bhavan, Pattom
Thiruvananthapuram - 695 004



Sir,

Sub: CRZ report on Hotel Raviz Complex site in Thrikkadavoor gramapanchayath - reg.

Ref: Yr.Lr.No. 301/ENV/11/CZMA dated 20.4.2012

This has reference to the letter cited above. A team of experts from CESS, consisting of Dr.K.V.Thomas, Head, Marine Sciences Division, Dr.K.O.Badrees, Research Associate, Marine Sciences Division and Mr.K.C.Vimal, Senior Research Fellow, Marine Sciences Division made a visit to the site in Thrikkadavoor Gramapanchayat where Hotel Raviz Complex is constructed. The High Tide Line (HTL) and the CRZ of the Hotal Raviz Complex have been studied.

The Hotel Raviz Complex is located on the banks of Ashtamudi estuary which is influenced by tidal action. As per the CZMP (1995) as approved by MoEF in 1996, the CRZ on landward side on the banks of Ashtamudi estuary is 100m landward of the HTL. This site is shown in Map No.15 of the approved CZMP (Fig.1). The site where the Raviz Hotel Complex is located has well built embankment on the estuary/backwater side and the HTL is along the embankments.

The entire building complex is within the 100m CRZ. The CRZ here belongs to CRZ III category. The referred site does not have any area categorized as CRZ I.

As per the CRZ Notification (1991), and the CZMP (1995) as approved by Government of India vide letter No. J-17011/2392-IA III dated 27th September 1996, the Coastal Regulation Zone (other than CRZ I) of Thrikkadavoor gramapanchayat is undeveloped (as per provisions in para 6 (1) under Category III (CRZ III) in Annexure -I of the CRZ notification, 1991). Accordingly, the CRZ of Thrikkadavoor Gramapanchayat other than CRZ I, is categorized as CRZ III. Since the area upto 200m landward from the HTL is a No Development Zone (NDZ) in CRZ III, the entire hotel complex is situated in the NDZ of CRZ III. The referred site is in CRZ as per the CRZ Notification (2011) also.

Yours faithfully,

Director

SECRETARY/SC2MA

24.8.12



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CESS

CENTRE FOR EARTH SCIENCE STUDIES

(An R&D Institution of the Kerala State Council for Science, Technology & Environment,
Government of Kerala)

P.B. No. 7250, Akkulam, Thiruvananthapuram 695 031, India

DR. K.V. THOMAS
Scientist G, Coordinator (CRZ Projects) &
Head, Marine Sciences Division

Dated; 29.09.2012

To

1668

The Member Secretary
Kerala State Coastal Zone Management Authority,
Sasthra Bhavan, Pattom,
Thiruvananthapuram – 695 004

Sir,

Sub: Report on Categorisation of CRZ of Thrikadavur Panchayat – Petition of
M/s Kollam Royal Park Hotel & Resorts - Reg.
Ref: Letter No.723/A3/2012/KCZMA/S&TD dated 05.05.2012 from KCZMA
& petition by M/s Kollam Royal Hotel & Resorts submitted to KCZMA.

Vide the letter referred; the report "Objections on CRZ category of the coastal zone of
Thrikadavur Panchayat by M/s Royal Park Hotel & Resorts (Pvt Ltd)" is forwarded
herewith. This is with the approval of the Director, CESS.

Yours faithfully,

(K.V.Thomas)

Encl: - Report

SA TD / KCZMA
29/9/12
29-9-12

Phone : (Off) + 91-471-2511500 to 2511719, 2442213
E-mail: registrar@cessind.org

Fax: + 91-471-2442280
Website : www.cessind.org

Committed to Our Earth Our Future

REPORT
OBJECTIONS ON CRZ CATEGORY OF THE COASTAL ZONE OF THRIKADAVUR
PANCHAYAT BY M/S ROYAL PARK HOTEL & RESORTS (Pvt Ltd)
(Ref: Letter no.723/A3/2012/KCZMA/S&TD dt 05-05-2012 from KCZMA & petition by
M/s Kollam Royal Park Hotel & Resorts submitted to KCZMA)

The Coastal Regulation Zone (CRZ) in Thrikadavur panchayat along the banks of Ashtamudi estuary has been categorized as CRZ III or CRZ I in the Coastal Zone Management Plan (CZMP) of Kerala which was approved by the Ministry of Environment and Forests (MoEF), Govt of India in 1996. The CZMP was prepared based on the guidelines as provided in the CRZ notification 1991 and subsequent amendments and directions from MoEF. M/s Kollam Royal Park Hotel & Resorts Pvt Ltd (Raviz) in a petition to the Chairman, KCZMA stated that the categorization of the land in certain survey numbers (listed in the petition) as CRZ III is incorrect and the categorization should have been CRZ II. The KCZMA vide Letter no.723/A3/2012/KCZMA/S&TD dt 05-05-2012 forwarded the above petition to CESS for necessary action.

It may be noted that M/s Kollam Royal Park Hotel & Resorts Pvt Ltd has already developed this area as Raviz Hotel.

The process through which CRZ categorization was done and the provisions of CRZ notification (1991) were revisited to assess the categorization of CRZ on the banks of Ashtamudi estuary in Thrikadavur panchayat. **It is confirmed that the CRZ categorization of the land in the referred survey numbers in Thrikadavur panchayat, as CRZ III is correct.**

CRZ category of the coastal zone of Thrikadavur panchayat

By definition CRZ II is:

“the area that has already been developed up to or close to the shoreline. For this purpose, “developed area” is referred to as that area within the municipal limits or in other legally designated urban areas which are already substantially built up and which have been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.”

By definition CRZ III is:

“the area that is relatively undisturbed and those which do not belong to either category-I or II. These will include coastal zone in the rural areas (developed and undeveloped) and also areas within Municipal limits or in other legally designated urban areas which are not substantially built up.”

The area is considered developed or undeveloped, for the purpose of CRZ categorization, as on 19-02-1991.

Thrikadavur is a gram panchayat in Kollam district on the banks of Ashtamudi estuary. It is relatively undisturbed and not a developed area which is substantially built up and which



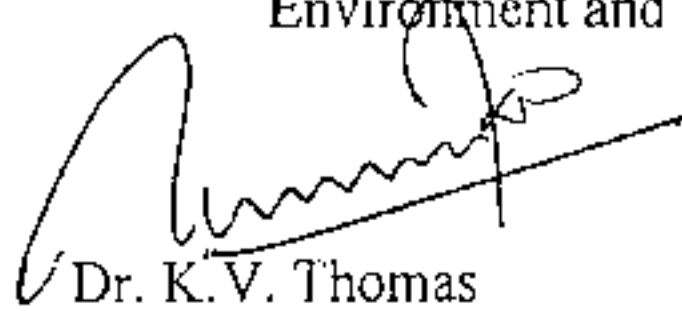
has been provided with drainage and sewerage mains. Being in a rural area and undeveloped, the CRZ other than those belonging to CRZ I in Thrikadavur panchayat, is categorized as CRZ III following the definition of CRZ III.

The G.O. (MS) No.219/86/LAD dated 3 November 1986 (referred in the petition of M/s Kollam Royal Park Hotel and Resorts to substantiate some of their contentions) is meant for preparing the development plan of Quilon Town. It does not state that all the survey numbers mentioned in the above G.O. are part of Quilon Town or any other urban area. The above G.O. does not, in any way indicate that the referred survey numbers are developed. Hence the CRZ other than those belonging to CRZ I in Thrikadavur panchayat can not be categorised as CRZ II based on the referred G.O. Also there are other factors to be considered for CRZ categorization.

The CRZ in Thrikadavur panchayat is undeveloped even by the criterion suggested by the MoEF to identify and demarcate CRZ-III areas within the proposed CRZ-II areas (vide letter No. No.J-17011/23/92-IA III dt 26-9-1996 from MoEF to the Chief Secretary). The above criterion proposed by the MoEF says that for the purpose of determining whether an area is substantially built-up, "the ratio of built-up plots to that of total plots (as on 19-02-1991) is to be ascertained, where this ratio is 50 percent or more, such areas (built-up and buildable) are to be classified as CRZ-II provided the same conforms to the criteria of CRZ-II as per CRZ Notification." By this criterion also the CRZ other than those belonging to CRZ I in Thrikadavur panchayat can not be categorised as CRZ II.

Conclusion

- Categoration of CRZ, other than CRZ I, in Thrikadavur panchayat as CRZ III is correct.
- The referred area cannot be categorised as CRZ II since this is not part of a legally designated urban area with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.
- The Coastal Regulation Zone (CRZ) in Thrikadavur panchayat along the banks of Ashtamudi estuary has been categorized as CRZ III or CRZ I in the Coastal Zone Management Plan (CZMP) of Kerala and this was approved by the Ministry of Environment and Forests (MoEF), Govt of India



Dr. K.V. Thomas

Scientist G & Head, Marine Sciences Division, CESS



Agenda Item No. 60.6.13

File No. 1625/A2/2013/KCZMA/S&TD

Construction of Residential Building by Smt.P.Shylaja & Sri.D.Deepak,
Pulukul House, Kovapuram, Ramanthali.P.O, Kannur

- Name of Applicant** : Smt.P.Shylaja and Sri.D.Deepak, Pulukul House, Kovapuram, Ramanthali.P.O, Kannur.
- Project Details** : Construction of Residential Building.
- Activities Proposed** : Construction of building with plinth area of 68.63m² (single floor); Height 3.60 m.
- Location Details** : Sy. No. 151/1 of Ramanthali Village, 66m from the HTL of river.
- CRZ of the area** : The Ramanthali Panchayath is an Island which has inland water bodies on three sides and Arabian Sea in the West. Hence the CRZ will be 50m landward of HTL of inland water bodies if it is treated as a backwater island. Then area will be outside CRZ, otherwise the area will be in CRZ-III, No Development Zone.
- Provisions of CRZ Notifications.** : As per CRZ Notification 2011, Clause 8 V 2 – CRZ for Kerala the CRZ will be 50m HTL of backwater the dwelling units of traditional local community can be permitted by the Panchayath. If the area is not considered under backwater island the area will be CRZ-III, No Development Zone and no new constructions can be permitted. Only reconstruction can be permitted.
- Comments** : KCZMA has to take a decision whether islands having sea on one side and backwater on Three sides can be treated as Backwater islands.

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

Construction of Building for Coastal Police Station at Arthungal, Cherthala
South Grama Panchayath, Alappuzha

- Name of Applicant** : District Police Chief, District Police Officer, Alappuzha.
- Project Details** : Construction of building for Coastal Police Station.
- Activities Proposed** : Construction of building with plinth area of 153.84m², Two floors.
- Location Details** : Sy. No. 312 of Cherthala South Village within 100m from HTL of sea.
- CRZ of the area** : The area is in the No Development Zone of CRZ-III.
- Provisions of CRZ Notifications.** : As per CRZ Notification 2011, Clause 3 (i) (a) – Coastal Police Station are categorized as those activity directly related to waterfront or directly needing foreshore facilities. Hence it is permissible in the No Development Zone of CRZ-III.

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

**Construction of Residential Building by Smt. Anitha T.A, Anil Bhavan,
Kurakkanni, Varkala**

- Name of Applicant** : Smt. Anitha T.A , Anil Bhavan, Kurakkanni, Varkkala.
- Project Details** : Construction of Residential building.
- Activities proposed** : Construction of Residential building with plinth area of 183.77m², FAR 0.25.
- Location Details** : Sy. No. 519/11, 519/11-1. 250m HTL of Sea.
- CRZ of the area** : The area is in the CRZ II.
- Provisions of CRZ Notification.** : As per CRZ Notification, 2011 construction can be permitted landward of existing authorized structures/approved road as on 19th February 1991.
- Comments** : No construction/road are shown on the seaward side of the proposed building.

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

**Construction of Residential Building by Mr. Joseph Luka, Mattappilli
Puthuchira, T.V. Puram, Vaikom, Kottayam.**

- Name of Applicant** : Mr. Joseph Luka, Mattappilli Puthuchira, T.V. Puram, Vaikom.
- Project Details** : Construction of Residential building
- Activities proposed** : Construction of Residential building with plinth area of 247.74m², Single floor.
- Location Details** : Sy. No. 2/9 A, 2/93 of Vaikom Village, Kottayam.
45m from HTL of Backwater.
- CRZ of the area** : The area is in the No Development Zone of CRZ III
- Provisions of CRZ Notification.** : As per CRZ Notification, 2011 clause 8 III A (ii) No new constructions can be permitted in the No Development Zone of CRZ III. Only reconstruction can be permitted, subject to conditions.

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

Agenda Item No. 60.6.17

File No. 1797/A3/2013/KCZMA/S&TD

കാപ്പികോ കേരള റിസോർട്ട്സ് പൊളിക്കുമ്പോഴുണ്ടാകാവുന്ന പാരിസ്ഥിതിക പ്രശ്നങ്ങൾക്ക് പരിഹാരം കാണുന്നതിന് മത്സ്യതൊഴിലാളികളുടെ നിവേദനം

W.P(C)19564/2011 മുതൽ മറ്റ് ബന്ധപ്പെട്ട 6 കേസുകളിലെ കോമൺ വിധിയിൽ പാണാവള്ളി ഗ്രാമപഞ്ചായത്തിലെ നെടിയതുരുത്തിൽ “കാപ്പികോ കേരള റിസോർട്ട്സ്” സി.ആർ.ഇസഡ് നിയമം ലംഘിച്ച് പണി കഴിപ്പിച്ചിരിക്കുന്നതിനാൽ, കോടതി വിധി ലഭിച്ച് 3 മാസത്തിനകം (2013 ഒക്ടോബർ 31 നകം) പൊളിച്ച് മാറ്റണമെന്ന് ബഹു ഹൈക്കോടതി ഉത്തരവായിട്ടുണ്ട്. ഈ വിധി ബഹു. സുപ്രീം കോടതി ശരിവച്ചിട്ടുണ്ട്. ടി റിസോർട്ട് പൊളിച്ച് മാറ്റുമ്പോഴുണ്ടാകാവുന്ന പാരിസ്ഥിതിക പ്രശ്നങ്ങളെക്കുറിച്ച് കായൽ സരക്ഷണസമിതി ശ്രദ്ധയിൽപ്പെടുത്തിയിരിക്കുന്നു. പ്രശ്നത്തിന് പരിഹാരം കാണണമെന്നും അഭ്യർത്ഥിച്ചിട്ടുണ്ട്. എന്നാൽ കോടതി വിധി നടപ്പിലാക്കാതിരുന്നാൽ കോടതി അലക്ഷ്യം ആകുന്നതാണ്. സി.ആർ.ഇസഡ് നിയമലംഘനങ്ങൾക്കെതിരെ നടപടിയെടുക്കണമെന്നും ഇവ സംബന്ധിച്ച വിവരങ്ങൾ അടിയന്തിരമായി ബഹു. സുപ്രീം കോടതിയെയും കേന്ദ്ര വനം-പരിസ്ഥിതി മന്ത്രാലയത്തെയും അറിയിക്കണമെന്നും വിധിന്യായത്തിൽ ഉത്തരവായിട്ടുണ്ട്. പരിസ്ഥിതി നിയമലംഘനങ്ങൾ ധാരാളമായി നടക്കുകയും ഇത് സംബന്ധിച്ച ഗുരുതരഭവിഷ്യത്തുകൾ ഉണ്ടായിക്കൊണ്ടിരിക്കുകയും ചെയ്യുന്ന സാഹചര്യത്തിൽ, ഇത്തരം അനധികൃത പ്രവർത്തനങ്ങൾക്കെതിരെ ശക്തമായി നടപടികൾ സ്വീകരിക്കേണ്ടത് വളരെ അത്യാവശ്യമാണ്. പാരിസ്ഥിതിക പ്രശ്നങ്ങൾ ഒഴിവാക്കുന്നതിനായി ശാസ്ത്രീയ മാർഗ്ഗങ്ങൾ ആരായുന്നതാണ് ഉചിതം.

ഈ സാഹചര്യത്തിൽ മേൽ വിഷയത്തിൽ തീരുമാനമെടുക്കുന്നതിനായി കെ.സി.ഇസഡ്.എം.എ യോഗം മുന്പാകെ വയ്ക്കുന്നു.

Agenda Item No. 60.6.18**File No. 1799/A3/2013/KCZMA/S&TD****Reconstruction of Residential Building by Shri.Ulahannan (John),
Vadappurath, Ambika Market P.O, Vechoor, Vaikom -686144, Kottayam**

- Name of Applicant** : Shri.Ulahannan (John), Vadappurath, Ambika Market P.O,
Vechoor, Vaikom -686144, Kottayam
- Project Details** : Re-Construction of Residential building
- Activities proposed** : Re-Construction of Residential building with plinth area
of 77.18m². The existing plinth area certified is 80m² .
Single floor.
- Location Details** : Sy. No. 280/A; 539/1 (11 Cents). 6.90 m from HTL of
Vembanadu Lake.
- CRZ of the area** : The area is in the No Development Zone of CRZ III
- Provisions of CRZ
Notification.** : As per CRZ Notification, 1991, clause 8 III A(ii)
reconstruction of existing authorized buildings can be
permitted in the No Development Zone of CRZ III without
increase in existing plinth area, FSI & Density..
- Comments** : Reconstruction is proposed without increase in existing
plinth area.

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

Agenda Item No. 60.6.19**File No. 593/A3/2013/KCZMA/S&TD****Construction of a star Hotel "ALL SEASON" in Thrikkadavoor Grama****Panchayat violating CRZ Provisions**

Sri. Johny. S and three others, Kottayathu Kadavu, Thrikkadavoor Grama Panchayat furnished a petition regarding the construction of Star Hotel "ALL SEASON" at the bank of Ashtamudi Lake in Thrikkadavoor Grama Panchayat violating the provisions of CRZ. The KCZMA constituted a Committee for site inspection. The site Inspection Report (**copy enclosed**) revealed that the Hotel building was made by reconstruction of an old residential building which had a ground floor only. The reconstruction of the old residential building is permissible for permissible activities subject to the conditions like existing plinth area, FSI and density. The committee found that the above conditions were violated during the construction of the building which is a violation of the provisions of CRZ Notification, 1991. Moreover, as per the approved CZMP the Hotel building lies in the No Development Zone of CRZ III. Further, the committee recommended that the permission for the reconstruction of the building given by the Grama Panchayat without obtaining CRZ clearance from KCZMA should be examined.

57th meeting of KCZMA decided to call for explanation from the Secretary, Thrikkadavur Grama Panchayat and instruct to issue Stop Memo to the proponent of the Hotel. Accordingly Show Cause Notice was issued to the panchayat. In response to the Notice the Grama panchyat has explained that they have given permission since the area comes under CRZ II. (**Copy enclosed**).

On the explanation of Grama Panchayat, the Environment Group has furnished following remarks "The Explanation given by the secretary of the Grama Panchayat is not legally tenable. In contrast the area was never declared as CRZ II. The approved CZMP in which the site falls in NDZ of Zone III was provided to all Grama Panchayat in 2000 itself. Moreover, reconstruction was permitted for residential purpose. The FAR was increased and this was regularised. This is against the provisions of CRZ notifications. The Secretary has stated that the area is in CRZ II. Even if it is true, he has permitted change of use of the building which is not permissible in CRZ II. Hence the contention of the Secretary is not correct and the action taken by the Thrikkadavoor Panchayat warrants action by invoking EP Act and placing in the KCZMA meeting.

The General manger of "ALL SEASON" Hotel has furnished a request to change the CRZ status in the above said area (**Copy enclosed**).

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

Site Inspection Report on the "All Season Hotel" at Thrikkadavoor Grama Panchayath Kollam District

I. Introduction: -

KCZMA has constituted a committee consists of Prof. N. R. Menon, NANSEN Environment & Research Centre, Kochi and Dr. Kamalakshan Kokkal, Joint Director, KSCSTE vide order No. 593/A3/13/KCZMA/S&TD, dtd 19.04.2013 for conducting CRZ site inspection in a Star Hotel 'All Season' located at the bank of Ashtamudi Kayal in Kottayath Kadavu of Thrikkadavoor Gramapanchayath in Kollam District.

2. Methodology:

The committee approached the officials of Thrikkadavoor Grama Panchayath on 6th June 2013. The committee collected certain informations pertained to the construction of 'All Season Hotel' from the Panchayath. It conducted site inspection in the Hotel along with Shri. Nissan (U.D.C) and Shri. Vivekananda (Office Assistant) of the Panchayath. The Secretary, Shri. Babu was away at Trivandrum on official purpose. The committee discussed the construction details also with General Managers of the Hotel Shri. Sudheer. K. Nair and Mr. JayaKumar, relative of the Hotel owner Mr. Darwin Cruz.

3. The main building of the Hotel lies at a distance of 22m from HTL of the Kayal. The Hotel building as per the approved plan consists of three floors

Ground Floor- 214+ 277 m²
 First Floor- 480 m²
 Second Floor- 470 m²
 Third Floor- 502 m²

It was informed that an old residential building with ~~only~~ ground floor only was reconstructed in 2008 after obtaining permission from Thrikkadavoor Grama Panchayath. The further extension of the above building and reconstruction was made in 2010 by obtaining building permit no. A6 209/10-11, dtd 11.08.2010 from the Panchayath. The building lies in R.S. No. 274/20, 18/3, 18/7 and Block No. III and ward No. XV in the Panchayath. A rain shelter is also constructed very close to the Ashtamudi Kayal. The permission for construction of the building was obtained by *invoking* G.O (MS) No. 299/86/LAD dtd 3.11.86 issued by Secretary LSGD which states that the Thrikkadavoor Grama Panchayath is a satellite urban town.


4. CRZ Status:-

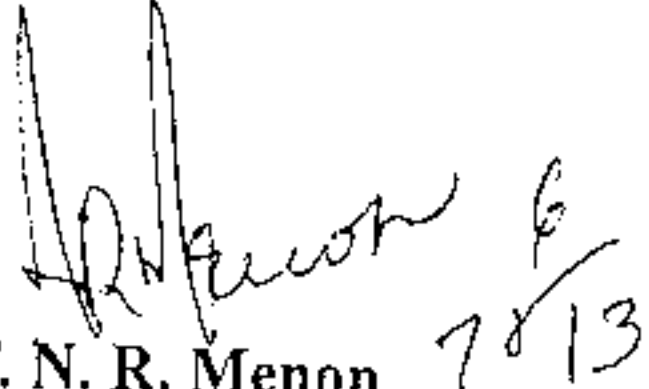
The Hotel building was made by reconstruction of an old residential building which had a ground floor only. The open front portion of the Hotel is completely tiled and the side of the Ashtamudi Kayal are also found to be protected. As per the approved Coastal Zone Management Plan (CZMP) the Hotel building lies in CRZ III

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No development Zone (NDZ). The reconstruction of the old residential building is permissible ^{for reasonable activities} subject to conditions like existing plinth area, FSI, and density. The above conditions are found to be violated during the construction of the Hotel Building. Moreover, the Thrikkadavoor Grama Panchayath gave permission for the reconstruction of the building without obtaining CRZ clearance from KCZMA.

5. **Recommendations:** - The committee conducted the site visit in the Hotel premises and found that violation of provisions of CRZ notification 1991 was made during the construction of the building. The plinth area, FSI and density are largely changed during the construction which is a violation of the CRZ provisions. Further the permission given, based on Govt. order issued in 1986, by the Panchayath officials without following CRZ norms for the above construction should be examined. The item may be placed in the KCZMA meeting for further necessary action.


Dr. Kamalakshan Kokkal
Joint Director & Scientist F


Prof. N. R. Menon 7/13
NANSEN Environment & Research Centre



Thrikkadavoor Gramapanchayat (Special Grade)

Anchalummood, Perinad P.O. - 691 601

Ph: 0474-2702677, 270 0553, Fax: 0474 - 2702677
E-mail: thrikkadavoorgp@yahoo.in

No. A5-4306/2013

From

സെക്രട്ടറി
തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്ത്

To

ഡോ. കെ.കെ. രാമചന്ദ്രൻ
മെമ്പർ സെക്രട്ടറി, കേരള തീരദേശ പരിപാലന അതോറിറ്റി
ശാസ്ത്ര ഭവൻ, തിരുവനന്തപുരം

Date: 14/08/2013

സർ,

വിഷയം : തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്ത് - ആൾ സീസൺ - കെട്ടിട നിർമ്മാണം അനുമതി - വിശദീകരണം സമർപ്പിക്കുന്നത് - സംബന്ധിച്ച്.

സൂചന : അങ്ങയുടെ 24/07/2013-ലെ 593/A3/2013/KLZMA/S&T-ാം നമ്പർ കത്ത്.

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20-8-13

ആൾ സീസൺ ഹോട്ടൽ സ്ഥിതിചെയ്യുന്നത് തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്തിൽ മതിലിൽ ഭാഗത്ത് XVII - വെങ്കേക്കര വാർഡിലാണ്. 20/11/2008-ൽ 146/2008-09 നമ്പരായി 106.15 M² വാസഗൃഹം നിർമ്മിക്കുന്നതിന് അനുവാദം നൽകി. എന്നാൽ കെട്ടിടം പണി പൂർത്തീകരിച്ചപ്പോൾ അനുവാദം നൽകിയതിനേക്കാൾ അധികരിക്കുകയും 196.8 M² കെട്ടിടത്തിന്റെ നിർമ്മാണത്തിന് സാധ്യകരണം നൽകുകയും ചെയ്തു. ടി കെട്ടിടം നിർമ്മിച്ച സ്ഥലത്ത് പഴയ രണ്ട് കെട്ടിടങ്ങൾ ഉണ്ടായിരുന്നു. അതിൽ XV/725 (പഴയ കെട്ടിട നമ്പർ 573) എന്ന കെട്ടിടം പൊളിച്ചാണ് പുതിയ കെട്ടിട നിർമ്മാണം നടത്തിയത്. ടി പഴയ കെട്ടിടത്തിന് 107.85 M² വിസ്തീർണ്ണമുണ്ടായിരുന്നു. അതുപോലെ 746-ാം നമ്പരായി (1993-ൽ 528 എന്നും അതിനു മുൻപ് 573A എന്നും നമ്പരുള്ള) കെട്ടിടം ഉണ്ടായിരുന്നു. അത് സലിം, കരുവാചരമ്പിൽ എന്നയാളുടെ പേരിലുണ്ടായിരുന്ന ഒരു വലിയ കയർ ഫാക്ടറിയും ഗോഡൗണുമായിരുന്നു. ടി കെട്ടിടം പലരിൽ നിന്നും കൈമറിഞ്ഞ് അതിന്റെ ഒരു ഭാഗം ആൾ സീസൺ ഉടമ ബോട്ടിംഗ് കേന്ദ്രമാക്കുകയും ചെയ്തുവെന്ന് അറിയുവാൻ കഴിഞ്ഞിട്ടുണ്ട്.

തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്തിന്റെ മതിലിൽ ഭാഗം ഉൾപ്പെടുവരുന്ന 120 ഏക്കർ സ്ഥലം 03/11/1986-ലെ ജി.ഒ.(എം.എസ്.)നം.219/86/എൽ.എ.ഡി. ഉത്തരവ് പ്രകാരം കൊല്ലം വികസന മാസ്റ്റർ പ്ലാനിൽ ഉൾപ്പെട്ടിട്ടുള്ളതാണ്. 19/02/1991-ലെ സി.ആർ.ഇസഡ് നിയമം അനുബന്ധം -1-ൽ ഖണ്ഡിക 6(1) കാറ്റഗറിയിൽ വരുന്ന വികസിത പ്രദേശമാണ്. 2009-10 ലാണ് 196.8 M² കെട്ടിടം നിർമ്മിച്ചതും അനുവാദം നൽകിയതും. 27/08/2009-ൽ 93/09-ാം നമ്പർ ആയി 489M² ൽ 2 നിലകളുള്ള കെട്ടിടം

S&T/KLZMA
[Signature] 20-13

(പേജ് 2 തുടർച്ച)

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നിർമ്മിക്കുന്നതിന് അനുവാദം നൽകി. 11/08/2010-ൽ 209/2010-ാം നമ്പരായി പഴയ കെട്ടിടം ഉൾപ്പെടെ 1943 M² കെട്ടിട നിർമ്മാണത്തിന് അനുവാദം നൽകി. 03/11/1986-ലെ ഉത്തരവിൽ ഉൾപ്പെട്ട സ്ഥലമായതിനാലും കൊല്ലം വികസന മാസ്റ്റർ പ്ലാനിൽ ഉൾപ്പെട്ടതായതിനാലും CRZ-II ൽ വരുന്നതിനാലാണ് നിലവിലുള്ള കെട്ടിടത്തിന്റെ പരിധിക്കുള്ളിലായി കെട്ടിട നിർമ്മാണത്തിന് അനുവാദം നൽകിയത്. 1991-ലെ തീരദേശ പരിപാലന നിമയത്തെ ദുർബലപ്പെടുത്തുന്നതിനായി സർക്കാർ പുറപ്പെടുവിച്ച ഉത്തരവല്ലാത്തതിനാലും CRZ നിയമം പ്രാബല്യത്തിൽ വരുന്നതിന് മുൻപ് പുറപ്പെടുവിച്ച ഉത്തരവായതിനാലുമാണ് അനുവാദം നൽകിയത്. 1943 M² കെട്ടിടം നിർമ്മിക്കുന്നതിന് അനുവാദം നൽകിയെങ്കിലും കെട്ടിടം പൂർത്തീകരിച്ചപ്പോൾ 2956 M² ൽ 3 നിലകളിലായാണ് പൂർത്തീകരിച്ചത്. കൊല്ലം വികസന മാസ്റ്റർ പ്ലാൻ 1986-ൽ തയ്യാറാക്കിയത് പുതുക്കി 06/04/2010-ൽ ജി.ഒ.(എം.എസ്.)69/2010/എൽ.എ.ഡി. ആയി പുറപ്പെടുവിച്ച പുതിയ കൊല്ലം വികസന മാസ്റ്റർ പ്ലാൻ ഉത്തരവിൽ വികസിത ഏരിയ ആയതിനാൽ തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്ത് പ്രദേശം പൂർണ്ണമായി ഉൾപ്പെടുത്തിയിട്ടുള്ളതാണ്. 1986-ലെ ഉത്തരവിന്റെ പരിധിയിൽ വരുന്ന സ്ഥലത്ത് ആയതിനാലും CRZ-II വരുന്നതിനാലുമാണ് അനുവാദം നൽകിയത് എന്ന വിവരം ബോധിപ്പിക്കുന്നു. 03/11/1986, 06/04/2010 എന്നീ തീയതികളിലെ ഉത്തരവുകളുടെ പകർപ്പുകൾ ഇതോടൊപ്പം സമർപ്പിക്കുന്നു. വിശദീകരണം പരിഗണിച്ച് തുടർ നടപടി ഒഴിവാക്കണമെന്ന് അപേക്ഷിക്കുന്നു.

വിശ്വസ്തതയോടെ,

സെക്രട്ടറി

തൃക്കടവൂർ ഗ്രാമപഞ്ചായത്ത്.



R. BABU

Secretary

Thrikkadavoor Grama Panchayat
 Peradu P.O., Kollam District
 PIN - 691601 Kerala, India
 Mob : 9496041803

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31/10/13



ALL SEASON Backwater Resort

Near Thevally Bridge, Kadavoor, Mathilil P. O., Kollam - 691 601

To,
The Chairman,
KCZMA
Sastra Bhavan, Pattom
Thiruvananthapuram 695004, Kerala

Date- 03-10-2013
Place- Kollam

2013/10/03

Dear Sir,

Subject- Request for Correction/ Remarking of the CRZ Areas coming under Kollam Urban Limit and Issue of Clearance.

Reference Documents-

1. GO (MS) No. 69/2010/LSGD dated 06/04/2010
2. G.O.(MS) No. 219/86/LAD dated 03.11.1986.
3. CRZ maps made available by the CESS Kerala
4. Approved Land Use Maps of Kollam 2011 AD
5. Approved Kollam Development Plan of 2011 AD
6. CRZ Notification of 2011.

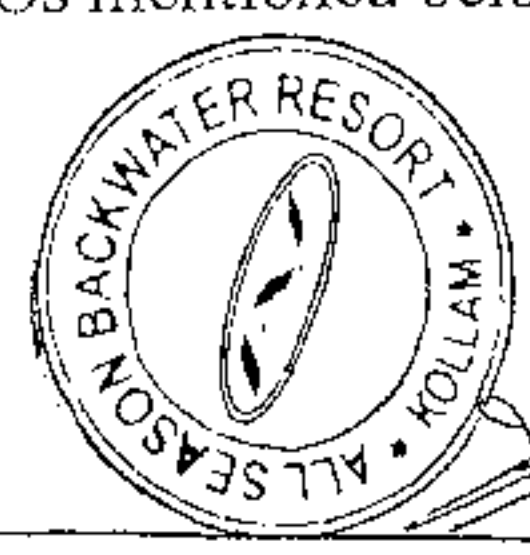
M.S., KCZMA
7-10-13

I am writing this letter with regards to a notice issued by The Secretary of Thrikadavoor Panchayath regarding obtaining NOC from KCZMA. In brief, we would like to bring to your notice that, we had reconstructed a Backwater Resort named All Season Backwater Resort, in the land bearing the Survey Numbers - 7601, Mathilil, Thrikadavoor, coming under Kollam Town Planning Authority (Kollam Development Authority). The said construction was an extension of a boat club and which was also a coir factory before. We had completed the building in 2012 and the Completion Certificate was also obtained.

The survey numbers mentioned above are coming under the designated Urban Areas of Kollam and is coming under the Town Planning limits of Kollam Development Authority. Kerala Government GOs mentioned below are confirming the same.

7-10-13
KCZMA

1. G.O.(MS) No. 219/86/LAD dated 03.11.1986.
2. GO (MS) No. 69/2010/LSGD dated 06/04/2010





ALL SEASON Backwater Resort

Near Thevally Bridge, Kadavoor, Mathilil P. O., Kollam - 691 601

The CRZ maps prepared by CESS also clearly indicates the limits of QDA (Quilon Development Authority) according to these GOs. This can be further reconfirmed by the below documents which will depict the actual urban limit of Kollam.

1. Approved Land Use Maps of Kollam 2011 AD
2. Approved Kollam Development Plan of 2011 AD

As per the CRZ notification of 2011, any designated Urban area should be considered as CRZ II. But the CRZ map prepared by CESS, marks only the corporation limits of Kollam as CRZ II and has ignored other designated urban areas of Kollam like ours. This ignores the Point No 7 of the CRZ notification of 2011, saying the legally designated urban areas should be considered as CRZ II.

We would also like to bring to your notice that, in the CRZ Notification of 2011, the classification is done based upon the Urban Limits and not on the basis of corporation limits. Also Point no 6 in Classification of CRZ Areas, in Page no 18 clearly states that any area, which is developed by more than 50 %, should be classified as CRZ II.

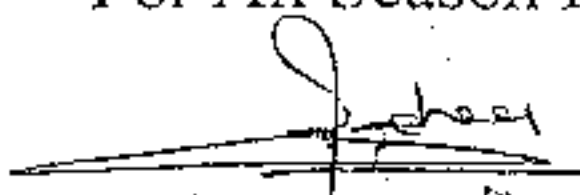
I would like to bring to your esteemed notice that the approved building was a modification of existing building which housed a Coir Factory of a bigger plinth area and later a boating and relaxing centre . The area is densely developed and is considered as Urban Limits both by QDA and Kerala Government departments.

We have ensured that there was no reclamation of the lake even at negligible proportions. All the modifications were done only in the landward side and the existing distance between the building and the water body was maintained.

Considering all the above facts , we humbly request you to Correct/ Remark the CRZ maps of Kollam and publish the same. This will ensure that there is no further confusion in this regard.

Your intervention and genuine gesture in this regard will be highly appreciated.

Yours Truly
For All Season Backwater Resort, Kollam


Sudheer K Nair
General Manager



Agenda Item No. 60.6.20

File No. 1116/A2/2013/KCZMA/S&TD

**Construction of Residential Building by Shri. Joseph.C.A, Chullikkal,
Vallarpadam, Ernakulam**

- Name of Applicant** : Sri. Joseph.C.A, Chullikkal, Vallarpadam, Ernakulam.
- Project Details** : Construction of Residential building.
- Activities proposed** : Construction of dwelling unit with plinth area of 44.81m², single floor, Height- 4.10m.
- Location Details** : Re. Sy. No. B2-200/5 (2.00 cents), 18.60m from HTL of Pokkali field.
- CRZ of the area** : As per CRZ Notification 2011 the area is in the NDZ of CRZ-III.
- Provisions of CRZ Notification.** : As per CRZ Notification 2011, Clause 8 III A (ii) No new constructions can be permitted in the NDZ of CRZ-III.

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

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Agenda Item No. 60.6.21

File No. 2103/A3/2013/KCZMA/S&TD

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

Kollam

- Name of Applicant** : Shri.A.J.Janarthanan, Head, Chavara Plant, Indian Rare Earths Ltd., Kollam.
- Project Details** : Mining of Heavy Mineral Sand from 9.025 acres in Neendakara Village, Kollam.
- Activities proposed** : Mining of Heavy Mineral Sand. The mined area will be back filled with tailings generated and leveled.
- Location Details** : Re. Sy. No. 29/2 of Neendakara Village, Karunagapally Taluk, Kollam district.
- CRZ of the area** : Part of project site is categorized as CRZ-III as per CRZ status report prepared by CESS. The remaining part is outside CRZ.
- Project cost** : Office cost is Rs.20 Lakhs, Rs.132 Lakhs is estimated for backfilling and leveling. The Royalty to the state is @ 300/MT.
- Provisions of CRZ Notification.** : As per CRZ Notification 2011, mining of Rare minerals can be permitted in CRZ area. The mining requires clearance from Ministry of Environment & Forest (MoEF), Government of India.
- Comments** : The project needs to be recommended to Ministry of Environment & Forest for consideration.

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

Agenda Item No. 60.6.22

File No. 1334/A3/2013/KCZMA/S&TD

**Construction of Telecommunication Tower at Arattupuzha Village by M/s.
ATC Telecom Tower Corporation Pvt. Ltd., Kochi**

- Name of Applicant** : M/s. ATC Telecom Tower Corporation Pvt. Ltd., 36/2624, First Floor, Cheramangalathil House, Shenoy Road, Kalloor, Cochin.
- Project Details** : Construction of Telecommunication tower.
- Activities proposed** : Construction of tower with a height of 50m, shelter and DG set installation. Total area to be occupied is 62.17m².
- Location Details** : Re. Sy. No. 253/13-22 of Arattupuzha Village. 348m from HTL of sea and 93m from HTL of backwater.
- CRZ of the area** : The area is in NDZ of CRZ-III as it is within 100m from HTL of backwater.
- Project cost** : Rs.17,97,597/- (Rupees Seventeen Lakh Ninety seven thousand five hundred and ninety seven only).
- Provisions of CRZ Notification.** : As per CRZ notification 2011, Clause 8 III A (ii) No new constructions can be permitted in the NDZ of CRZ-III.

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

Agenda Item No. 60.6.23

File No. 766/A2/2013/KCZMA/S&TD

Alleged violations in Thalassery Municipal area complaint received from
Sri. Muhammed Afsal. K.P

The Director, Environment and climatic change Department has forwarded the complaint on the alleged violations in Thalassry, City Centre ground filed by one Sri. Muhammed Afsal K.P, Thalassery. A team of experts visited the site and furnished the inspection report to the Authority. The same may be seen attached to this.

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

REPORT ON CRZ SITE VISIT IN KODUVALLY IN THALASSERY MUNICIPAL AREA , KANNUR DISTRICT

1. Introduction

Based on a complaint from a resident of Thalassery municipality on alleged violations of CRZ norms in Thalassery municipal area, a committee has been constituted by KCZMA vide letter No 766/A2/2013 /KCZMA/S&TD dated 12-06-2013 consists of Prof. NR Menon, Nanasen Environmental Research Centre, Ernakulam and Dr. Kamalakshan Kokkal, Joint Director, KSCSTE as members.

2. Methodology

The committee conducted a CRZ site inspection during 27-28 August 2013 at Thalassery. The committee members inspected the site in detail and contacted Ms.City Centre management, local people and officials of Thalassery municipality.

3. Location

The site lies in ward no 50 of Thalassery municipality between Koduvally and Venus corner adjacent to Ms.City Centre ground bordering Koyyali river. The Koyyali river lies in the CRZ. A made rock bund is found in the Koyyali river separating the main water body in the river and the backwater on the other side. The backwater side is reclaimed about one by fourth of this area. Mangroves are found to be removed in this portion (Photo to be added). The Ms.City Centre ground lies between the Koyyali river and the Ms.City Centre building complex which is a reclaimed land from the river.

4. CRZ Status

The Thalassery municipality site belongs to CRZ II category other than those belong to area inhabited by mangroves and tidal marshes which falls under CRZI category. The water covered portion in the river and the backwater belongs to CRZ IV category. 100m from the HTL of the Koyyali river is a CRZ area where no construction can be permitted. The Ms.City Centre building complex and the Ms.City Centre ground is stated to be belonging to the private property it may be confirmed from the Revenue department. Since CRZ is applicable for private as well as revenue land no construction can be permitted in loom landward from the HTL of the Koyyali river. The Ms.City Centre building complex has

obtained Govt approval vide GO(Rt) No.244/07/LSGD dated 20.01.2007 as part of settlement of Judgement of the court.

5. Recommendations

The committee after conducting the site visit and discussing with various stakeholders felt that there is an attempt made by the land owners for reclaiming the bank portion of the Koyyali river and an effort made for encroachment of the river. Under these situations, the committee is inclined to recommend one or more of the following actions:

- (a) Issue directions to Thalassery municipality and the owners of the Ms.City Centre against any attempt to reclaim and develop the CRZ area of Koyyali river .
- (b) Action may be initiated against the miscreants for CRZ violations made by them.
- (c) A report from Thalassery municipality may be sought on the CRZ violations made in this area.

gmt
29/2/13

Dr. Kamalakshan Kokkal
Joint Director and Head,
KSCSTE

Prof. N.R. Menon
Nansen Environment and
Research Centre, Kochi

Construction of Residential Building by Dr. Varghese Mathew, Dr. Elizabeth Mathew & Silpa Mathew, Diya Gardens-66-Lake Dharsan Nagar, Kollam

- Name of Applicant** : Dr. Varghese Mathew, Dr. Elizabeth Mathew & Silpa Mathew, Diya Gardens-66-Lake Dharsan Nagar, Kollam.
- Project Details** : Construction of Residential building.
- Activities proposed** : Construction of building with plinth area of 690m², Two floors, FAR 2.5
- Location Details** : Sy. No. 105/2/2, 105/2, 105/3, 107, 108, 109/03, 109/4 (17.43 Ares) 35.7m from HTL of Ashtamudi backwater.
- CRZ of the area** : The area is in CRZ II as it is in corporation limits.
- Provisions of CRZ Notification.** : As per CRZ Notification 2011, construction can be permitted landward of existing authorized structures/authorized roads subject with the existing Floor area ratio norms (as on 19th February 1991) without change in existing use.
- Comments** : The construction is proposed as extension of existing residential building bearing No.MC 1/944. This building was constructed prior to 1991 as per the letter from Assistant Executive Engineer, Kollam corporation. The proposed extension is on the same line to the existing one. The FAR permitted as on 19th February 1991 is not provided. This need to be obtained.

The KCZMA on receipt of FAR permissible. may consider recommending the proposal on CRZ angle to department of Environment & Climate Change as the construction is within 50m from flood line. The provisions of Wetland (Conservation & management) Act 2010 is applicable to the area as Asthamudi is declared as Ramsar Site. The Department of Environment & Climate Change is the nodal department to consider applications as per wetland (Conservation & Management) Act 2010.

The Assistant Executive Engineer, Kollam corporation has informed that the FAR permissible as per the KBR-84-Rule 17(2) existed in 1991, is 1.50, coverage 50%.

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

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

Minutes of the 58th Meeting of Kerala Coastal Zone Management Authority.

Date & Time : 27th July, 2013 at 2:00 P.M
 Venue : Sasthra Bhavan, Pattom, Thiruvananthapuram

The meeting commenced at 2.00 P.M.

List of participants :

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

Members

1. Sri. James Varghese, Principal Secretary, Fisheries & LSGD.
2. Dr. N.P. Kurian, Director, CESS.
3. Smt. Lovely V. T., Environmental Engineer, KSPCB.
4. Dr. A. Ramachandran, Professor and Director, School of Industrial Fisheries, Fine Arts Avenue Cochin-682 016.
5. Dr. K. Padmakumar, Aquatic Biology, University of Kerala, Thiruvananthapuram 695 581.
6. Sri. Baby John, Director, MCITRA.
7. Dr. P. Sureshbabu, Asst. Commissioner, Commissionerate of Land Revenue and Smt. Sherin Francis representing Secretary, Revenue Department.


Agenda Item No. 58.1

Confirmation of the Minutes of the 57th meeting held on 24.06.2013

While confirming the minutes, Dr. Padmakumar and Sri. Baby John pointed out that the decision in respect of Agenda Item No. 57.6.2, pertaining to the construction of Office-cum-laboratory building of CMFRI at Vizhinjam, require reconsideration as the matter was decided without a proper report based field visit. Therefore, the Committee decided that a team comprising of Dr. K. Padmakumar and Dr. Kamalakshan Kokkal shall visit and report to the KCZMA on the CRZ status of the project site.

With this modification, the minutes of the 57th meeting was approved.


 Dr. K.K. Ramachandran
 Member Secretary


 Prof. V.N. Rajasekharan Pillai
 Chairman

Agenda Item No. 58.2

Action taken report on the decisions of 57th Meeting held on 24-6-2013

The minutes of the 57th meeting was approved on 16.07.2013 and received at Science & Technology Department on 17.07.2013. Action as per the decision of KCZMA is under processing.

While discussing on the action taken it was pointed out that a copy of the order on visiting and having a sitting at district headquarters of all the coastal districts of the State need to be communicated to the KCZMA Members. It was decided that a sub-committee of KCZMA comprising of Dr. A. Ramachandran, Dr. K. Padmakumar, Sri. Baby John and Dr. K.K. Ramachandran shall finalize the modus-operandi of such visits and sitting of KCZMA at each district.

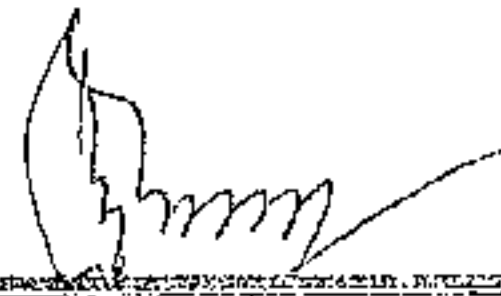
Agenda Item No. 58.3.1

File No. 138/A2/2013/KCZMA/S&TD

Regularization of Construction of Mosque Building at Vaikom, Kottayam

The President, Kattikunnu Muslim Jamaath, Reg. No. 15, Chempu.P.O, Vaikom, Kottayam has requested to regularize a Mosque constructed with plinth area of 232.62 Sq.ft. Three Floors, Height 10.25m in Re. Sy. No. 776/18. The area is on the banks of Vembanadu backwater (Poothotta Kayal) which is 23m from HTL. The CRZ landward will be 100m or distance equivalent to the width of the backwater in the area. The CRZ will be CRZ III, No Development Zone. As per CRZ Notification 2011, Clause 8 III A(ii) only reconstruction of existing buildings can be permitted in the No Development Zone of CRZ III. Mosque is not listed in the permissible activity list.

The KCZMA discussed the proposal in detail and decided not to regularize the construction. The decision will also be communicated to the panchayath.



Dr. K.K. Ramachandran
Member Secretary



Prof. V.N. Rajasekharan Pillai
Chairman

Agenda Item No. 58.3.2

File No. 870/A2/2013/KCZMA/S&TD

Construction of Dwelling house by Smt. Saritha Babu, Valiyaparambu House, Ettithara, Vaniyakkad, Mandham.P.O, North Paravoor, Ernakulam

Smt. Saritha Babu, Valiyaparambu House, Ettithara, Vaniyakkad, Mandham.P.O, North Paravoor, Ernakulam has proposed a construction of dwelling unit with a plinth area of 60.38m², single floor in Sy. No. 114/10A of Kottuvally Village, Paravoor Taluk, 25m from HTL of filtration pond. The area is in the No Development Zone of CRZ III as per CRZ Notification 2011. As per the CRZ Notification 2011, Clause 8 III A(ii) No new constructions can be permitted in the No Development Zone of CRZ III. Only reconstruction can be permitted

The KCZMA discussed the proposal in detail and decided to grant CRZ clearance for the construction of dwelling unit proposed by Smt. Saritha Babu, Valiyaparambu House, Ettithara, Vaniyakkad, Mandham.P.O, North Paravoor, Ernakulam

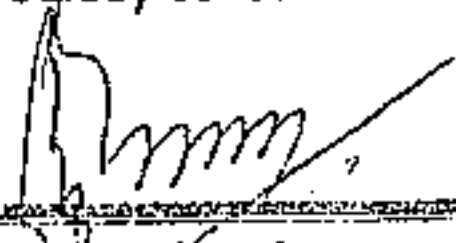
Agenda Item No. 58.3.3

File No. 1248/A3/2013/KCZMA/S&TD

Comprehensive Environmental Impact Assessment (CEIA) study for Vizhinjam International Seaport Project - Complaint against violations of CRZ Notification, 1991 by Resorts

The Comprehensive Environmental Impact Assessment Study (CEIA) by Vizhinjam International Seaport Ltd. (VISL) for the Vizhinjam Projects shows that the some of the resorts in the Project Stretch were overlaid on the CRZ map prepared by CESS in 2013 with respect to CRZ Notification 1991 and thus violating CRZ norms. The map shows that many resorts are located within 200m from HTL line, which is a No Development Zone (NDZ) as per the CRZ Notification, 1991 (copy enclosed). The Managing Director, VISL has requested to initiate necessary action against CRZ violations.

The KCZMA discussed the agenda in detail and decided to constitute a committee with Dr A. Ramachandran - Member KCZMA, Dr. A Padmakumar - Member KCZMA, Chief Town Planner and Director CESS or his nominee (Convenor) to examine the violations and submit report to KCZMA.



Dr. K.K. Ramachandran
Member Secretary



Prof. V.N. Rajasekharan Pillai
Chairman

Agenda Item No. 58.3.4

File No. 1081/A3/2013/KCZMA/S&TD

Regularisation of Shed (Residential) built by Sri.Manoj, Kochemparambu, Punnapra, Alappuzha

Shri. Manoj, Kochemparambu, Punnapra, Alappuzha has submitted an application for regularisation of shed with plinth area of 20.69m² constructed for residential purpose in Sy. No. 7/13 of Punnapra Village. The construction is made 12m from HTL of sea. The area is in the No Development Zone of CRZ-III. As per CRZ Notification 2011, Clause 8 III A(ii) no new constructions can be permitted in the No Development Zone of CRZ III

The KCZMA discussed the proposal for regularization of the shed and decided not to regularize the construction as the location is vulnerable to hazard.

Agenda Item No. 58.3.5

File No. 1037/A3/2012/KCZMA/S&TD

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

Sri. T. Joseph residing at Leema Cottage, Kallumukku in Karumkulam Grama Panchayath, Neyyattinkara, Thiruvananthapuram has furnished a petition seeking CRZ clearance for the building being constructed in the Karumkulam Grama Panchayath for conducting an Ayurveda Hospital. In his petition the petition has alleged many CRZ violations near to his construction that were permitted by the Grama Panchayath. Regarding this petition, the Environment Group has remarked that the KCZMA had already rejected the CRZ clearance for the hospital in view of the report of inspection conducted on the site. The Environment Group has also informed that since the KCZMA had already taken a decision and as there is no fresh documents submitted by the proponent the decision taken by the KCZMA is valid. But the Environment Group has suggested to place the matter before the KCZMA meeting as it indicates CRZ violations in the Panchayath by others.

The KCZMA discussed the alleged violations in the area and decided to constitute a committee to enquire the violations with Dr. A Padmakumar-Member KCZMA and Dr. Kamalakshan Kokkal, Joint Director, KSCSTE as members.


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

Page 4 of 12

Agenda Item No. 58.3.6
File No. 1114/A3/2013/KCZMA/S&TD

**Regularisation of Residential building built by Sri. Suresh, Chitra Bhavan,
Aadhinad.P.O, Kulasekharapuram, Kollam**

Sri. Suresh, Chitra Bhavan, Aadhinad.P.O, Kulasekharapuram, Kollam has requested to regularize the construction made for dwelling unit with a plinth area of 28.5m² in Re. Sy. No. 297/18-2 (3 cents) which is 28.5m from HTL of backwater. The area is in the No Development Zone of CRZ-III. As per CRZ Notification 2011, Clause 8 III A(ii) no new constructions can be permitted in the No Development Zone of CRZ III. Only reconstruction can be permitted.

The KCZMA discussed the proposal in detail and decided to permit the regularization of the construction of residential building made by Sri. Suresh, Chitra Bhavan, Aadhinad.P.O, Kulasekharapuram, Kollam, who belongs to the fishermen community.

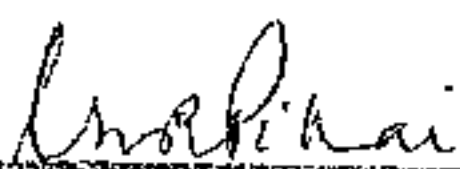
Agenda Item No. 58.3.7
File No. 1285/A3/2013/KCZMA/S&TD

**CRZ clearance for the development of Vizhinjam International Deep water
Seaport Project**

The Managing Director, Vizhinjam International Seaport Ltd. has requested to arrange for the Environmental / CRZ clearance under the provisions of CRZ Notification, 2011 for the development of Vizhinjam Deep water Port. The proposal was earlier considered under CRZ Notification 1991 and recommended to Ministry of Environment & Forests (MoEF). This need to be reexamined by KCZMA as per 2011 Notification. Being on the Sea coast, the area has a CRZ of 500m landward from the HTL in addition to the area between the HTL and LTL, the river, the sea/river bed. The proposed construction of break waters and harbour development are permissible activities subject to the conditions as per the CRZ Notification 2011. The proponent has been requested to give a presentation of the project in the KCZMA meeting. The project requires clearance from Government of India.

A presentation was made by the proponents and the consultants before the KCZMA. The KCZMA discussed the proposal in detail decided to recommend the proposal to MoEF, Government of India. The representation received from Hotel and Restaurant association will also be forwarded to the MoEF.


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

Page 5 of 12

Agenda Item No 58.3.8

File No. 1031/A2/2013/KCZMA/S&TD

Establishing Marine Diesel Outlet by Smt. Shahitha.T.A, Marackaparambil House, Kunjithai, Vadakkekara, North Paravoor, Ernakulam.

Smt. Shahitha.T.A, Marackaparambil House, Kunjithai, Vadakkekara, North Paravoor, Ernakulam has proposed to establishing Marine Diesel Outlet in Sy. No. 101/6, 128/1 of vadakkekara Village, which is 3m from HTL of backwater. The proposal includes the construction of toilet block, setting up of fuel tank, dispenser etc. The area is in the No Development Zone of CRZ III. As per CRZ Notification 2011, Clause 8 III A(iii) 1 - facilities required for local fisher community can be permitted by KCZMA in the No Development Zone.

The KCZMA discussed the proposal in detail and decided to permit the establishment of Marine Diesel Outlet by Smt. Shahitha.T.A, Marackaparambil House, Kunjithai, Vadakkekara, North Paravoor, Ernakulam subject to implementation of safety regulations including guidelines issued by the oil industry safety directions in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementations of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF.

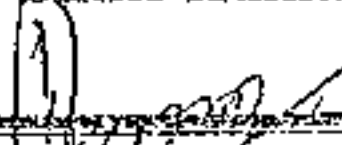
Agenda Item No. 58.3.9

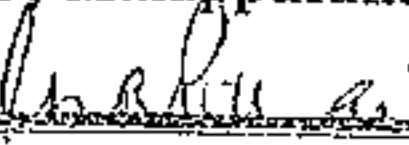
File No. 2288/A2/2012/KCZMA/S&TD

Construction of Residential Building by Sri. Sunil Kumar.P.P, Aryallur.P.O, Malappuram

Sri. Sunil Kumar.P.P, Parol Puthusseri (H), Aryallur.P.O, Malappuram has proposed construction of residential building with a plinth area of 82.264m², Height 6.095m (Two floors) in Re. Sy. No. 103/16, (0.0314 hectare) which is in between 200-500 m from HTL of sea. The area is in Panchayath and hence the areas other than CRZ I and IV are classified as CRZ III. The proposed area is in CRZ III. As per CRZ Notification 2011 Clause 8 III B (vii) construction of dwelling units of traditional community can be permitted in the area between 200-500 m from HTL of Sea subject to local town and country planning rules with overall height not exceeding 9m with two floors

The KCZMA discussed the proposal for construction of a residential building by Sri. Sunil Kumar.P.P, Aryallur.P.O, Malappuram and decided to grant CRZ


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

Page 6 of 12

clearance for the construction of the residential building of 82.264m², Height 6.095m (Two floors) in Re. Sy. No. 103/16, (0.0314 hectare).

Additional Agenda Item No. 58.4.1
File No. 1055/A2/2013/KCZMA/S&TD

Regularisation of Construction made for Apartment by Shri. Shanmugan and Others, Elathur, Kozhikode

Shri. Shanmugan and others, Elathur, Kozhikode has requested to regularise the residential building (3 units -apartments) with total plinth area of 503.68m². Three floors, Height 13.92m Re. Sy. No. 44/2 of Elathur Village within 100m from HTL of sea The area is in No Development Zone of CRZ III. This is an area newly attached to the Corporation limits. As per the CRZ Notification 2011, Clause 8 III A(ii) No new constructions can be permitted in the No Development Zone of CRZ III.

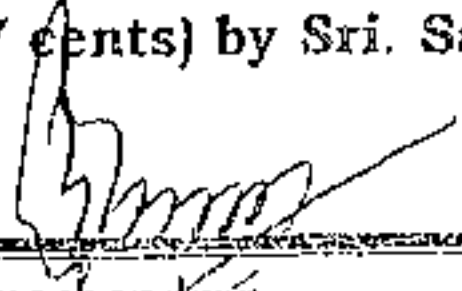
The KCZMA discussed the proposal in detail and decided to take action against the violations by invoking the provisions of EP Act and rules thereon.

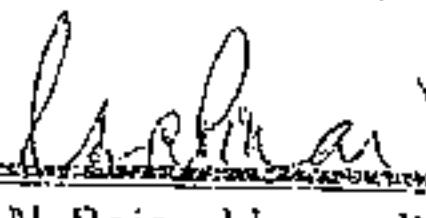
Additional Agenda Item No. 58.4.2
File No. 721/A3/2013/KCZMA/S&TD

Regularisation of construction made for Residential purpose by Sri. Santhosh, Bhakthi Vilasam, Ashtamudi, Thrikkaruva, Kollam

Sri. Santhosh, Bhakthi Vilasam, Ashtamudi, Thrikkaruva, Kollam has proposed to regularize the construction made for residential purpose with plinth area of 107m². Height 6.5m, Two floors in Sy. No. 57/10/3 of Thrikkaruva Village (7 cents). The construction is 58m from HTL of Ashtamudi Backwater. The area is on the banks of backwater having tidal influence from sea. The CRZ landward of HTL is 100m. The area is also No Development Zone of CRZ III. As per the CRZ Notification 2011, Clause 8 III A(ii).

The KCZMA discussed the proposal in detail and decided to permit the regularization of the construction made for Residential purpose with plinth area of 107m², height 6.5m, two floors in Sy. No. 57/10/3 of Thrikkaruva Village (7 cents) by Sri. Santhosh, Bhakthi Vilasam, Ashtamudi, Thrikkaruva, Kollam.


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

Page 7 of 12

Additional Agenda Item No. 58.4.3

File No. 1316/A3/2013/KCZMA/S&TD

✓ **Construction of Residential Building by Smt. Mini, Ayyanparambu, Punnapra.P.O, Alappuzha**

Smt. Mini, Ayyanparambu, Punnapra.P.O, Alappuzha proposed Construction of Residential building with a plinth area of 109.92m². Two floors, Height 6.9m in Re. Sy. No. 54/2-1, which is 149m from HTL of sea. The area is in the NDZ of CRZ III between 100-200m from HTL of sea. As per the CRZ Notification 2011, Clause 8 III A(ii) Construction of dwelling units of traditional coastal communities can be permitted in between 100-200m from HTL if a comprehensive plan is prepared and approved by NCZMA. The applicant belongs to traditional fishermen community

The KCZMA discussed the proposal in detail and decided to grant CRZ clearance for the construction of residential building with a plinth area of 109.92m² (two floors), height 6.9m in Re. Sy. No. 54/2-1 by Smt. Mini, Ayyanparambu, Punnapra.P.O, Alappuzha.

Additional Agenda Item No. 58.4.4

File No. 1317/A3/2013/KCZMA/S&TD

✓ **Regularisation of Residential Building by Sri. Maji.P.J, Karukaparambil, Punnapra.P.O, Alappuzha-4**

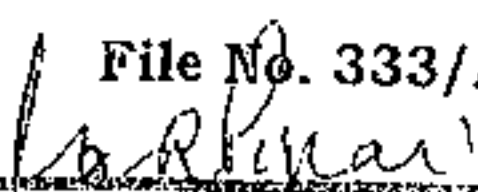
Sri. Maji.P.J, Karukaparambil, Punnapra.P.O, Alappuzha-4 proposed construction of Residential building with a plinth area of 67.50m². Single storied, Height 3.30 m in Sy. No. 88/26 in Punnapra Village, Ambalapuzha Taluk, which is 165m from HTL of sea. The area is in CRZ III, between 100-200m from HTL (NDZ). As per the CRZ Notification 2011, Clause 8 III A(ii) Construction of dwelling units of traditional local communities may be permitted in the NDZ of CRZ III in between 100-200m from HTL of sea after preparing a comprehensive plan and approved by NCZMA. The applicant is a traditional fisherman.

The KCZMA discussed the proposal in detail and decided to permit regularization of residential building with a plinth area of 67.50m², single storied in Sy. No. 88/26 in Punnapra Village by Sri. Maji. P.J, Karukaparambil, Punnapra.P.O, Alappuzha-4.

Additional Agenda Item No. 58.4.5

File No. 333/A2/2013/KCZMA/S&TD


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

Page 8 of 12

മത്സ്യതൊഴിലാളികളുടെയും അനുബന്ധ തൊഴിലാളികളുടെയും ക്ഷേമം സംബന്ധിച്ച നിയമസഭാ സമിതിയുടെ (2011-14) ഒന്നാമത് റിപ്പോർട്ടിന്മേലുള്ള തീരുമാനം

മത്സ്യതൊഴിലാളികളുടെയും അനുബന്ധ തൊഴിലാളികളുടെയും ക്ഷേമം സംബന്ധിച്ച നിയമസഭാ സമിതിയുടെ (2011-14) ഒന്നാമത് റിപ്പോർട്ടിൽ കോസ്റ്റൽ റഗുലേഷൻ നിയമത്തിലെ വ്യവസ്ഥകൾ മത്സ്യതൊഴിലാളികൾക്ക് അനുയോജ്യമായ വിധത്തിൽ ഭേദഗതി ചെയ്യണമെന്ന് ശുപാർശ ചെയ്തിട്ടുണ്ട്.


2011-ലെ CRZ വിജ്ഞാപനം III A (ii) പ്രകാരം മത്സ്യബന്ധന തൊഴിലാളി സമൂഹം അടങ്ങുന്ന പാരമ്പര്യ തീരദേശ സമൂഹത്തിന് വേലിയേറ്റ രേഖയിൽ നിന്നും കരഭാഗത്തോടുകൂടി 100 മീറ്റർ മുതൽ 200 മീറ്ററുകൾക്കുള്ളിൽ അവരുടെ നിവാസത്തിനായി പുതിയ നിർമ്മാണമോ / പുനർ നിർമ്മാണമോ നടത്തുവാൻ അനുവദിക്കാൻ കഴിയുന്നതാണ്. പ്രസ്തുത നിർമ്മാണ പാരമ്പര്യ തീരദേശ സമൂഹവുമായി ചർച്ച ചെയ്ത് ആപൽ പരിപാലന കരുതൽ നടപടി, ശുചീകരണ നടപടി എന്നിവ ഉൾക്കൊള്ളിച്ചും കൊണ്ടുള്ള ഒരു വിശദമായ പ്ലാൻ തയ്യാറാക്കി ബന്ധപ്പെട്ട സംസ്ഥാന / കേന്ദ്രഭരണ പ്രദേശത്തെ കോസ്റ്റൽ സോൺ മാനേജ്മെന്റ് അതോറിറ്റിയുടെ ശുപാർശയോടുകൂടി കേന്ദ്ര പരിസ്ഥിതി, വനം മന്ത്രാലയത്തിന്റെ അനുമതിയോടെ പ്രസ്തുത പ്ലാൻ പ്രകാരം നിർവ്വഹിക്കാൻ കഴിയുന്നതാണ്. മേൽപ്പറഞ്ഞ തരത്തിലുള്ള ഒരു സമഗ്ര പ്ലാൻ തയ്യാറാക്കേണ്ടതുണ്ട്. ഇക്കാര്യം ബന്ധപ്പെട്ട വകുപ്പുകൾ, ജില്ലാ ഭരണകൂടം, തദ്ദേശസ്വയം ഭരണ വകുപ്പ്, അതാത് പഞ്ചായത്ത് ഭാഗങ്ങളിൽ നിവസിക്കുന്ന തീരദേശ മത്സ്യബന്ധന, പാരമ്പര്യ നിവാസികളുടെ പ്രതിനിധികൾ എന്നിവർ അടങ്ങുന്ന ഒരു സമിതി തദ്ദേശസ്വയം ഭരണ വകുപ്പിന്റെ കീഴിൽ രൂപീകരിച്ച് ഏൽപ്പിക്കാവുന്നതുമാണ്.

സമഗ്ര പ്ലാൻ തയ്യാറാക്കുന്നതിനുള്ള മാർഗ്ഗ നിർദ്ദേശങ്ങൾ തദ്ദേശ സ്വയംഭരണ വകുപ്പിന് നൽകേണ്ടതുണ്ട്. ഇക്കാര്യത്തിൽ അമോറിറ്റി ഉചിതമായ തീരുമാനം കൈക്കൊള്ളേണ്ടതാണ്. സമഗ്ര പ്ലാൻ കെ.സി.ഇസഡ്.എം.എ-യുടെ ശുപാർശ സഹിതം കേന്ദ്ര വനം പരിസ്ഥിതി മന്ത്രാലയത്തിന്റെ അംഗീകാരത്തിന് നൽകാവുന്നതാണ്.

ആയതിനാൽ പ്രസ്തുത നിർദ്ദേശത്തിന്മേൽ ഒരു തീരുമാനം എടുക്കുന്നതിലേക്ക് കെ.സി.ഇസഡ്.എം.എ യോഗത്തിന് മുമ്പാകെ സമർപ്പിക്കുന്നു.

KCZMA decided that CESS shall develop a model plan for one of the coastal panchayats and submit within a month to KCZMA


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

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**Additional Agenda Item No. 58.4.6
File No. 1051/A2/2013/KCZMA/S&TD**

Construction of Building by Sri. Madhu P.P, Puthiyapurayil (H), Thekekkad, Padnakadappuram P.O, Kasaragod

Sri. Madhu P.P, Puthiyapurayil (H), Thekekkad, Padnakadappuram P.O, Kasaragod proposed construction of building with plinth area of 35.20m² , single storied, Height 3.90 m in Re. Sy. No. 267/6 the site is in an island. The width of the land area is less than 100m. The distance from the HTL to the construction is 40m on the western side and 41m from the eastern side. The area being an island the CRZ will be 50m landward of HTL. The area is in the NDZ of CRZ III. As per the CRZ Notification 2011 no new construction can be permitted in the NDZ of CRZ III. Only reconstruction can be permitted. The applicant is a fisherman and the property is inherited from his parents.

The KCZMA discussed the proposal in detail and decided to grant CRZ clearance the construction of residential building with plinth area of 35.20m², single storied in Re. Sy. No. 267/6 by Sri. Madhu P.P, Puthiyapurayil (H), Thekekkad, Padnakadappuram P.O, Kasaragod.

**Additional Agenda Item No. 58.4.7
File No. 1276/A2/2013/KCZMA/S&TD**

Construction of Commercial Building by Smt. Kochan Kudukil Khadeja and 8 others, Vadakumbad.P.O, Ramanthali, Kannur

Smt. Kochan Kudukil Khadeja and 8 others, Vadakumbad.P.O, Ramanthali, Kannur has proposed Construction of building with plinth area 328.96m², Three floor (Third floor staircase), Height 9.10m in Re. Sy. No. 66/13 A1 of Ramanthali Village. The construction is 80m from HTL of river. The area is in the NDZ of CRZ III. As per the CRZ Notification 2011, Clause 8 III A(ii) No new constructions can be permitted in the NDZ of CRZ III. The construction made by the proponents violates the provisions of CRZ Notification 2011

The KCZMA discussed the proposal in detail and decided not to permit the regularization of the building as it amount to violation.

**Additional Agenda Item No. 58.4.8
File No. 1555/A3/2013/KCZMA/S&TD**



Dr. K.K. Ramachandran
Member Secretary



Prof. V.N. Rajasekharan Pillai
Chairman

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CRZ clearance for the Pilot Project at Mathipuram Slum, Vizhinjam, Thiruvananthapuram

The Thiruvananthapuram Corporation has decided to take Mathipuram Slum at Vizhinjam in Thiruvananthapuram as the Pilot Project under Rajiv Awaz Yojana (RAYA) which is a Centrally sponsored Slum eradication Scheme. The area falls in CRZ-III in the KCZMP, 1996. The Corporation proposed clearance to the construction of Housing Colony having three floor buildings (Ground + Two floors) to eradicate slum at four coastal areas at Mathipuram, Valiyaparamba, Pattani and Kappachal where 1032 families are living in 420 huts. As decided in the 46th meeting of KCZMA the proposal was recommend to Government of India. However, the Government of India, Ministry of Environment & Forest informed that the proposal is not permissible as construction / reconstruction is permissible with over all height of construction not exceeding 9 meters with two floors (Ground + One floor) vide 8, III, B (vii) of the CRZ Notification 2011.

The matter was again taken up with the Ministry of Environment & Forest to reconsider the decision of Government of India in consideration of the constrain in accommodating 1032 families in the available 3 acres of land and the practical difficulty of rehabilitating the inhabitants elsewhere, as decided in the 53rd meeting of KCZMA. But a reply is yet to be received.

The Secretary, Corporation of Thiruvananthapuram put through that while revising CZMP, the area which is presently in CRZ-III would become CRZ-II. The revision of CZMP has already been taken up with CESS and the same would require some more time for finalization.

However, in the meeting held by Principal Secretary, Local Self Government Department on 03.07.2013 it has been decided to revise the plan for (Ground + 3) buildings and get sanction from KCZMA for the construction upto (Ground + 1) till the CRZ category change is notified. Accordingly the Secretary, Corporation of Thiruvananthapuram has furnished application for the same with revised layout plans.

The KCZMA discussed the proposal in detail and decided to permit construction of the buildings with ground floor + One floor.

**Additional Agenda Item No. 58.4.9
File No. 2173/A2/2012/KCZMA/S&TD**

Construction of Houses under EMS Housing Scheme, Chorodu Grama Panchayath, Kozhikode district

The Secretary, Chorodu Grama Panchayath has forwarded the proposal for the construction of houses within the No Development Zone (NDZ) of CRZ-III by 3 applications namely Sri. Nambolante Valappil Asokan, Sri. Sathyanathan Puthiyapurayil, Sri.Panantevide Ramesan and Roja. He has also reported that all the above constructions come replacing existing huts and the applicants are not in

[Signature]
Dr. K.K. Ramachandran
Member Secretary

[Signature]
Prof. V.N. Rajasekharan Pillai
Chairman

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possession of any other land / house. The applicants belong to fishermen community. The Panchayath also informed that all the existing huts were built prior to 19th February 1991. Hence the constructions can be considered as re-construction of authorized structures. Reconstruction can be permitted subject to the provisions under CRZ Notification 2011.

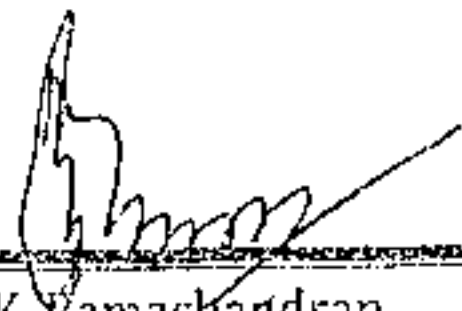
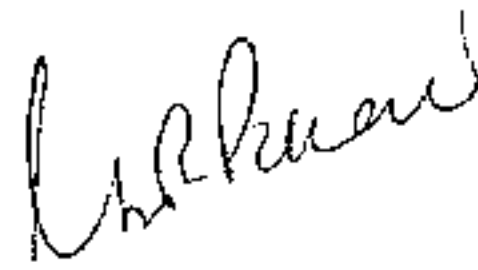
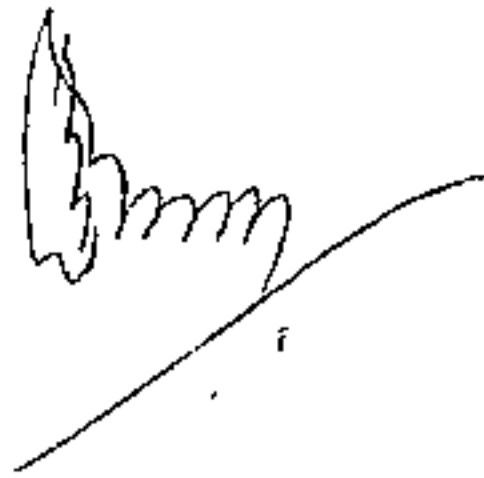
The KCZMA discussed the proposal in detail and decided to communicate to the Panchayat that the locations of the proposed construction are in proximity to the sea front and hence is vulnerable to hazard.

Additional Agenda Item No. 58.4.10
File No. 513/A2/2013/KCZMA/S&TD

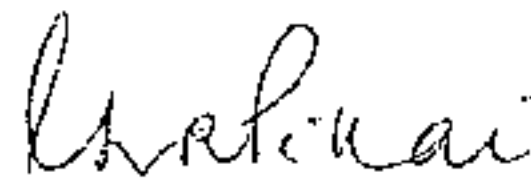
Construction of Mobile Telecommunication Tower in Kadappuram Village, Chavakkad Taluk, Thrissur District

M.K. Narayan, ATC Telecom Tower Corporation Pvt. Ltd, Cochin proposed erecting a 50m high Telecommunication Tower, Shelter room and DG set installation on Banks of Canaoly Canal in Sy.No 39/5 of Kadappuram Village 4.38m from HTL landward in Thrissur District. As per the CRZ Notification 2011 construction of telecommunication tower is not listed in the permissible activity in the NDZ of CRZ III.

The KCZMA discussed the proposal in detail and decided not to permit the construction of the telecommunication tower as the location being in No Development Zone of CRZ III.



Dr. K.K. Ramachandran
Member Secretary



Prof. V.N. Rajasekharan Pillai
Chairman

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21

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

**Minutes of the 59th Meeting (Special Meeting) of Kerala Coastal Zone
Management Authority.**

Date & Time : 4th September, 2013 at 2:00 P.M
Venue : Sasthra Bhavan, Pattom, Thiruvananthapuram

The meeting commenced at 2. P.M.

List of participants :

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

Members

1. Sri. P.K. Mohanty, Additional Chief Secretary, Environment Dept.
2. Sri. James Varghese, Principal Secretary, Fisheries & LSGD
3. Dr. N.P. Kurian, Director, CESS
4. Sri. K. Sajeevan, Chairman, KSPCB
5. Dr. A. Ramachandran, Professor and Director, School of Industrial Fisheries, Fine Arts Avenue Cochin-682 016
6. Dr. K. Padmakumar, Aquatic Biology, University of Kerala, Thiruvananthapuram 695 581
7. Dr. P. Sajith Babu, Asst. Commissioner, Commissionerate of Land Revenue representing Secretary, Revenue Department.

Advocate Tom K. Thomas, Special Govt. Pleader attended as a special invitee, representing the Advocate General.

The Chairman welcomed the members and conveyed the purpose of convening the Special Meeting:

The KCZMA then decided to take up the following Court cases and the orders/notice issued thereon for discussion in the following order:

- (1) Suo Moto Writ Petition (Civil) No. 687/2013 and the notice of the Hon'ble Supreme Court on CRZ violations to the KCZMA,
- (2) Judgement of the Hon'ble Supreme Court on S.L.P. (Civil) Nos. 24390-24391 of 2013 in the case of M/s Vamika Island (Green Lagoon Resort) as petitioner,
- (3) Judgement of Hon'ble High Court of Kerala with respect to WP(C). Nos. 19564 of 2011, 28485 of 2011, 34799 of 2011, 4808 of 2012, 12965 of 2012, 8299 of 2012 & 2947 of 2013.

Details of the deliberations and decisions in respect of above 3 items are as follows:

Dr. K.K. Ramachandran
Member Secretary

Prof. V.N. Rajasekharan Pillai
Chairman

Page 1 of 4

[Handwritten signature of Dr. K.K. Ramachandran]
15-9-13

(1) In the case of the Suo Moto WP (C) referred above, the Hon'ble Supreme Court of India issued notice to the KCZMA (through its Member Secretary) as third respondent. The KCZMA decided to take strict compliance and timely actions to the notice issued by the Hon'ble Supreme Court. Discussion was specifically held in the light of the direction to the KCZMA as quoted below from the judgement:

The necessity of effective implementation of CRZ Notifications also requires serious attention at the hands of KCZMA; and

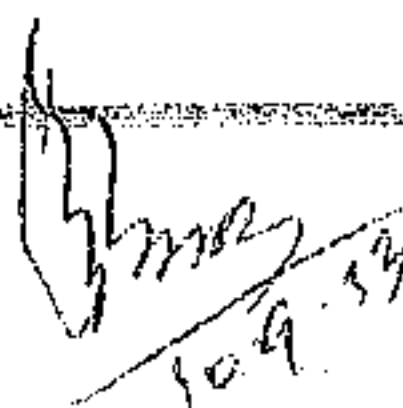
Considering the large public interest and the importance of the issue we are inclined to issue notice to the following authorities to explain the steps they have taken to implement CRZ, in the lake and Islands as a whole, steps they have taken to restore the illegally reclaimed banks of the lake, steps taken to avert pollution etc. within a period of six weeks from today:

- (a) Since the hearing in the case is posted for 30-9-2013 by Hon'ble Supreme Court, the KCZMA agreed that statements of facts have to be finalized and forwarded by 23-9-2013.
- (b) Subsequently, for the benefit of the members, the Member Secretary presented the steps that have been taken by KCZMA, the nature and type of violations in and around Vembanad Lake, reports of experts committees constituted earlier by KCZMA on site visits in the area and also steps proposed for taking compliance to the above Suo Moto Notice.
- (c) The Director, CESS agreed that CESS would submit whatever information available and possible within a week. The CESS is entrusted to carry out mapping of the violations in terms of reclamation, construction as well as any other regulated activities not permissible within the CRZ under different categories in and around Vembanad Lake CVCA. The Director, CESS informed that they would require 3 month time for completing the task.
- (d) The committee agreed that a draft on the requisite information and explanation detailing the above to be submitted to the Hon'ble Supreme Court can be circulated among the members to incorporate their suggestions before finalizing.

(2) In the case of the Judgement on SLP by the Hon'ble Supreme Court, the KCZMA observed that the Court has concurred and reiterated the Judgement of the Hon'ble High Court in the case connected to the violations in Vettilla Thuruthu by Vamika Resorts. Therefore, the directions of the Hon'ble High Court have to be complied in this respect.

(3) With respect to the judgement of the Hon'ble High Court on the aforementioned 7 WP(C)s, the KCZMA decided to take the following courses of action:

Dr. K.K. Ramachandran
Member Secretary



Prof. V.N. Rajasekharan Pillai
Chairman



Page 2 of 4

- (a) Notices shall be issued to the Secretary Panavally Panchayat, District Collector Alapuzha, Director of Panchayats, Secretary LSGD for strict compliance of the Hon'ble High Court direction to ensure that **'... the constructions which have been made by the company (Kapico Resorts Pvt. Ltd) in the Nedyathuruthu island are removed in so far as it violates the terms of the 1991 Notification, as held by us. Action in this regard shall be taken within a period of three months from the date of receipt of a copy of this judgement'** (by 31st of October 2013).
- (b) It shall also be communicated to the aforementioned authorities the Court direction that **'till such time as our directions as above are complied with, the company shall not proceed to make any further constructions. The company cannot carry out any kind of operations in the structures constructed in the island till the removal as ordered. As far as the island owners are concerned also, we direct that they will not carry out any further operations in the structures which are the subject matter of these cases after one week from today till such time as the direction given by us is complied with. We are allowing one week, as according to them, they are running the business. Thereafter, no kind of operations shall be done in those structures'**. The Secretary, Panavally Panchayat shall be directed to take compliance to this part of the judgement by conducting verification on the ground and shall submit compliance report to the KCZMA within one week of receipt of the communication from KCZMA in this regard.
- (c) Further, notices shall be issued to take action by all the authorities mentioned in para (3)(a) above and report to the KCZMA to ensure compliance to the direction of the Hon'ble Court that **'...to take action against the island owner (M/s. Vamika Island (Green Lagoon Resort) in Vettilathuruthu) to ensure that the unauthorised structures which have been put up on the basis of the permit issued by the panchayat in 2012 and the buildings bearing Nos.193/D and 193/E are removed within a period of three months from the date of receipt of a copy of this Judgment. This direction will also embrace any new construction which has been noted by the panchayat itself'**.
- (d) KCZMA also decided that, while writing to the Secretary, Panavally Panchayat, the officer shall be directed to take action and report to KCZMA **'...in regard to the unnumbered buildings found on Vettilathuruthu island as per law as against the island owners'**.

The Chairman, KCZMA circulated the representation of the MLAs received by the Hon'ble Chief Minister, Government of Kerala, and the KCZMA has decided to proceed in accordance with the judgements and directions of the Hon'ble High Court of Kerala and Hon'ble Supreme Court.

Further to the above, considering certain observations of the Hon'ble Supreme Court and Hon'ble High Court of Kerala, the KCZMA decided that as part of enforcing the CRZ Notification with full vigour in an effective manner, a circular shall be sent to Secretaries of all the Panchayats/Urban Local Bodies falling within the CRZ area. The Director of Panchayats and the Secretary, LSGD can be informed of the laxity on the part of the LSGs in implementing CRZ Notification.

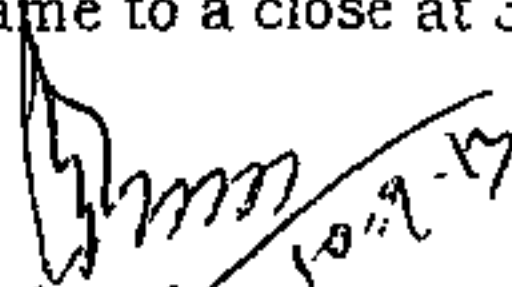
Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman

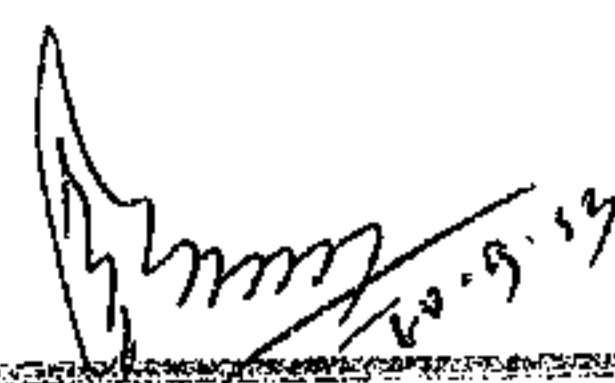
Page 3 of 4


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16/9/13

The meeting came to a close at 3:45pm


Dr. K.K. Ramachandran
Member Secretary, KCZMA


Prof. V.N. Rajasekharan Pillai
Chairman, KCZMA


Dr. K.K. Ramachandran
Member Secretary


Prof. V.N. Rajasekharan Pillai
Chairman