

Agenda Item No.102.01.01
File No: 4103/A1/17/KCZMA

Construction of Residential Building by Shri Bose, Kurisinkal House, Arthunkal P.O, Cherthala, Alappuzha

Name of Applicant	:	Shri Bose, Kurisinkal House, Arthunkal P.O, Cherthala, Alappuzha
Applicant Status	:	The applicant belongs to Traditional Coastal Community.
Application details	:	Lr. No.A3/79/17 dated 29/12/19 from The Secretary, Cherthala South Grama Panchayat.
Project Details &Activities proposed	:	Construction of residential building with plinth area of 89.13 m ² Plot area of 2.3 Ares, Single Floor, FAR: 0.38, Height : 3.65 m.
Location Details	:	Sy. No 41/17 of Arthunkal Village, Cherthala South Grama Panchayat, Alappuzha District. The construction is at a distance of 181 m from the HTL of Sea.
CRZ of the area	:	The area is in No Development Zone of CRZ III in between 100-200 m from HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	:	The construction of residential building is permissible as per the provisions of CRZ notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.02
File No: 223/A1/19/KCZMA

Construction of Residential building by Shri Biju.S.P Nair, Akkara Kudiyattil Veedu, Kanamba, Varkala, Thiruvananthapuram.

Name of Applicant	:	Shri Biju.S.P Nair, Akkara Kudiyattil Veedu, Kanamba, Varkala, Thiruvananthapuram.
Application details	:	Lr. No PW2-BA/325/18-19 dated 22/1/19 from the Secretary, Varkala Municipality.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 315.62 sqm (Residential building-276.82+Accessory building-38.80 sqm) 2 Floor, Max Height : 7.25, F.A.R-0.69, Plot Area-2.33 Are

Location Details	:	Re Sy. No 51, 53 of Varkala Village, Varkala Municipality, Thiruvananthapuram District. The Proposed construction is at a distance of 370m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road
Comments	:	The construction is proposed on the landward side of the existing building (No:VMC XXII/352,Constructed Prior 1992),Hence the construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.03

File No: 1584/A2/18/KCZMA

Construction of Residential building by Smt Raheena.T,Thayyil (H), Ezhara.P.O, Kuttikkakam, Edakkad, Kannur.

Name of Applicant	:	Smt Raheena.T,Thayyil (H), Ezhara.P.O, Kuttikkakam, Edakkad, Kannur.
Applicant Status	:	Traditional Coastal Community.
Application details	:	Lr. No A4/193/17 dated 12.03.2018 from the Secretary, Muzhappilangad Grama Panchayat
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 99.71 sqm,2 Floor, Height : 5.55(approx), F.A.R- 0.28, Plot Area-356 Sqm
Location Details	:	Re Sy. No 2/12, Muzhappilangad Village, Muzhappilangad Grama Panchayat, Kannur District. The Proposed construction is at a distance of 165m from the HTL of Sea..
CRZ of the area	:	The area is in No Development Zone of CRZ III in between 100-200m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.

Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011.
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Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.04

File No: 627/A2/19/KCZMA

Construction of Residential Building by Shri.Sameer A.P, A.P House, Kakkampara, Palakott P.O, Kannur

Name of Applicant	:	Shri.Sameer A.P, A.P House, Kakkampara, Palakott P.O, Kannur-670305
Application details	:	Lr. No.D/1187/19 dated 27/03/19 from the Secretary, Ramanthali Panchayat.
Project Details &Activities proposed	:	Construction of residential building with plinth area of 276.32 m ² , Plot area of 9 cent, 2 Floor, FAR: 0.75, Height :7 m.
Location Details	:	Re Sy. No 178/103 of Ramanthali Village, Ramanthali Panchayat, Kannur District. The proposed construction is at a distance of 257 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 200-500 m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.05

File No: 1202/A3/16/KCZMA

Reconstruction of Residential Building owned by Shri. Rafeeq. A, Thahiras, Marakkarkandi P.O, Kannur.

Name of Applicant	:	Shri. Rafeeq.A, Thahiras, Marakkarkandi P.O, Kannur-670003.
Application details	:	Lr. No.E8-C/7752/16 dated 01.08.2016 from The Secretary Kannur Municipal Corporation.
Project Details &Activities proposed	:	Reconstruction of residential building with plinth area of 132.30 m ² , Plot area of 2.43 ares, Ground+2 Floor, Height :8.69 m, FAR: 0.63,
Location Details	:	Re Sy. No. 60/1 of Edakkad Village, Kannur Corporation, Kannur District. The proposed construction is at a distance of 100 m from the HTL of sea.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing

	road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
Comments	: The proposed construction lies landward to existing building no.38/80 constructed in the year 1988. The reconstruction is permissible.

Hence the proposal is placed before KCZMA meeting

**Agenda Item No.102.01.06
File No: 5896/A2/17/KCZMA**

Reconstruction of Residential Building owned by Shri. Choyikutty K, Narangolithazhe Kuttikattil, Vengalam P.O, Korapuzha, Kozhikode

Name of Applicant	: Shri. Choyikutty K, Narangolithazhe Kuttikattil, Vengalam P.O, Korapuzha, Kozhikode-673303
Applicant Status	: The applicant belongs to Traditional Coastal Community
Application details	: Lr. No. A2/4299/18 dated 10.07.2017 from The Secretary, Chemmanchery Grama Panchayat.
Project Details &Activities proposed	: Reconstruction of residential building with plinth area of 68.49 m ² , Plot area of 8 cent, 2 Floor, FAR: 0.21, Height : 6.80 m.
Location Details	: Re Sy. No 144/2 of Chemmanchery Village, Chemmanchery Grama Panchayat, Kozhikode District. The construction is at a distance of 75 m from the HTL of Korapuzha River (more than 100 mts width).
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	: The existing building no: 11/286 with plinth area 71 m ² was constructed before 1994. The reconstruction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

**Agenda Item No.102.01.07
File No: 432/A2/19/KCZMA**

Regularization of residential Building owned by Sri. Prasad, Kozhipparambil House, Valappad Beach P.O, Thrissur .

Name of Applicant	:	Sri. Prasad, Kozhipparambil House, Valappad Beach P.O, Thrissur -680561
Applicant Status	:	The applicant belongs to Traditional Coastal Community
Application details	:	Lr. No. A3/3428/18 dated 08.02.19 from The Secretary, Valappad Grama Panchayat.
Project Details &Activities proposed	:	Regularization of residential building with plinth area of 80.51 m ² , Plot area of 6.47 are, First Floor, FAR: 0.12, Height :4.35 m.
Location Details	:	Sy. No.39/4A, 39/1A of Valappad Village, Valappad Grama Panchayat, Thrissur District. The construction is at a distance of 173 m from the HTL of sea.
CRZ of the area	:	The area is in No Development Zone of CRZ III in between 100-200 from sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	:	CRZ Clearance for the applicant for plinth area 66 m ² was granted in the 89 th meeting of KCZMA (letter no.3392/A2/2017 dated 13.02.2018). upto 100m ² of residential building for traditional coastal community is permitted in CRZ NDZ (100-200m) area. Hence the regularisation of residential building (80.51m ²) is permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.08

File No: 15/A2/19/KCZMA

Construction of Residential building by Smt Shakunthala, Valavil(H), Baby Road, Thiruvathra.P.O, Chavakkad, Thrissur

Name of Applicant	:	Smt Shakunthala, Valavil(H), Baby Road, Thiruvathra.P.O, Chavakkad, Thrissur -680516
Application details	:	Lr. No B.A No: 37/18-19 dated 22/12/18 from the Secretary, Chavakkad Municipality.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 132.77 sqm, 2 Floor, Height : 5.75m, F.A.R-0.13, Plot Area-22.75 Cents
Location Details	:	Sy. No 33/9, Manathala Village, Chavakkad Municipality, Thrissur District. The Proposed construction is at a distance of 254 m from the HTL of Sea.

CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road
Comments	:	The construction is proposed on the landward side of the existing building (No: 28/24, constructed prior 1994), Hence the construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.09

File No: 14/A2/19/KCZMA

Regularisation of Residential building by Shri Radhakrishnan, Mathram Kottu

(H), Manathala, Chavakkad, Thrissur.

Name of Applicant	:	Shri Radhakrishnan, Mathram Kottu (H), Manathala,Chavakkad, Thrissur.
Application details	:	Lr. No B.A No: 277/18-19 dated 15/12/18 from the Secretary, Chavakkad Municipality.
Project Details &Activities proposed	:	Regularisation of Residential building with plinth area of 172.82 sqm, 2 Floor, Height : 7.55, F.A.R- 0.19, Plot Area-9.07 Are
Location Details	:	Re Sy. No 239/10, 239/11A of Manathala Village, Chavakkad Municipality, Thrissur District. The constructed building is at a distance of 17.42m from the HTL of River(88m).
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road
Comments	:	The construction is proposed on the landward side of the existing Kattadi Kadavu road (constructed prior 1990), (No: 19/120, Constructed prior 1996), Hence the construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.10

File No: 328/A1/19/KCZMA

**Regularisation of Residential building by Shri Saji.K.G, Karakkattu (H),
Chethy.P.O, Alappuzha.**

Name of Applicant	:	Shri Saji.K.G, Karakkattu (H), Chethy.P.O, Alappuzha-688530.
Application details	:	Lr. No A4/1694/18 dated 25/01/2019 from the Secretary,Mararikkulam North Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of Residential building with Plinth area of 273.89 sqm, 2 Floor, Height : 6.70, F.A.R- 0.63,Plot Area-4.30 Ares.
Location Details	:	Sy. No 294/3, Mararikulam North Village, Mararikulam North Grama Panchayat, Alappuzha District. The Constructed building is at a distance of 275m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 200-500m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.11

File No: 190/A1/19/KCZMA

**Construction of Commercial building by Shri Sreenath K.B,
Karamal(H),Valiyakadamakkudy, Pizhala, Ernakulam**

Name of Applicant	:	Shri Sreenath K.B, Karamal(H),Valiyakadamakkudy, Pizhala, Ernakulam-683517
Application details	:	Lr. No A3-5499/18 dated 10.01.19 from the Secretary, Varapuzha Grama Panchayat.
Project Details &Activities proposed	:	Construction of Commercial building with with plinth area of 18.10 sqm, Single Floor, Height : 5.00, F.A.R- 0.44 , Plot Area-0.41 Are.
Location Details	:	Sy. No 376/4/11, Varapuzha Village, Varapuzha Grama Panchayat, Ernakulam District. The Proposed construction is at a distance of 32.60m from the HTL of Pokkali Field.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure

	not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	: As per precedence of KCZMA, 4m HTL from Pokkali, the residential building is permissible. Hence on issuance of clearance for commercial building, the KCZMA may decide

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.12

File No: 5448/A1/16/KCZMA

Regularisation of Residential building by Shri Yohannan, Kunnel (H), XV/2330(24/578), Mandaveli.P.O, Saudi, Kochi, Ernakulam.

Name of Applicant	: Shri Yohannan, Kunnel (H), XV/2330(24/578), Mandaveli.P.O, Saudi, Kochi, Ernakulam.
Application details	: Lr. No FCP 1-86/16 dated 01/03/16 from the Secretary, Kochi Municipal Corporation.
Project Details &Activities proposed	: Regularisation of Residential building with with plinth area of 42 sqm, Single Floor, Height : 4.20, F.A.R-0.34, Plot Area-125 Sqm
Location Details	: Sy. No F96/4A, Rameshwaram Village, Kochi Municipal Corporation, Ernakulam District. The Constructed building is at a distance of 50 m from the HTL of Sea.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road
Comments	: The construction is proposed on the landward side of the existing buildings (No: 24/83-A-Constructed Prior 1972),(No: 24/83-Constructed Prior 1990),Hence regularisation is permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.13

File No: 6890/A2/16/KCZMA

Extension and Regularisation of residential building by Smt Annamary , 15/2296A, Beach Road, Kochi, Ernakulam

Name of Applicant	: Smt Annamary , 15/2296A, Beach Road, Kochi, Ernakulam
Application details	: Lr. No FCP 1-285/16 dated 6/6/16 from the Secretary, Kochi Municipal Corporation.

Project Details &Activities proposed	:	Extension and Regularisation of Existing Residential building with plinth area of 48.44 sqm and proposed total plinth area 95.08 sqm, Plot area of 121 sqm, 2 Floor, Height :6.70 m, F.A.R-0.78
Location Details	:	Sy. No 95/7 of Rameshwaram Village, Kochi Municipal Corporation, Ernakulam District. The Constructed building is at a distance of 51m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road
Comments	:	The construction is proposed on the landward side of Pandikuzhi Chellanam Road (Constructed on 1950), Hence the regularisation and extension is permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.14

File No: 517/A1/19/KCZMA

Construction of Ice plant Building by Smt.Geethas.S, Uthradam, Thurayikadavu, Adinad North P.O, Karunagapally, Kollam.

Name of Applicant	:	Smt.Geethas. S, Uthradam, Thurayikadavu, Adinad North P.O, Karunagapally, Kollam.
Applicant Status	:	The applicant belongs to Traditional Coastal Community
Application details	:	Lr. No.K3/1144/18 dated 08/03/19 from The Secretary, Kulasekharapuram Grama Panchayat.
Project Details &Activities proposed	:	Construction of ice plant building with plinth area of 237.82 m ² , Plot area of 37.38 Ares, Single Floor, FAR: 0.06, Height :5 m.
Location Details	:	Re Sy. No 297/6-3 of Adinad Village, Kulasekharapuram Grama Panchayat, Kollam District. The proposed construction is at a distance of 5 m from the HTL of Thode (5m width) & a distance of 10 m from the HTL of T S Canal.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ Notification 2011 para 8 III A (iii) facilities required for fishing communities such as ice plant, ice crushing unit etc are permissible.

Comments	:	The scrutiny fee of Rs 10,000 has been paid. The construction of ice plant is permissible as per the provisions of CRZ Notification. The Secretary, Kulasekharapuram Grama Panchayat shall ensure the discharge of effluent/ waste water not into the tidal influenced water body.
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Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.15
File No: 4304/A1/18/KCZMA

Regularization of Residential Building by Shri.Venu P.S, Ponnathara House, Edavanakad P.O, Ernakulam

Name of Applicant	:	Shri.Venu P.S, Ponnathara House, Edavanakad P.O, Ernakulam-682502
Applicant Status	:	The applicant belongs to Traditional Coastal Community.
Application details	:	Lr. No. A1/7742/18 dated 21.11.2018 from the Secretary, Edavanakad Grama Panchayat.
Project Details &Activities proposed	:	Regularization of residential building with Plinth area of 107.64 m ² , Plot area of 3.54 Ares , FAR of 0.30, 2 Floor, Height : 5.68 m.
Location Details	:	Re Sy. No: B4-210/6, Edavanakad Village, Edavanakad Grama Panchayat, Ernakulam District. The construction is at a distance of 30 m from the HTL of Pokkali.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	:	The KCZMA has declined the clearance in the 100 th meeting. (Decision no. 100.02.35). It was observed that 1.8m from HTL of river. But the distance between HTL and building is 1.8Km. As per KCZMA precedence the regularisation is permissible by limiting the plinth area upto 100m ² .

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.16
File No: 4467/A2/18/KCZMA

Construction of Shop Building by Shri.Premendran. N. A, Nerathiyadath Ayathan House, Thalassery, Kannur .

Name of Applicant	:	Shri.Premendran.N.A, Nerathiyadath Ayathan House, Thalassery, Kannur-670101.
Application details	:	Lr. No.C1-2646/18 dated 19.12.2018 from the Town Planner/ Member Secretary, District Level Committee of KCZMA, Kannur
Project Details &Activities proposed	:	Construction of shop building with plinth area of 104.51 m ² (existing GF+ FF: 63.28) & (proposed plinth area: 41.23 m ²) Plot area of 23.32 cent, 2 Floor, FAR: 0.31, Height

	:	:6.40 m.
Location Details	:	Re Sy. No 472,474 of Thiruvangad Village, Thalassery Municipality, Kannur District. The proposed construction is at a distance of 333 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
Comments	:	The existing landward building no: 43/444 is 45 years old. The construction is permissible as per the provisions of CRZ Notification 2011. Shop building is permissible in CRZ II. The budget is 4.8 lakh, hence the scrutiny fee is not required.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.17

File No: 64/A2/17/KCZMA

Construction of Residential Building by Shri. P.S Jackson, 26/1190

Puthampadath House, Fort Kochi, Kochi -1, Ernakulam

Name of Applicant	:	Shri. P.S Jackson, 26/1190 Puthampadath House, Fort Kochi, Kochi,Ernakulam-682001
Application details	:	Lr. No. FCP1/312/16 dated 29.07.2016 from The Secretary, Kochi Municipal Corporation.
Project Details &Activities proposed	:	Construction of residential building with Plinth area of 143.58 m ² , Plot area of 2.02 Ares , FAR of 0.71, 2 Floor+stair, Height : 8.50 m.
Location Details	:	Sy. No: 844, Fort Kochi Village, Kochi Municipal Corporation, Ernakulam District. The proposed construction is at a distance of 200 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ II.

Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
Comments	:	The secretary has mentioned that 40 years old fishermen colony road is in existence in between the proposed building and sea. Construction is permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.18

File No: 440/A2/19/KCZMA

Reconstruction of Residential Building by Smt Sulaika Sajid, Kuthool House, Ettikulam.P.O, Ramanthali, Kannur.

Name of Applicant	:	Smt Sulaika Sajid, Kuthool House, Ettikulam.P.O, Ramanthali, Kannur-670308
Application details	:	Lr. No.D-45/19 dated 27.02.19 from The Secretary, Ramanthali Grama Panchayat.
Project Details &Activities proposed	:	Reconstruction of residential building with plinth area 265.79 m ² , Plot area of 12.20 Are, Single Floor, FAR: 0.21, Height :4.40 m.
Location Details	:	Re Sy.No.1/105 of Ramanthali Village, Ramanthali Panchayat, Kannur District. The proposed construction is at a distance of 312 m from the HTL of sea.
CRZ of the area	:	The area is in CRZ III in between 200-500 m from HTL of sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor)..
Comments	:	The reconstruction of residential building is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.19

File No: 421/A1/19/KCZMA

Reconstruction of Veemangalam Aided UP School Building by Smt. Sreekala & Sreehari, Naderi P.O, Koyilandy, Kozhikode .

Name of Applicant	: Smt. Sreekala & Sreehari, Naderi P.O, Koyilandy, Kozhikode
Application details	: Lr. No. A1 4/19 dated 26.02.19 from The Secretary, Moodadi Grama Panchayat.
Project Details &Activities proposed	: Reconstruction of Veemangalam Aided UP School building with plinth area of (existing plinth area: 104.58 m ² & proposed plinth area: 592.22 m ²) Toilet building-(existing plinth area: 19.60 m ²) proposed : 32.78. Total:749.18 m ² , Plot area of 19.03 are, 2 Floor, FAR: 0.39, Height :7.50 m.
Location Details	: Re Sy. No. 42/21 of Moodadi Village, Moodadi Grama Panchayat, Kozhikode District. The proposed construction is at a distance of 436 m from the HTL of sea.
CRZ of the area	: The area is in CRZ III in between 200-500 m from HTL of Sea.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (iii) (j) construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewage, crematoria, cemeteries and electric sub stations which are required for the local inhabitants may be permitted on a case to case basis by CZMA.
Comments	: The school building is 100 years old. The extension and reconstruction of the school building is permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.20

File No: 640/A2/19/KCZMA

Regularization of Dry fish stocking Building by Shri Hamsa and Nasrin, Thayyil House, Veliyankode P.O, Malappuram

Name of Applicant	: Shri Hamsa and Nasrin, Thayyil House, Veliyakode P.O, Malappuram-679579
Application Status	: The applicant belongs to Traditional Fisher folk community.
Application details	: Lr. No.B3/346/19 dated 29/03/19 from The Secretary, Veliyankode Grama Panchayat.
Project Details &Activities proposed	: Regularization of dry fish stocking building with plinth area of 29.78 m ² , Plot area of 353.7 m ² , Single Floor, FAR: 0.08, Height : 4.50 m.
Location Details	: Sy. No 92/14 of Veliyankode Village, Veliyankode Grama Panchayat, Malappuram District. The construction is at a distance of 351 m from the HTL of Sea.
CRZ of the area	: The area is in CRZ III in between 200-500 m from HTL of Sea.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building

	permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	: The dry fish stocking building is permissible. The Secretary, Veliyankode Grama Panchayat shall ensure the purpose building is not changed.

Hence the proposal is placed before KCZMA meeting

**Agenda Item No.102.01.21
File No: 681/A2/19/KCZMA**

**Construction of Residential Building by Shri Muhammed Rafi and Haneefa
Kottilungal House, Pudhu Ponnani, Ponnani South, Malappuram**

Name of Applicant	: Shri Muhammed Rafi and Haneefa Kottilungal House, Pudhu Ponnani, Ponnani South, Malappuram-679586
Application details	: Lr. No. E2-516/18-19 dated 05/04/2019 from The Secretary, Ponnani Municipality.
Project Details &Activities proposed	: Construction of residential building with Plinth area of 107 m ² , Plot area of 7.11 Cent, 2 Floor, FAR: 0.33, Height : 6.54 m.
Location Details	: Re Sy. No: 46/8-8, 46/7-3, Ponnani Nagaram Village, Ponnani Municipality, Malapuram District. The construction is at a distance of 120 m from the HTL of Sea.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
Comments	: 25 years old road is shown in plan. The construction is permissible.

Hence the proposal is placed before KCZMA meeting

**Agenda Item No.102.01.22
File No: 4103/A1/18/KCZMA**

Construction of Gas Crematorium Building by Secretary, Kumbalam, Grama Panchayat, Panagad.P.O, Ernakulam

Name of Applicant	: Secretary, Kumbalam, Grama Panchayat, Panagad.P.O, Ernakulam-682506
Application details	: Lr. No. A3/3711/18 dated 3.11.2018` from The Secretary, Kumbalam Grama Panchayat.
Project Details &Activities proposed	: Construction of gas crematorium building with plinth area of 78.12 m ² , Plot area of 1320 m ² , Single Floor, FAR: 0.06, Height : 6.40 m.

Location Details	:	Re Sy. No 203/10 of Kumbalam Village, Kumbalam Grama Panchayat, Ernakulam District. The construction is at a distance of 5 m from the HTL of Vembanad Kayal.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (iii) (j) construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewage, crematoria, cemeteries and electric sub stations which are required for the local inhabitants may be permitted on a case to case basis by CZMA.
Comments	:	Construction of gas crematorium is permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.23

File No: 240/A2/19/KCZMA

Construction of Ice Plant by Shri Vahid.K.P, Ummar Koya.K.P, Muhammed Rafi, Kunnath Parambu, Beypore.P.O, Kozhikode.

Name of Applicant	:	Shri Vahid.K.P, Ummar Koya.K.P, Muhammed Rafi, Kunnath Parambu, Beypore.P.O, Kozhikode-673028.
Application details	:	Lr. No BZ/TP/8414/18 dated 05/02/19 from the Assistant Engineer, Beypore Zonal Office, Kozhikode Municipal Corporation.
Project Details &Activities proposed	:	Construction of ice plant with plinth area of 197.04 sqm, Plot area of 8.079 ares, 2 Floor, Height : 7.00m, F.A.R-0.23
Location Details	:	Re Sy. No 158/6, Beypore Village, Kozhikode Municipal Corporation, Kozhikode District. The Proposed construction is at a distance of 408m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) and 3(iii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road (iii) Setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas:
Comments	:	Old road is existing. The construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.24
File No: 5671/A1/19/KCZMA

Regularisation of residential building by Shri Muhammed Noohu,
Chakkalaputhuval, Thottapally, Alappuzha.

Name of Applicant	:	Shri Muhammed Noohu, Chakkalaputhuval, Thottapally, Alappuzha-688561
Application details	:	Lr. No A4-4134/17 dated 05/07/17 from the Secretary, Purakkad Grama Panchayat.
Project Details &Activities proposed	:	Regularisation of Residential building with plinth area of 126.21 sqm, Plot area of 557 Sqm, 2 Floor, Height : 6.85m, F.A.R- 0.23
Location Details	:	Sy. No 18/12-2, Purakkad Village, Purakkad Grama Panchayat, Alappuzha District. The Constructed building is at a distance of 200m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ III in between 200-500m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The regularisation is permissible. The Secretary, Purakkad Grama Panchayat shall ensure the distance between HTL and constructed building is exactly 200m.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.25
File No: 7868/A3/15/KCZMA

Construction of Residential Building by Shri Parammal Biju, Parammal House,
Azhikode South P.O, Kannur

Name of Applicant	:	Shri Parammal Biju, Parammal House, Azhikode South P.O, Kannur-670009
Application Status	:	The applicant belongs to Traditional fisherfolk Community
Application details	:	Lr. No.A2/5684/15 dated 26/08/15 from The Secretary, Azhikode Grama Panchayat, Kannur.
Project Details &Activities proposed	:	Construction of residential building with plinth area of 93.26 m ² , Plot area of 202 m ² , 2 Floor, FAR: 0.007, Height : 5.85 m.
Location Details	:	Re Sy. No 595/5 of Azhikode South Village, Azhikode Grama Panchayat, Kannur District. The construction is at a distance of 150 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 100-200 m from HTL of Sea.
Provisions of CRZ	:	As per CRZ notification 2011 clause 8 III A (ii)

Notifications.	Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	: The construction of residential building is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.26

File No: 34/A2/19/KCZMA

Construction of Ice Plant building by K.A Muhammed Shafeek, Kaithangaparambil(H), Azhikode.P.O, Eriyad, Thrissur.

Name of Applicant	: K.A Muhammed Shafeek, Kaithangaparambil(H), Azhikode.P.O, Eriyad, Thrissur-680666.
Application details	: Lr. No A3-7609/18 dated 29/12/18 from the Secretary, Eriyad Grama Panchayat.
Project Details &Activities proposed	: Construction of Ice Plant building with plinth area of 334.07 sqm, Plot area of 10.93 ares, Single Floor, Height : 5.55m, F.A.R- 0.31
Location Details	: Sy. No 428/1-5, Azhikode Village, Eriyad Grama Panchayat, Thrissur District. The Proposed construction is at a distance of 33m from the HTL of Kayal.
Project Cost	: Rs 78,50,000/- (Scrutiny Fee was paid).
CRZ of the area	: The area is in No Development Zone of CRZ III.
	: As per CRZ Notification 2011 clause 8 III A(iii) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like can be permitted in the NDZ of CRZ III.
Comments	: The construction of Ice Plant is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.27

File No: 2906/A2/18/KCZMA

Construction of residential building by Shri Hashim, Cheriya Purayil, Kappad.P.O, Kozhikode.

Name of Applicant	: Shri Hashim, Cheriya Purayil, Kappad.P.O, Kozhikode-673304.
Applicant Status	: Traditional Coastal Community.
Application details	: Lr. No A2-2777/18 dated 06.06.2018 from The Secretary, Chemanchery Grama Panchayat.

Project Details &Activities proposed	:	Construction of Residential building with plinth area of 99.10 sqm, Plot area of 10 Cents , Single Floor, Height :3.55 m, F.A.R- 0.24
Location Details	:	Re Sy. No 246/7, Chemanchery Village,Chemanchery Grama Panchayat, Kozhikode District. The Proposed construction is at a distance of 117.75 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 100-200m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	:	The construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.28

File No: 4162/A2/18/KCZMA

Construction of Commercial building (Shop Building) by Sri. Moosa, Koyapthodikkath (H), Cherussola.P.O, Kalluruthupara, Kottakkal, Malappuram.

Name of Applicant	:	Sri. Moosa, Koyapthodikkath (H), Cherussola.P.O, Kalluruthupara, Kottakkal, Malappuram-676510.
Application details	:	Lr. No T.P.7/72495/17 dated 23/10/18 from the Assistant Executive Engineer, Kozhikode Municipal Corporation.
Project Details &Activities proposed	:	Construction of Commercial building with plinth area of 418.68 sqm, Plot area of 9.19 Cents,3 Floor, Height : 9.40m, F.A.R-1.12
Location Details	:	Re Sy. No 424,425 Valayanadu Village, Kozhikode Municipal Corporation, Kozhikode District. The Proposed construction is at a distance of 60m from the HTL of River
Project Cost	:	Rs 42 Lakhs (Rs.25,000 paid as scrutiny fee)
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on

		the seaward side of an existing road
Comments	:	The construction is proposed on the landward side of the existing building (No: 24/460, constructed prior 1984, Hence the construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.29

File No: 491/A2/18/KCZMA

**Regularisation and Addition to the Existing Residential building by Smt
Theressa Selvan, Maria Blessy, Maidanapally, Thayyil, Kannur**

Name of Applicant	:	Smt Theressa Selvan, Maria Blessy, Maidanapally, Thayyil, Kannur-670003
Application details	:	Lr. No E6/B.A/698/18-19 dated 27.12.2018 from the Executive Engineer, Kannur Municipal Corporation.
Project Details &Activities proposed	:	Regularisation and Addition to the Existing Residential building with plinth area of 94.86 sqm and having a total plinth area of 279.02 sqm, Plot area of 11.75 cents, 2 Floor, Height : 6.75m, F.A.R- 0.53.
Location Details	:	Re Sy. No 637, Kannur 1 Village, Kannur Corporation, Kannur District. The Proposed construction is at a distance of 204.75m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road
Comments	:	The construction is proposed on the landward side of the existing buildings (No: XL-1338,owned by Padmavathy, Constructed Prior 1968)(No: XL-II-1271,owned by Kanakavalli, Constructed Prior 1972) Hence regularisation is permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.30

File No: 1926/A1/18/KCZMA

**Construction of Residential Building owned by Shri. Ajith Kumar & Smt Yamuna,
Vasava Vilasam, Mundakkal.P.O, Kollam-691010.**

Name of Applicant	:	Shri. Ajith Kumar & Smt Yamuna, Vasava Vilasam, Mundakkal.P.O, Kollam-691010.
Application details	:	Lr. No. PW7-BA/93/17-18 dated 09/03/18 from The Assistant Engineer, Kollam Corporation.

Project Details &Activities proposed	:	Construction of residential building with plinth area of 148 m ² , Plot area of 3.95 Ares, 2 Floor, FAR: 0.37, Height : 7.20 m.
Location Details	:	Sy. No B-115,63/3 of Mundakkal Village, Kollam Corporation, Kollam District. The proposed construction is at a distance of 71 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
Comments	:	The proposed construction lies landward to existing building 12/865 and 12/864 constructed in the year 1994-95. The construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.31

File No: 1214/A3/17/KCZMA

Construction of residential building by Shri K. Maharoo, Smt P.Thahira, ‘MEHARBAN’, Dharmadam.P.O, Thalassery, Kannur

Name of Applicant	:	Shri K. Maharoo, Smt P.Thahira, ‘MEHARBAN’, Dharmadam.P.O, Thalassery, Kannur-670106.
Applicant Status	:	Traditional Coastal Community
Application details	:	Lr. No A1-1697/16 dated 29.07.2016 from the Secretary, New Mahe Grama Panchayat.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 47.96 sqm, Plot area of 132 sqm, Single Floor, Height : 4.00 m, F.A.R-0.36
Location Details	:	Re Sy. No 6/1, New Mahe Village, New Mahe Grama Panchayat , Kannur District. The Proposed construction is at a distance of 124m from the HTL of Sea..
CRZ of the area	:	The area is in No Development Zone of CRZ III in between 100-200m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafont in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal

	communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	: The construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

**Agenda Item No.102.01.32
File No: 3243/A1/18/KCZMA**

Maintenance of Residential cum Commercial building by Smt Swapna D Nair, Kailas Bhavan, Thoppil Kadavu, Anandavalleeshwaram, Thirumullavaram.P.O, Kollam.

Name of Applicant	: Smt Swapna D Nair, Kailas Bhavan, Thoppil Kadavu, Anandavalleeshwaram, Thirumullavaram.P.O, Kollam-691012.
Application details	: Lr. No TP/SZ/BR/667/17-18 dated 3/7/18 from the Secretary, Kollam Municipal Corporation.
Project Details &Activities proposed	: Maintenance of Residential cum commercial building with Existing Tiled Roof area-44.95 sqm, Proposed Roof Changing Area-95.18 sqm(32.85 sqm+62.33sqm),Proposed Commercial Area-59.49 sqm (Teressed Roof Area -40.59 sqm area, Concrete Roof Area-18.90 sqm)Total Area-159.69Sqm ,Single Floor, Height :4.20, F.A.R-0.24, Plot Area- 8 Ares.
Location Details	: Re Sy. No 288/60/2, Kollam West Village, Kollam Corporation, Kollam District. The Proposed construction is at a distance of 26.8m from the HTL of Kayal.
CRZ of the area	: The area is in CRZ II.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 II (iii) reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use
Comments	: The Existing building (No:33/11) having plinth area 95 sqm and was constructed prior 1995.The repair/reconstruction is permissible.

Hence the proposal is placed before KCZMA meeting

**Agenda Item No.102.01.33
File No: 4240/A2/18/KCZMA**

Construction of residential building by Smt Geeth Manjula D Cruz, House No:60A,Sandy Nook,Burnacherry, Kannur.

Name of Applicant	: Smt Geeth Manjula D Cruz, House No:60A, Sandy Nook,Burnacherry, Kannur.
Application details	: Lr. No 2510/B,A/B No:109-A+B/2018 FMS: 2510 dated 22/11/2018 from the Chief Executive officer, Office of the Cantonment Board,Kannur.
Project Details &Activities proposed	: Construction of Residential building with plinth area of 192.84 sqm, Plot area of 1.94 Ares,2 Floor, Height :6.65 m(aaprox), F.A.R-0.99

Location Details	:	Re Sy. No 586, Kannur Village-I, Office of Cantonment Board, Kannur District. The Proposed construction is at a distance of 280m from the HTL of Sea..
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road
Comments	:	The construction is proposed on the landward side of the existing building(Nos: -34,34-1,34-2,34A etc, Constructed and existing prior to 1937),Hence the construction is permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.34

File No: 337/A2/19/KCZMA

Construction of residential building by Shri Sanil, Edappurayil, Thottapally, Purackad ,Alappuzha.

Name of Applicant	:	Shri Sanil, Edappurayil, Thottapally, Purackad, Alappuzha.
Application details	:	Lr. No A4/5042/2018 dated 12/02/19 from the Secretary, Purackad Grama Panchayat.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 38 sqm, Plot area of 1.21 ares, Single Floor, Height : 4.20(approx)m, F.A.R-0.31.
Location Details	:	Re Sy. No 287/6-2, Purackad Village, Purackad Grama Panchayat , Alappuzha District. The Proposed construction is at a distance of 23.7m from the HTL of River (50m).
Project Cost	:	Rs 4 Lakhs
CRZ of the area	:	N.A
Provisions of CRZ Notifications.	:	N.A.
Comments	:	As per the approved CZMP 2011, The area is not coming under CRZ limits. The Secretary, Purakkad Grama Panchayat may decide on its approval

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.01.35

File No: 7642/A1/17/KCZMA

Construction of residential building by Shri Thirumaleshwar s/o Devadas, Kundukollake, Udyawara Village, Manjeswar, Kasargod District

Name of Applicant	:	Shri Thirumaleshwar s/o Devadas, Kundukollake, Udyawara Village, Manjeswar, Kasargod District
Application details	:	Lr. No S2-1770/17 dtd 03.05.2017 from the Secretary Manjeswar Grama Panchayat.
Project Details &Activities proposed	:	Construction of residential building with with plinth area of 127.58sqm, Plot area 60 cent, Single Floor, Height : 4.20 , F.A.R-0.04
Location Details	:	Re Sy. No 124/2pt, Udyawara Village, Manjeswar Grama Panchayat , Kasargod District. The Constructed building is at a distance of 180m from the HTL of Sea
CRZ of the area	:	The area is in CRZ III in between 100-200 m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	:	The applicant is a Traditional Farmer, Hence the construction is permissible as per the provision of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

**Agenda Item No.102.02.01
File No: 4400/A2/18/KCZMA**

Regularisation of Residential building by Shri Kaikkolante Vinesh, Thrikkariapur Kadappuram, Thrikkariapur Kadappuram.P.O, Valiyaparamba, Kasargod.

Name of Applicant	:	Shri Kaikkolante Vinesh, Thrikkariapur Kadappuram, Thrikkariapur Kadappuram.P.O, Valiyaparamba, Kasargod- 671 310
Applicant Status	:	Traditional Coastal Community.
Application details	:	Lr. No C.988/18 (DCZMA2) dated 23/11/18 from the Town Planner, District Level Committee of Kasargod
Project Details &Activities proposed	:	Regularisation of Residential building with with plinth area of 147.27 sqm, 2 Floor, Height : 7.30, F.A.R- 0.20, Plot Area- 18 Cents.
Location Details	:	Re Sy. No 438/2, Valiyaparamba Village, Valiyaparamba Grama Panchayat , Kasargod District. The Constructed building is at a distance of 114m from the HTL of Sea and 93m from the HTL of Kavvayi Kayal(350m width)
CRZ of the area	:	It is NDZ of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for

		repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	Permissible up to 100m ² . Regularisation is not permissible as the plinth area exceeds 100m ² .

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.02

File No: 4325/A1/18/KCZMA

Construction of Commercial building by Shri Jayachandran/Smt Bindu, Anjanam, Prayar South, Alum Peedika (P.O), Kollam.

Name of Applicant	:	Shri Jayachandran/Smt Bindu, Anjanam, Prayar South, Alum Peedika (P.O), Kollam 690 547
Application details	:	Lr. No A4-4085/18 dated 20/11/18 from the Secretary, Alappad Grama Panchayat.
Project Details &Activities proposed	:	Construction of Commercial building with plinth area of 108.90 sqm, 3 Floor, Height : 8.99, F.A.R- 0.30, Plot Area- 355 Sqm.
Location Details	:	Sy. No 61/18, Alappad Village, Alappad Grama Panchayat , Kollam District. The Proposed construction is at a distance of 71m from the HTL of T.S Canal (width-80m)
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The construction is not permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.03

File No: 3061/A1/18/KCZMA

Reconstruction of Residential building by Shri Sidharthan Dominic and Shalini Anna,Uparika Malika, Kochi, Puthuvype ,Ernakulam.

Name of Applic.ant	:	Shri Sidharthan Dominic and Shalini Anna,Uparika Malika, Kochi, Puthuvype ,Ernakulam.
Application details	:	Lr. No A3/4225/16 dated 8/6/18 from the Secretary Elankunnapuzha Grama Panchayat.
Project Details &Activities proposed	:	Reconstruction of residential building with Existing plinth area of 176 sqm and having a Total Plinth area of 250.21 Sqm, Plot area of 1.62 ares, 2 Floor, Height : 8.60m, F.A.R-1.03
Location Details	:	Re Sy. No 361/1 of Puthuvypu Village, Elankunnapuzha

		Grama Panchayat, Ernakulam District. The Proposed Reconstruction is at a distance of 10m from the HTL of Kayal.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	:	The existing 60 yr old building (No:15/96) having plinth area 45 sqm is to be demolished. Reconstruction is permissible by limiting the existing plinth area. As per the site inspection, the Secretary, Elamkunnappuzha Grama Panchayat reported that the constructed building is having plinth area of 176.44m ² . As per the record, it was only 45m ² and to 60 years old building. The reconstruction is not permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.04

File No: 431/A2/19/KCZMA

Regularization of residential Building owned by Sri. Ali Akbar, Kodyante Purakkal, Paravanna P.O, Malappuram .

Name of Applicant	:	Sri. Ali Akbar, S/o Ali Muhammed, Kodyante Purakkal, Paravanna P.O, Malappuram
Applicant Status	:	The applicant belongs to Traditional Coastal Community
Application details	:	Lr. No. A4-340/19 dated 13.02.19 from The Secretary, Vettam Grama Panchayat.
Project Details &Activities proposed	:	Regularization of residential building with plinth area of 116.02 m ² , Plot area of 5 cent, 2 Floor, FAR: 0.53, Height :5.82 m.
Location Details	:	Re Sy.No.344/4 of Vettam Village,Vettam Grama Panchayat , Malappuram District. The construction is at a distance of 136 m from the HTL of sea.
CRZ of the area	:	The area is in No Development Zone of CRZ III in between 100-200 from sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.

Comments	:	The construction exceeds the allowable limit of 100 m ² . Regularization is not permissible.
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Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.05

File No: 6234/A2/16/KCZMA

**Regularization of Reconstructed Residential Building by Smt. Prema ,
Vazheparambil House, Palliport P.O, Ernakulam**

Name of Applicant	:	Smt. Prema w/o Babu, Vazheparambil House, Palliport P.O, Ernakulam 683 515
Applicant Status	:	The applicant belongs to Traditional Coastal Community.
Application details	:	Lr. No. L2-9778/16 dated 30.07.2016 from The Secretary, Pallipuram Grama Panchayat.
Project Details &Activities proposed	:	Regularization of reconstructed residential building with Plinth area of 109.42 m ² , Plot area of 2.02 Ares , FAR of 0.54, Single Floor, Height : 4.30 m.
Location Details	:	Re Sy. No: 9/18, Pallipuram Village, Pallipuram Grama Panchayat, Ernakulam District. The construction is at a distance of 24.5 m from the HTL of Sea.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	:	The house no: 6/696 with plinth area 87.6 m ² constructed in the year 1991 was demolished. Regularisation is not permissible (plinth area exceeds 100m ²)

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.06

File No: 6763/A1/17/KCZMA

**Construction of Residential Building by Shri. Suresh A.P and Smt Asha KR,
Kuruppasseril House, Mararikulam North P.O, Alappuzha**

Name of Applicant	:	Shri. Suresh A.P and Smt Asha KR, Kuruppasseril House, Kalavoor P.O, Alappuzha 688 522
Applicant Status	:	The applicant belongs to Traditional Coastal Community.
Application details	:	Lr. No. A4-3556/17 dated 04.10.2017 from The Secretary, Mararikulam North Grama Panchayat.
Project Details &Activities proposed	:	Construction of residential building with Plinth area of 135.65 m ² , Plot area of 165 m ² , FAR of 0.82, 2 Floor, Height : 8.40 m.
Location Details	:	Sy. No: 674/4, Mararikulam North Village, Mararikulam North Grama Panchayat, Alappuzha District. The

		proposed construction is at a distance of 13 m from the HTL of Sea.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	:	The construction is not permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.07

File No: 343/A1/19/KCZMA

Occupancy change of Residential Building by Shri Velappan, Sukumari, Midina & Nidina Bhavan, Sreemuruka Nivas, Vazhamuttom, Pachalloor, Thiruvananthapuram

Name of Applicant	:	Shri Velappan, Sukumari, Midina & Nidina, Sreemuruka Nivas, Vazhamuttom, Pachalloor P.O, Thiruvananthapuram
Application details	:	Lr. No. ZTP1/6833/18 dated 08/02/2019 from The Assistant Executive Engineer, Thiruvananthapuram Corporation.
Project Details & Activities proposed	:	Occupancy change of Residential Building with plinth area of G.F(commercial) 69.47 m ² & F.F(residential)-84.63 m ² , Total:171.15 m ² , Plot area of 1.63 Ares, 2 Floor, FAR: 1.03, Height : 8.85 m.
Location Details	:	Re Sy. No 544/11-1,544/12-1 of Thiruvallam Village, Thiruvananthapuram Corporation, Thiruvananthapuram District. The construction is at a distance of 400 m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
Comments	:	The existing building no. 64/634 constructed in the year 2018. The occupancy change is not permissible. Hence KCZMA may decide.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.08

File No: 664/A2/18/KCZMA

Construction of Residential Building by Smt Latha K Ratti, Hiran Nivas, Dharmadam P.O, Kannur

Name of Applicant	: Smt Latha K Ratti, Hiran Nivas, Dharmadam P.O, Kannur 670 106
Application details	: Lr. No.A3/407/19 dated 29/03/19 from The Secretary. Dharmadam Grama Panchayat.
Project Details &Activities proposed	: Construction of residential building with plinth area of 265.77 m ² , Plot area of 4.99 ares, Single Floor, FAR: 0.53, Height :4.70 m.
Location Details	: Re Sy. No 42/140 of Dharmadam Village, Dharmadam Grama Panchayat, Kannur District. The proposed construction is at a distance of 112 m from the HTL of Sea.
CRZ of the area	: The area is in No Development Zone of CRZ III in between 100-200m from HTL of sea.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF.
Comments	: The proposed construction is not permissible as per the provisions of CRZ notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.09

File No: 189/A1/19/KCZMA

Construction of Residential building by Shri Shahabas K.S, Kariveli (H), Varapuzha, Ernakulam.

Name of Applicant	: Shri Shahabas K.S, Kariveli(H), Varapuzha (P.O), Mannamthuruthu, Ernakulam 683 517
Application details	: Lr. No A3-11020/18 dated 27/12/18 from the Secretary Varapuzha Grama Panchayat.
Project Details &Activities proposed	: Construction of Residential building with with plinth area of 107.46 sqm, 2 Floor, Height : 7.45, F.A.R- 0.88, Plot Area- 1.22 Are
Location Details	: Sy. No 290/1E3, Varapuzha Village, Varapuzha Grama Panchayat, Ernakulam District. The Proposed construction is at a distance of 41m from the HTL of River (50m).

CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The construction is not permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.10

File No: 4019/A2/17/KCZMA

Regularization of Residential Building by Smt Fathima, Manjingante House, Near Govt Hospital, Ponnani Nagaram, Malapuram.

Name of Applicant	:	Smt Fathima, Manjingante House, Near Govt Hospital, Ponnani Nagaram, Malapuram
Application details	:	Lr. No. E3-65/16-17 dated 05.01.2017 from The Secretary, Ponnani Municipality.
Project Details &Activities proposed	:	Regularization of residential building with plinth area of 65.54 m ² , Plot area of 4.85 cent, Single Floor, FAR: 0.33, Height : 3.89 m.
Location Details	:	Re Sy. No 145/4 of Ponnani Nagaram Village, Ponnani Municipality, Malapuram District. The construction is at a distance of 12 m from the HTL of Canoli canal (15m width).
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road.
Comments	:	The construction does not lies landward to authorised road/building. There is no authorised structures existing between HTL & landward side adjacent to the constructed building. Hence regularisation is not permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.11

File No: 657/A1/19/KCZMA

Occupancy Change to Boat Repairing Yard by Shri.Arun S, A A Villa, Alumpeedika P.O, Ayiramthengu, Ochira

Name of Applicant	:	Shri.Arun S, Sarangadharan, A A Villa, Alumpeedika P.O, Ayiramthengu, Ochira
Applicant Status	:	The applicant belongs to Traditional Coastal Community
Application details	:	Lr. No.A4-2284/19 dated 05/04/19 from The Secretary, Alappad Panchayat.
Project Details &Activities proposed	:	Occupancy Change to Boat Repairing Yard_with plinth area of 283.75 m ² , Plot area of 15 Cent, Single Floor, FAR: 0.45, Height :3.65 m.
Location Details	:	Re Sy. No 61/3/3, 61/3/4 of Alappad Village, Alappad Panchayat, Kollam District. The proposed construction is at a distance of 5 m from the HTL of TS Canal.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ Notification 2011 clause 8 III A(iii)] facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like can be permitted in the NDZ of CRZ III.
Comments	:	The shop building no AP /II/400 is to be changed to boat repairing building. Occupancy change is not permissible

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.12

File No: 518/A1/19/KCZMA

Construction of Office building for Fishermans welfare Cooperative Society by Shri.A.K Sarasan, Anchuthaikkal Veedu, , Edavanakkad, Ernakulam

Name of Applicant	:	Shri.A.K Sarasan, Anchuthaikkal Veedu, Edavanakkad, Ernakulam 682 502
Applicant Status	:	The applicant belongs to Traditional Coastal Community
Application details	:	Lr. No.A1-9241/18 dated 21.02.19 from The Secretary, Edavanakkad Panchayat.
Project Details &Activities proposed	:	Construction of office building for Fishermans welfare Cooperative Society with plinth area of 49.74 m ² , Plot area of 4 cent, 2 Floor, FAR: 0.15, Height :5.08 m.
Location Details	:	Re Sy. No B5/333/5 of Edavanakkad Village, Edavanakkad Panchayat, Ernakulam District. The proposed construction is at a distance of 40m from the HTL of Filtration Pond .
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorised structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.

Comments	:	The office building is not a permissible activity.
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Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.13

File No: 636/A1/19/KCZMA

Reconstruction of Residential Building by Shri.Rajesh N, Purathavilayil, Koyivila P.O, Kollam.

Name of Applicant	:	Shri.Rajesh N, Purathavilayil, Koyivila P.O, Kollam 691 590
Applicant Status	:	The applicant belongs to Traditional Coastal Community
Application details	:	Lr. No.C2-8588/18 dated 14/03/19 from The Secretary, Thevalakara Panchayat.
Project Details &Activities proposed	:	Reconstruction of residential building with plinth area of 110.62 m ² , Plot area of 1.21 Ares, 2 Floor, FAR: 0.91, Height :6.80 m.
Location Details	:	Sy. No 459/2-4 of Thevalakara Village, Thevalakara Panchayat, Kollam District. The proposed construction is at a distance of 65 m from the HTL of Backwater.
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	:	The building no TP III/74 of 43 m ² was accessed in the year 1993-94 . The reconstruction exceeds the allowable limit. Hence the reconstruction is not permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.14

File No: 680/A2/19/KCZMA

Vegetative Fencing Construction owned by Shri Praveen David, Director, Vaiga Properties Limited, 5/309-3, Fathima Nagar, Mission Quarters, Thrissur- 680 005

Name of Applicant	:	Shri Praveen David, Director, Vaiga Properties Limited, 5/309-3, Fathima Nagar, Mission Quarters, Thrissur-680 005
Application details	:	Lr. No. C3-2033/19 dated 10.04.2019 from The Secretary, Venkitangu Grama Panchayat.
Project Details &Activities proposed	:	Vegetative Fencing with length of 482.02 m, Plot area of 130.30 Ares, Height : 1 m.

Location Details	: Re Sy. No 81/4U1, 81/4U2, 81/4T2, 82/1A, 82/1B, 82/2A1, 82/2A3, 82/2B1, 82/2B2, 82/2B3 of Venkitangu Village, Venkitangu Grama Panchayat, Thrissur District. The construction is at 0 m from kayal.
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	: The scrutiny fee has been paid (Rs 25000). The same application was declined by authority in its 100 th meeting (Agenda 100.02.38). The revised plan shows 132 Nos. of steel posts construction and vegetative fencing. In the earlier application it was mentioned as regularisation but it is mentioned in the application as proposed construction. Hence, KCZMA may decide on further action.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.15

File No: 275/A1/19/KCZMA

Temporary Commercial building building by Shri Anshad, Noushad.M,Noushad.A,Peedika Parambil,Neerkunnam,Alappuzha

Name of Applicant	: Shri Anshad, Noushad.M,Noushad.A,Peedika Parambil,Neerkunnam,Alappuzha
Application details	: Lr. No A2.13202/18 dated 24/01/19 from the Secretary, Ambalappuzha North Grama Panchayath.
Project Details &Activities proposed	: Regularisation of Temporary Commercial building with plinth area of 294.70 sqm, Plot area of 849 Sqm, Single Floor, Height :6 m(Approx), F.A.R-0.31
Location Details	: Re Sy. No 17/24,17/23 Ambalappuzha Village, Ambalappuzha North Grama Panchayat, Alappuzha District. The Proposed construction is at a distance of 85m from the HTL of Sea..
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	: The construction is not permissible as per the provisions of CRZ Notification 2011. Commercial activity is not permissible in CRZ III area.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.16

File No: 1632/A1/18/KCZMA

Extension of Fishing Accessories Shop to the Existing Residential building by Shri Jerinmon, Kurishinkal, Arthunkal.P.O, Cherthala, Alappuzha

Name of Applicant	:	Shri Jerinmon, Kurishinkal, Arthunkal.P.O, Cherthala, Alappuzha
Application details	:	Lr. No A3 2563/17 dated 02/03/18 from the Secretary Cherthala South Grama Panchayat.
Project Details &Activities proposed	:	Extension of Fishing Accessories Shop to the Existing Residential building with plinth area of (Shop -13.20 sqm+Residential-42.03 sqm)Total-55.23 sqm, Plot area of 282 sqm, Single Floor, Height : 4.00m, F.A.R-0.15
Location Details	:	Sy. No 40/15-1, Arthunkal Village, Cherthala South Grama Panchayath, Alappuzha District. The Proposed construction is at a distance of 84.40 m from the HTL of Sea..
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ Notification 2011 clause 8 III A(iii)l facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like can be permitted in the NDZ of CRZ III.
Comments	:	The existing building (No:20/4,Plinth Area-35 sqm) is constructed Prior 2004,Hence the construction is not permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.17

File No: 2379/A1/18/KCZMA

Construction of residential building by Smt Anivasantha, Udayam, Upasana Nagar -88, Q5 Road, Kollam.

Name of Applicant	:	Smt Anivasantha, Udayam, Upasana Nagar-88, Q5 Road, Kollam 691 001
Application details	:	Lr. No TP/52/BR/14/18-19 dated 28/4/18 from the Secretary Kollam Municipal Corporation.
Project Details &Activities proposed	:	Construction of Residential building with plinth area of 496.56 sqm, Plot area of 8.10 ares, 2 Floor, Height : 9.45 m, F.A.R-0.56
Location Details	:	Re Sy. No 290/12/1-2-3, Kollam West Village, Kollam Municipal Corporation, Kollam District. The Proposed construction is at a distance of 12m from the HTL of Kayal.
CRZ of the area	:	The area is in CRZ II.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 II (i) & (ii) buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing

	authorised structures; buildings permitted on the landward side of the existing and proposed roads or existing authorised structures shall be subject to the existing local town and country planning regulations including the ‘existing’ norms of Floor Space Index or Floor Area Ratio: Provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road
Comment	: There are no authorised buildings/road in between the proposed construction and Kayal, Hence the construction is not permissible as per the provisions of CRZ Notification 2011.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.18

File No: 17/A1/19/KCZMA

Reconstruction of Residential building by Shri Sumod.M.P & V.P.Ushas, Manattuthara(H), Nayarambalam.P.O, Nedungad, Ernakulam.

Name of Applicant	: Shri Sumod.M.P & V.P.Ushas, Manattuthara(H), Nayarambalam.P.O, Nedungad, Ernakulam-682509.
Applicant Status	: Traditional Coastal Community.
Application details	: Lr. No A4-6643/18 dated 20/12/18 from the Secretary, Nayarambalam Grama Panchayat.
Project Details & Activities proposed	: Reconstruction of Residential building with plinth area of 149 sqm, 2 Floor, Height : 7.65m , F.A.R- 0.37, Plot Area-4.05 Are
Location Details	: Re Sy. No 171/7-3,171/7-4, Nayarambalam Village, Nayarambalam Grama Panchayat, Ernakulam District. The Proposed reconstruction is at a distance of 24m frm the HTL of Pokkali Field.
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	: The reconstruction is not permissible as the plinth area exceed the allowable limit of 100m ² .

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.19

File No: 30/A1/19/KCZMA

Occupancy Change to Home Stay by Shri Rajan, Velikkakath(H), Pathirapalli.P.O,Chettikadu, Alappuzha

Name of Applicant	: Shri Rajan, Velikkakath(H), Pathirapalli.P.O,Chettikadu, Alappuzha-688521
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Application details	:	Lr. No A4.6915/18 dated 28/12/18 from the Secretary, Mararikulam South Grama Panchayat.
Project Details &Activities proposed	:	Occupancy Change to Home Stay with plinth area of 198.52 sqm, Single Floor, Height : 4.00 m, F.A.R- 0.11, Plot Area-17.16 Ares.
Location Details	:	Re Sy. No 127/8-1, Pathirapalli Village, Mararikulam South Grama Panchayat , Alappuzha District. The Proposed construction is at a distance of 220m from the HTL of Sea.
CRZ of the area	:	The area is in CRZ III in between 200-500m from the HTL of Sea.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III B (vii) construction or reconstruction of dwelling units in between 200-500m from HTL of sea can be permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor).
Comments	:	The activity is not permissible.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.20

File No: 18/A1/19/KCZMA

Extension to the Existing Residential building by Shri T.N.

Murukeshan,Thandasseri (H), Nedungad North, Nayarambalam.P.O, Ernakulam.

Name of Applicant	:	Shri T.N. Murukeshan,Thandasseri (H), Nedungad North, Nayarambalam.P.O, Ernakulam-682509.
Application details	:	Lr. No A4-6428/16 dated 20/12/18 from the Secretary, Nayarambalam Grama Panchayat.
Project Details &Activities proposed	:	Extension to the Existing Residential building with plinth area of 133.58 sqm and having a Total Plinth area of 169.68 sqm, 2 Floor, Height : 7.41, F.A.R- 0.42, Plot Area-400 Sqm
Location Details	:	Re Sy. No 316/13, Nayarambalam Village, Nayarambalam Grama Panchayat, Ernakulam District. The Proposed construction is at a distance of 9.4 m from the HTL of Pokkali Field and 4.62m from the HTL of Thodu(1.50m width).
CRZ of the area	:	The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The existing building was constructed in 1996-1997 and

	the extension is proposed. The existing building itself CRZ violation (reported by overseer) and the application may be declined.
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Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.21

File No: 564/A1/19/KCZMA

Construction of Shop Building by Smt Sholy Raju, Manapurath, Neendur, Vadakkekara P.O, Ernakulam,

Name of Applicant	: Smt Sholy Raju, Manapurath, Neendur, Vadakkekara P.O, Ernakulam
Application Status	: Coastal Community.
Application details	: Lr. No. C2-712/19 dated 18-03-2019 from The Secretary, Vadakkekara Grama Panchayat.
Project Details &Activities proposed	: Construction of shop building with plinth area of 16.46 m ² , Plot area of 1.98 ares, Single Floor, FAR: 0.08, Height : 2.50 m.
Location Details	: Sy. No 281/16- 2 of Vadakkekara Village, Vadakkekara Grama Panchayat, Ernakulam District. The construction is at a distance of 10.35 m from the HTL of River (width-27 m).
CRZ of the area	: The area is in No Development Zone of CRZ III.
Provisions of CRZ Notifications.	: As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities.
Comments	: The commercial building is not permissible in No Development Zone of CRZ III area.

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.02.22

File No: 16/A1/19/KCZMA

Reconstruction of Residential building by Smt Elizabeth w/o Jacob,Valiyaveettil (H), Nayarambalam.P.O, Ernakulam.

Name of Applicant	: Smt Elizabeth w/o Jacob,Valiyaveettil (H), Nayarambalam.P.O, Ernakulam.
Applicant Status	: Traditional Coastal Community.
Application details	: Lr. No A4-5626/18 dated 20/12/18 from the Secretary, Nayarambalam Grama Panchayath
Project Details &Activities proposed	: Reconstruction of Residential building with plinth area of 118.53 sqm, 2 Floor, Height : 6.65 (Approx) , F.A.R-0.47 , Plot Area-1.42 Ares.
Location Details	: Re Sy. No 132 /9-2, 132/20-2 B-7 of Nayarambalam Village, Nayarambalam Grama Panchayat, Ernakulam District. The Proposed construction is at a distance of 21m from the HTL of Pokkali Field.
CRZ of the area	: The area is in No Development Zone of CRZ III.

Provisions of CRZ Notifications.	:	As per CRZ notification 2011 clause 8 III A (ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities
Comments	:	The existing authorised building (No:X/215,Constructed Prior 1993) having plinth area 38.4 Sqm is to be demolished. The reconstruction is not permissible as the plinth area exceeds the allowable limit of 100m ² .

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.03.01

File No: 5194/A1/2017/KCZMA

District Level Committee Meeting

A total number of 304 applications were processed in various district level committee meetings held in Kozhikode, Kasaragod and Thrissur districts. The details of applications considered by the District Level Committee are given below;

Sl No	Districts & dates of the DLC Meeting conducted	Total no of applications	Number of application granted	Number of application declined	Outside CRZ	Number of application for details/ Resubmission/ Deferred	Application has to be sent to KCZMA for clarification
1	Kozhikode on 25.02.2019	171	137	34			
2	Kasaragod on 12.03.2019	51	23	14		12	2
3	Thrissur on 26.03.2019	82	59	19		4	

The decision of the District Level Committee may be ratified.

Agenda Item No.102.03.02

File No: 455/A1/2019/KCZMA

Request for issue a Certificate towards exemption of CRZ with respect to Kondhwa Projects LLP

As per the approved CZMP 2011, the project area lies in CRZ area. The letter No. 9489/M1/2004/LSGD dated 12.07.2005; and the judgements of Hon'ble Supreme Court/ Hon'ble High Court stated that the exemption from KCZMA is exempted only for GIDA projects. But the applicant M/s Kondhwa Projects LLP has not submitted a consent from GIDA which stated that the proposed construction of mixed use of commercial project is for GIDA.

KCZMA may please discuss.

Agenda Item No.102.03.03
File No: 4466/A1/2018/KCZMA

Hotel Seaface

The Judgements of Hon'ble Supreme Court on authorised structures in the CRZ area such as Indian Council for Enviro legal Action Vs Union of India & others; Anil Hoble Vs Kashinath Jairam Shetye & others; and Piedade Filomena Gonslves Vs State of Goa & others stated that the authorised structures should be constructed/ existed as on 19.02.1991. But the authority, treating the authorised structures/ road which was constructed on or before the approval of CZMP ie 26th September,1996. Hence, the decision of KCZMA and the Hon'ble Supreme Court Judgements may be discussed in detail. The Judgements of the Hon'ble Supreme Court are placed as **Annexure I**.

Agenda Item No.102.03.04
File No: 555/A2/2019/KCZMA

Water Storage Tank for Ice Plant by Chairman & Managing Trusty(T.K Muhammed Koya), Fathimabi Memmorial Trust, Near Forest Depot, Chaliyam.P.O, Kozhikode.

The District Town Planner and Member Secretary, District Level committee, KCZMA, Kozhikode has conducted site inspection on the complaint of Sri. P B I Faizal regarding the illegal construction of Fathimabi Memorial Trust (Building No. K.P 2/270 A, 2/270 B, 2/270 C) and reported that the land alleged in the complaint is under the ownership of Fathimabi Memorial Trust. The District Town planner reported that three buildings were constructed without obtaining CRZ Clearance from KCZMA. Out of the above buildings, one building is under construction and illegally they digged a borewell also. He also reported that an ice plant is under construction without obtaining prior approval from KCZMA.

The KCZMA discussed the report submitted by the Member Secretary, District Level Committee, KCZMA, Kozhikode in its 98th meeting. As per decision No. 98.03.04 directed the District Collector, Kozhikode to take prosecution action against Fathimabi Memorial Trust and also directed the Secretary, Kadalundi Grama Panchayat to take necessary action to demolish the building and to furnish a report to the KCZMA. But the report from the Secretary, Kadalundi Grama Panchayat has not yet received.

Now the Chairman and Managing Trustee, Fathimabi Memorial Trust submitted an application for CRZ Clearance for the construction of water storage tank for the Ice Plant with plinth area 39.68m² in Re Sy No. 6/1,2 in Kadalundi Village, Kadalundi Grama Panchayat, Kozhikode district through the Secretary, Kadalundi Grama Panchayat. The Secretary, Kadalundi Grama Panchayat reported that he has already issued notice to demolish the three buildings (No.2/270A, 2/270B, 2/270C) as per the decision No.98.03.04 of 98th meeting of KCZMA. A WP(C) is also pending before the Hon[’]ble High Court.

KCZMA may please discuss

Agenda Item No.102.03.05

File No: 710/A2/2019/KCZMA

Reclamation near Akkulam Lake

A compliant from the President, Environmental Protection and Research Council received on mass destruction and reclamation of the Akkulam- Veli Lake, the tidal influenced water body which comes under the purview of CRZ area. The same was published in various news papers dated 13-04.2019. In this contest the status of the present condition and action taken report from the Municipal Secretary, Trivandrum was requested vide letter No. 710/A1/2019/KCZMA dated 16.04.2019.

The reply from Trivandrum Corporation is not received so far. Hence the site inspection may be conducted to access the existing condition of CRZ area in the vicinity of Akkulam- Veli Lake.

KCZMA may please discuss.

Agenda Item No.102.03.06

File No: 710/A2/2019/KCZMA

Writ petition relating to unauthorised constructions in Kovalam

The Judgements of Piedade Filomena Gonslves Vs State of Goa & others; Anil Hoble Vs Kashinath Jairam Shetye & others may also be examined. The Judgement is placed as **Annexure I**. The CRZ Notification 2011 stated that the authorised structure should be constructed/ existed on or before 19.02.1991. But the authority decided to issue CRZ Clearance based on the authorised structure/ building existed on or before the CZMP got approved ie. 26th September 1995. Even the authority issued clearances with respect to this date.

KCZMA may please discuss.

Agenda Item No.102.03.07

File No: 1017/A1/2018/KCZMA

Deepening & Desilting in Jaivaypin project area (Veeran Puzha & 9 Thodus) owned by the Construction Engineer, Kerala Land Development Corporation Limited, Alappuzha

Name of the Project: RIDFXX-Improvements to Natural Drainage Canals in Jaiva Vypin Project Area in Ernakulum District.

Name of Applicant	:	The Construction Engineer, Kerala Land Development Corporation Limited, Alappuzha
Application details	:	Joint application from the Secretary, Kadamakudy Grama Panchayat (Lr No. S2-2345/16 dated 08.02.2018) from the Secretary, Pallippuram Grama Panchayat (Lr No. B-1239/18 dated 06.02.2018) from the Secretary, Kuzhupilly Grama Panchayat (Lr No. A3-532/17 dated 06.02.2018) from the Secretary, Edavanakkad Grama Panchayat (Lr No. A2-982/18 dated 08.02.2018) & from the Secretary, Nayarambalam Grama Panchayat (Lr No. A1/750/18 dated 08.02.2018)
Project Details &Activities proposed	:	Deepening & Desilting in Jaivaypin Project area (Veeran Puzha & 9 Thodus including Aniyil Nedungad Thodu (Nayarambalam), Kuzhupilly Puthen Thodu, Pazhngad Thodu, Aniyil Thodu (Edavanakkad), Bambli Thodu (Kuzhupilly), Vadayil Thodu, Karuthalal Thodu, Vastheri Thodu, Ramavarma Thodu (Pallippuram). The aim of the project is to facilitate water flow by dredging and desilting in the Thodu, Temporary bund road of length 160m is formed by using dredged material for convey the dredged material. Size of the project (in terms of area)-1.29km ²
Location Details	:	Work is proposed in Veeran Puzha itself
Project Cost	:	Rs. 3691.78 Lakh (Scrutiny fee has not been paid)

CRZ of the area	: As per the CRZ status report prepared by NCESS on the HTL, LTL and Coastal Regulation Zone for the proposed Jaiva Vaypin project area in Veeran Puzha , states that the locality of the project site belongs to the undeveloped, Grama Panchayats Kadamakudy, Nayarambalam, Ezhikkara, the CRZ landward of the High Tide Line is CRZ III (as per CZMP, 1996). The CRZ along the vicinity of the project site consists of CRZ IA, CRZ IB, CRZ III and CRZ IV B.
Provisions of CRZ Notifications.	: As per the CRZ status report prepared by NCESS on the HTL/ LTL and Coastal Regulation Zone for the proposed Jaiva Vypin project area in Veeran Puzha, states that the locality of the project site belongs to the undeveloped, Grama Panchayats Kadamakudy, Nayarambalam, Ezhikkara, the CRZ landward of the High Tide Line is CRZ III (as per CZMP, 1996). The CRZ along the vicinity of the project site consists of CRZ IA, CRZ IB, CRZ III and CRZ IV B The objectives of the projects is deepening & desilting will enhance the flow of water through in Jaiva Vypin Project area which will increase the production of Pokkali, Vegetation and fish cultivation. The applicant informed that villages are available at a distance of approximately 5km from project area & various facilities are available at nearby site at a distance of approximately 6km from project area.
Comments	: The project envisaged consists dredging and desilting in the Thodu, construction of Temporary bund road of length 160m using dredged material. The project of the above nature requires EIA studies and report from Competent Authority. The project area consists of ecologically sensitive area like CRZ IA, IB, CRZ III and CRZ IV B. The applicant will make a power point presentation regarding the project

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.03.08

File No: 3683/A2/2017/KCZMA

Construction of Temporary Barge Load Out Facility along with the Transit

Stockyard for Rocks in Muthalpozhi Harbour, near Perumathura

The status report from the Chief Engineer, Harbour Engineering Department was received on 05.04.2019.

KCZMA may please discuss.

Agenda Item No.102.03.09

File No: 2424/A1/2019/KCZMA

Mining of Heavy Mineral sand in Alappad and Panmana Village in Karunagapally Taluk,Kollam district for an area of 40.566 Ha(G.O.M.S No:22/2005/1D dated

22.02.2005 and G.O (MS No:32/2006/ID dated 15.03.2006 by the Govt of Kerala by IREL,Chavara,Kollam.

Name of Applicant	:	Chief General Manager and Head, IREL (India) Limited,Chavara.P.O,Kollam.
Application details	:	Lr. No CH/MNG/CRZ/2019 dated 04/05/19 from Chief General Manager and Head,IREL.
Project Details &Activities proposed	:	The Proposed area will be dredged out for the collection of heavy minerals like Illmenite, Rutile, Zircon, Leucoxene, Monazite, Sillimanite etc will be transported to the mineral separation plant of IREL located at Chavara at a distance of 19 kms. The excavation will be upto a depth of 8m from he surface and the water table will be intercepted at a depth of about 2 m. The dredge will be working in a pond of water.However,no ground water or surface water will be consumed for the mining operations.No Construction work involved.Only clearing the area is needed before excavation and back filling with tailings will be done. Demolision of houses will be done after paying compensation which are coming within lease area.A temporary /portable office will be constructed at site which will be cleared after the excavation and back filling is completed.
Location Details	:	The mining block IV is located in Alappad Grama Panchayat in Kollam District .The study area is spread over parts of Alappad, Panmana and Karunagapally Grama Panchayats.The Study site is bounded by lakshwadeep Sea in the west while the T.S. Canal and Vatta Kayal forms the eastern boundary.The area under consideration extends from 09°01'06" N 76°31'09"E to 09°02'17"N 76°30'39"E.
Project Cost	:	Rs 15 Crores.(Scrutiny fee has not been paid)
CRZ of the area	:	The HTL is along the landward boundary of Sea Walls wherever Sea Walls are present .The backwater has embankments on its sides along most of the banks.The line along the embankments is the HTL.The HTL and CRZ are given in details in the CRZ Map.Along the Sea Coast the CRZ extends Landward from the HTL upto a distance of 500m.Along the banks of the back water and adjoining water bodies,The CRZ extends landward from the HTL upto a distance equal to the width of the water body subject to a maximum of 100m.Being in Grama Panchayat, The CRZ other than CRZ 1 and CRZ IV is CRZ II.The area between the HTL and LTL(Inter Tidal Zone) is CRZ I B.The water and the bed area between LTL at a bank to the LTL on the opposite side of the bank of the back water is CRZ IV.Isolated mangroves are found on the banks of the back waters/Canal.These are IA.Project Site is Categorized as CRZ IA, IB,CRZ III as per the CRZ and (2011:1991) and

	CZMP (1995).
Provisions of CRZ Notifications.	<p>: As per the CRZ Notification 2011 clause 3(i)(b), 3(x)(a), 4(ii)(g), 8CRZ I(a), 8 III CRZ III subpara (iii) (b) and (c).</p> <p>3. Prohibited activities within CRZ,- The following are declared as prohibited activities within the CRZ,-</p> <p>(b) projects of Department of Atomic Energy;</p> <p>(x) Mining of sand, rocks and other sub-strata materials except,-</p> <p>(a) those rare minerals not available outside the CRZ area,</p> <p>4. Regulation of permissible activities in CRZ area.- The following activities shall be regulated except those prohibited in para 3 ,-</p> <p>(g) Mining of rare minerals as listed by the Department of Atomic Energy;</p> <p>8. Norms for regulation of activities permissible under this notification,-</p> <p>(i) The development or construction activities in different categories of CRZ shall be regulated by the concerned CZMA in accordance with the following norms, namely:-</p> <p>I. CRZ-I,-</p> <p>(i) no new construction shall be permitted in CRZ-I except,-</p> <p>(a) projects relating to Department of Atomic Energy;</p> <p>III. CRZ-III,- (iii) however, the following activities may be permitted in NDZ –</p>

		(b) projects relating to Department of Atomic Energy; (c) mining of rare minerals;
Comments	:	As per Status Report of NCESS, the CRZ area as given below; CRZ IB & CRZ III. The CRZ Clearance for CRZ III area was obtained from the Authority vide letter No. 5889/A3/14/KCZMA/ S&TD dated 16.03.2016. The CGM & Head, IRE requested the KCZMA to issue CRZ Clearance for mining of heavy minerals in CRZ I B area. The KCZMA may decide on its approval. The scrutiny fee is not remitted. The applicant will make a power point presentation regarding the project

Hence the proposal is placed before KCZMA meeting

Agenda Item No.102.03.10

File No: 2983/A1/2018/KCZMA

Construction of Resort project at Sy No. 263/1, 263/2, 263/3, 263/4, 266/1, Panavally Village & Panchayat, Cherthala Taluk, Alappuzha District by M/s Kapico Kerala Resorts Pvt Ltd

The Principal Secretary, Environment Department vide letter No. B3/3917/Envnt dated 09.04.2019 has requested to furnish the action taken report based on the In-Principal clearance issued by the KSPCB. Hence a copy of the factual report submitted by KCZMA to Environment Department earlier (vide letter No. 2983/A1/18/KCZMA dated 07.08.2018 & 05.02.2019) has been forwarded to Environment Department vide letter No. 2983/A1/18/KCZMA dated 04.05.2019 .

KCZMA may please ratify the action

Out of Agenda

File No: 6658/A2/17/KCZMA

Construction of Nila Theeram Indoor and Aquatic Sports Complex and Children's Sports Park,Ponnani

The applicant will make power point presentation regarding the project of construction of Nila Theeram Indoor and Aquatic Sports Complex and Children's Sports Park,Ponnani. The scrutiny fee has not been paid.

Annexure - I

1996 KHC 1507**Supreme Court****Kuldip Singh; S. Saghir Ahmed; B. N. Kirpal, JJ.**

Indian Council for Enviro Legal Action v. Union of India (UOI) and Others
 Parallel citation(s): 1996 KHC 1507 : 1996 (5) SCC 281 : JT 1996 (4) SC 263 : 1996 (3)
 SCALE 579 : 1996 Supp (1) SCR 507

Environment – Implementation – Public interest litigation filed contending non implementation of main notification and challenging validity of notification of 1994 – Main notification declared coastal stretches as coastal regulation zones and regulated activities in said zones – Notification of 1994 amended main notification resulting in relaxations of its provisions which would defeat intent of main notification – For effective orders to be passed, so as to ensure that there can be protection of environment along with development, it becomes necessary for the Court dealing with such issues to know about the local conditions – Court directed that if question arose with regard to enforcement or implementation or infringement of main notification as amended by notification of 1994 it should be raised before and dealt with by respective High Courts and States

Important Para(s):36**Advocates:**

Seema Midha; K. R. Rajesekaran; For Appellant
 H. Wah; P. K. Manohar; S. K. Sinha; R. K. Mehta; K. L. Taneja; C. V. S. Rao; S. K. Mehta; A. S. Bhasme; M. Karanjawala; V. Krishnamurthi; Vineet Kumar; K. Ram Kumar; A. Mariarputham; R. Sasiprabhu; P. N. Puri; Kh. Nobin Singh; Indu Malhotra; Meenakshi Arora; Sanjay Parikh; Anip Sachthey; H. K. Puri; S. N. Bhat; Ruby Ahuja;
 For Respondents

ORDER

1. Concern for the protection of ecology and for preventing irreversible ecological damage of the coastal areas of the country has led to the filing of the present petition under Art.32 of the Constitution of India as a public interest litigation.
2. The main grievance in this petition is that a Notification dated 19.2.1991 declaring coastal stretches as Coastal Regulation Zones (hereinafter referred to as the Regulation Zones which regulates the activities in the said zones has not been implemented or enforced. This has led to continued degradation of ecology in the said coastal areas. There is also a challenge to the validity of the Notification dated 18.8.1994 whereby the first Notification dated 19.2.1991 has been amended, resulting in further relaxations of the provisions of 1991 Notification and such relation, it is alleged, will help in defeating the intent of the main Notification itself.
3. The petitioner is a registered voluntary organisation working for the case of environment protection in India. India has a coast line running into 6000 K. Ms. which has abundance of natural endowments, geographic attractions and natural beauty. According to the petitioner, these coastal areas are highly complex and have dynamic eco systems, sensitive to development pressures. The stresses and pressure of high population growth, non restrained development, lack of adequate infrastructure facilities for the resident population are stated to be some of the factors responsible for the decline in environmental quality in these areas. The developmental activities in the coastal areas are stated to cause short term and long term physical, chemical and biological changes that will and has caused damage to flora and fauna, public health and environment. It is further alleged that as a consequence of indiscriminate industrialisation and urbanisation without the requisite pollution control systems, the coastal waters are highly polluted.

4. It is further the case of the petitioner that some of the coastal areas contained extensive ground water resources and sometimes mineral resources, while in other areas, there are iron ore, oil and gas resources and mangrove forests. As a result of the impact of tidal waves and cyclones, mangrove forests are being increasingly destroyed, while some of the major fishing areas in some of the coastal areas of the country are undergoing serious damage consequent to ecologically unsound development. Over exploitation of ground water in the coastal areas in places like Madras and Vishakapatnam is stated to have resulted in growing intrusion of salt water from the sea to inland areas and fresh water aquifers previously used for drinking, agriculture and horticulture are getting highly damaged. Unplanned urbanisation and industrialisation in the coastal belts is stated to be causing fast disappearance of fertile agricultural lands, fruit gardens and energy plantations like casurina trees, that serve as wind breakers and protect inland habitations from the cyclonic damages.

5. With a view to protect the ecological balance in the coastal areas, the then Prime Minister is stated to have written a letter in November, 1981 to the Chief Ministers of coastal States in which she stated as under:

The degradation and misutilization of beaches in the coastal States is worrying as the beaches have aesthetic and environmental value as well as other values. They have to be kept clear of all activities at least upto 500 metres from the water at the maximum high tide. If the area is vulnerable to erosion, suitable trees and plants have to be planted on the beaches without marring their beauty. Beaches must be kept free from all kinds of artificial development. Pollution from industrial and town wastes must also be avoided totally.

Working groups were set up by the Ministry of Environmental and Forests in 1982 to prepare environmental guidelines for development of beaches and coastal areas. In July, 1983 environmental guidelines for beaches were promulgated which, inter alia, stated:

The traditional use of sea water as a dump site from our land derived wastes have increased the pollution loads of sea and reduced its development potentials including the economic support it provides to people living nearby. Degradation and misutilization of beaches are affecting the aesthetic and environmental loss. These could be avoided through prudent coastal development and management based on assessment of ecological values and potential damages from coastal developments. These guidelines further stated that "adverse direct impact" of development activities was possible within 500 metres from the high water mark or beyond two kilometres from it. The example which was given was that the sand dunes and vegetation clearing, high density construction etc. along the coast could alter the ecological system of the area.

6. The environment guidelines for the development of beaches, inter alia, required the State Governments to prepare a status report on the obtaining situation of the coastal areas, as a pre requisite to environmental management of the area. Such a status report was required to be followed by a master plan identifying the areas required for conservation, preservation and development and other activities. A master plan so prepared would ensure a scientific assessment and development of the coastline and this would ultimately ensure the preservation and enforcement of the coastal eco system.

7. The Ministry of Environment and Forests undertook an exercise with regard to the protection and development of the coastal areas. It invited objections against the declaration of the coastal stretches as Regulation Zones and imposing restrictions on industries, operation and processes in the Regulations Zones.

8. After considering all the objections, the Central Government issued a Notification dated 19.2.1991 (hereinafter referred to as 'the main Notification') in exercise of the powers conferred on it by Clause (d) of Sub-rule 3 of R.5 of the Environmental Protection Rules, 1986. By this Notification, it declared the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which were influenced by tidal action (in the landward side) upto 500 metres from the High Tide Line (hereinafter referred to

the 'HTL') and the land between Low Tide Line (hereinafter referred to as 'LTL') and HTL as Regulation Zones. With regard to this area, it imposed, with effect from the date of the said Notification, various restrictions on the setting up and expansion of industries, operation or processes etc. in the said Regulation Zones. It was clarified that for the purposes of the main Notification, HTL was defined as the line upto which the highest high tide reaches at spring times.

9. The salient features of the main Notification are that a number of activities were declared as prohibited in the Regulation Zones, which are as follows:

- i) setting up of new industries and expansion of existing industries, except those directly related to water front or directly needing foreshore facilities;
- ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment and Forests No. S. O. 594 (E) dated 28.7.1989, S. O. 966(E) dated 27.11.1989 and GSR 1037 (E) dated 5.12.1989;
- iii) setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying permitted areas);
- iv) setting up and expansion of units mechanisms for disposal of wastes and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 except for storm water drains;
- v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this Notification; vi) dumping of city or town wastes for the purposes of land filling or otherwise; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification;
- vii) dumping of ash or any wastes from thermal power stations;
- viii) land reclamation, bunding or disturbing the natural course of sea water with similar obstructions, except those required for control of coastal erosion and maintenance or clearing of waterways, channels and ports and for prevention of sandbars and also except for tidal regulators, storm water drains and structures for prevention of salinity ingress and for sweet water recharge;
- ix) mining of sands, rocks and other substrata materials, except those rare minerals not available outside the CRZ areas;
- x) harvesting or drawal of ground water and construction of mechanisms therefore, within 200 m of HTL; in the 200 m to 500 m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;
- xi) construction activities in ecologically sensitive areas as specified in Annexure I of this Notification;
- xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and wastes water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and
- xiii) dressing or altering of sand dunes, hills, natural features including landscape changes 50 per cent of the plot size and the total height of construction shall not exceed 9 metres.

Secondly, the main Notification provided for regulation of permissible activities. Further more, the coastal States and Union Territory Administrations were required to prepare, within one year from the date of the main Notification, Coastal Zone Management Plans (hereinafter referred to as 'the Management Plans') identifying and clarifying the Regulation Zones areas within their respective territories in accordance with the guidelines contained in the main Notification and those plans were required to be approved, with or without modification, by the Central Government, Ministry of Environment and Forests. The main Notification also stipulated that within the framework of the approved management Plans, all developments and activities within the Regulation Zones, except the prohibited activities and those which required environment clearance from Ministry of Environment and Forests, Government of

India, were to be regulated by the State Government, Union Territory Administration or the local Authority, as the case may be, in accordance with the guidelines contained in Annexures I and II of the main Notification.

10. Anticipating that it will take time till the Management Plans are prepared and approved, the main Notification provided that till the approval of the Management Plans, "all development and activities within CRZ shall not violate the provisions of this Notification". The State Governments and Union Territory Administrations were required to ensure adherence to the provisions of the main Notification and it was provided that any violation thereof, shall be subject to the provisions of the Environment Protection Act, 1986 (hereinafter referred to as the Act').

11. It was also provided in Clause 4 of the main Notification that the Ministry of Environment and Forests and the State Government or Union Territory, and such other authorities at the State or Union Territory, and such other authorities at the State or Union Territory levels, as may be designated for the purpose, shall be responsible for the monitoring and enforcement of the main Notification within their respective jurisdictions.

12. As already noticed, there are two Annexures namely; Annexure I and Annexure II to the main Notification. While Annexure I contains the Coastal Area Classification and Development Regulations which are for general application, Annexure II is the specific provision which contains the guidelines for development of beach resorts/hotels in the designated areas of CRZ III for temporary occupation of tourists/visitors with prior approval of the Ministry of Environment and Forests.

13. Annexure I consists of Clause 6(1) which relates to the classification of coastal regulation zone. The norms for regulation activities in the said zones are provided by Clause 6(2) for regulating development activities. The Coastal stretches within 500 metres of HTL of the landward side are classified under Clause 6(1) into four categories, which are as under:

- a) Category I (CRZ I) includes the areas that are ecologically sensitive and important, such as national parks/marine parks, sanctuaries etc., areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as have been declared by the Central Government or the concerned authorities at the State/Union Territory level from time to time. In addition thereto, CRZ I also contains the area between the LTL and the HTL.
- b) Category II (CRZ II) contains the areas that have already been developed upto or close to the shore line. This is the area which is within the municipal limits or in other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.
- c) Category III (CRZ III) is the area which was originally undisturbed and includes those areas which do not belong either to category I or Category II. CRZ III includes coastal zone in the rural areas (developed and undeveloped) and also areas within the municipal limits or in other legally designated urban areas which are not substantially built up.
- d) Category IV (CRZ IV) contains the coastal stretches in the Andaman & Nicobar Lakshadweep and small islands except those designated as CRZ I, CRZ II or CRZ III.

14. Clause 6(2) of Annexure I provides for norms for regulation of activities in CRZ I, II, III and IV. With regard to CRZ I, the norms for regulation of activities do not permit new construction within 500 metres of the HTL. Further more, practically, no construction activity is allowed between the LTL and HTL. The norms for regulation of activities in CRZ II relate to construction or reconstruction of the buildings within the said zone.

15. With regard to CRZ III, the norms for regulation of activities, inter alia, provide that the area upto 200 metres from the HTL is to be earmarked as 'No Development Zone. The only exception is that there can be repairs of existing authorised structures but, title permissible activity in this zone is for its use as agriculture, horticulture,

gardens, pastures etc. The norms further provide for development of vacant plots between 200 and 500 metres of HTL in designated areas of CRZ III with prior approval of Ministry of Environment and Forests for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure II.

16. In CRZ IV also, detailed norms for regulation of activities are provided in the said Clause 6(2) of Annexure I.

17. As already noticed, Annexure II contains the guidelines for development of beach resorts/hotels in the designated area of CRZ III for temporary occupation of tourists/visitors. The vacant area beyond 200 metres in the landward side, even if it is within 500 metres of the HTL can be used, after obtaining permission, for construction of beach resorts for tourists/visitors. There was no provision for allowing any fresh construction within 200 metres of the HTL or within the LTL and HTL. Clause 7(1) of the main Notification which comes under Annexure II contains various conditions which have to be fulfilled before approval can be granted by the Ministry of Environment and Forests for the construction of beach resorts/hotels in the designated area of CRZ III.

18. In the background of the aforesaid facts, we will now deal with the main contentions raised, namely; the non implementation of the main Notification and the validity of the Notification dated 18.8.1994 (hereinafter referred to as 'the 1994 Notification').

19. RE: NON IMPLEMENTATION OF THE MAIN NOTIFICATION

It is the case of the petitioner that with a view to protect the ecological balance in the coastal areas, the aforesaid Notification was issued by the Central Government which contained various provisions for regulating development in the coastal areas. It was contended that there had been a blatant violation of this Notification and industries were illegally being set up, thereby causing serious damage to the environment and ecology of the area. It was also submitted that the Ministry of Environment and Forests except for issuing the main Notification, had taken no steps to follow up its own directions contained in the main Notification. The main prayer in the Writ Petition was that this Court should issue appropriate writ, order or direction to the respondent so as to enforce the main Notification.

20. In the Writ Petition, specific allegations were also contained to the effect that Ministry of Environment and Forests, Government of India had issued another Notification dated 20.6.1991 under Clause (5) of Sub-section (2) of S.3 of the Act declaring Dahanu Taluka, District Thane, Maharashtra as an ecologically fragile area.

21. The main Notification was issued so as to ensure that the development activities are consistent with the environmental guidelines for beaches and coastal areas and to impose restrictions on the setting up of industries which have detrimental effect on the coastal environment. This Notification also required the Government of Maharashtra to prepare a master plan or regional plan for the Dahanu Taluka based on the existing land use of Dahanu within a period of one year from the Notification and to get the said plan approved by the Ministry of Environment and Forests. The master plan and the regional plan was to demarcate all the existing green areas, orchards, tribal area and other environmentally sensitive areas in the said Dahanu Taluka. Industries which were using chemicals above the limits/quantities prescribed by the Act or by Rules were to be considered hazardous industries. The hazardous waste was required to be disposed of in the identified areas after taking precautionary measures. This Notification also required the Government of Maharashtra to constitute a monitoring committee to ensure the compliance or conditions mentioned in the Notification in which local representatives may be included.

According to the petitioner, the Maharashtra Government has not implemented the directions contained in the said Notification and has permitted development activities which have resulted in new polluting industries being established in the coastal area, thereby seriously endangering the ecology. The industries which are operating in Dahanu are stated to be balloon manufacturing units, buffing and chromium plating

units and chemical units. There has been a failure to make the master plan or the regional plan for the said Dahanu Taluka and indiscriminate licenses have been issued and consent given to new industries by the State Government and the predominately agricultural area is slowly being converted into an industrial area in complete disregard of environmental laws, guidelines and notifications. There are other instances stated to be in the Writ Petition with relation to the Dahanu Taluka but, for the view we are taking, it is not necessary to deal with the same in any great length.

22. Notices were issued by this Court on 3.10.1994 to the respondents including the coastal States, namely, Maharashtra, Kerala, Karnataka, Orissa, West Bengal, Tamil Nadu, Andhra Pradesh and the Union Territory of Pondicherry. On 12.12.1994, while granting time to the respondents to file their counter affidavits, this Court directed that "the respondent states shall not permit the setting up of any industry of the construction of any type on the area at least upto 500 metres from the sea water at the maximum high tide". Notice was also directed to issue to the State of Goa, the Union Territory of Daman and Diu and the islands of Andaman & Nicobar and Lakshadweep, which were added as respondents. The aforesaid interim order dated 12.12.1994 was slightly modified by this Court by its order dated 9.3.1995 in the following terms:

We modify our order dated December 12, 1994 and direct that all the restrictions, prohibitions regarding construction and setting up of industries or for any other purpose contained in the Notification dated 19.2.1991 issued by the Ministry of Environment and Forests, Government of India under Clause (d) of sub R.(3) of R.5 of the Environment (Protection) Rules, 1986 shall be meticulously followed by all the concerned States. The activities which have been declared as prohibited within the Coastal Regulation Zone shall not be undertaken by any of the respondent States. The regulations of permissible activities shall also be meticulously followed. The restrictions imposed by the Coastal Areas Classification and Development Regulations contained in Annexure I to the abovesaid Notification shall also be strictly followed by the respondent States.

23. According to Clause 3(i) of the main Notification, the coastal States and Union Territory Administrations were required to prepare the Management Plans within one year from the date of the main Notification. This was essential for the implementation of the said Notification. The lack of commitment on the part of these States and Administrations, towards the protection and regulation of the coastal stretches, is evident from their inaction in complying with the aforesaid statutory directive requiring the preparation of Management Plans within the specified period. In view of the fact that there had been a non-compliance with this provision, this Court on 3.4.1995 directed all the coastal States and Union Territory Administrations to frame their plans within a further period of six weeks thereof.

24. A status report was filed in court by the Union of India which shows non-compliance of Clause 3(i) by practically everyone concerned. While some of the States and Union Territory Administrations submitted their plans, though belatedly, except in the case of Pondicherry, none of the other plans were approved by the Central Government. It appears that some modifications were suggested and those States and Union Territories had to resubmit their plans. Direction will have to be issued to these States and Union Territories to resubmit their plans and the Central Government will also be required to approve the resubmitted plans within a specified time. The State of Orissa had only partly complied with this Court's order dated 3.4.1995 inasmuch as the plans submitted by it were only for a small part of a coast. The State of West Bengal only submitted as preliminary concept while States of Andhra Pradesh, Gujarat, Karnataka and Kerala did not care to submit any plans at all. Therefore, these six States namely, Orissa, West Bengal, Andhra Pradesh, Gujarat, Karnataka and Kerala have to be answerable for non-compliance with the directions issued by this Court on 3.4.1995.

25. Affidavits which have been filed by the respondents clearly show that all the provisions of the main Notification have not been complied with. Explanations for the

delay in preparation of the Management Plans and their approval have been offered, but they are far from satisfactory. If the mere enactment of the laws relating to the protection of environment was to ensure a clean and pollution free environment, then India would, perhaps, be the least polluted country in the world. But, this is not so. There are stated to be over 200 Central and State Statutes which have at least some concern with environment protection, either directly or indirectly. The plethora of such enactments has, unfortunately, not resulted in preventing environmental degradation which, on the contrary, has increased over the years. Enactment of a law, relating to protection of environment, usually provides for what activity can or cannot be done by people. If the people were to voluntarily respect such a law, and abide by it, then it would result in law being able to achieve the object for which it was enacted. Where, however, there is a conflict between the provision of law and personal interest, then it often happens that self-discipline and respect for law disappear.

26. Enactment of a law, but tolerating its infringement, is worse than not enacting law at all. The continued infringement of law, over a period of time, is made possible by adoption of such means which are best known to the violators of law. Continued tolerance of such violations of law not only renders legal provisions nugatory but such tolerance by the Enforcement Authorities encourages lawlessness and adoption of means which cannot, or ought not to, be tolerated in any civilized society. Law should not only be meant for law abiding but is meant to be obeyed by all for whom it has been enacted. A law is usually enacted because the Legislature feels that it is necessary. It is with a view to protect and preserve the environment and save it for the future generations and to ensure good quality of life that the Parliament enacted the Anti Pollution Laws, namely, the Water Act, Air Act and the Environment (Protection) Act, 1986. These Acts and Rules framed and Notification issued thereunder contain provisions which prohibit and / or regulate certain activities with a view to protect and preserve the environment. When a law is enacted containing some provisions which prohibits certain types of activities, then, it is of utmost importance that such legal provisions are effectively enforced. If a law is enacted but is not being voluntarily obeyed, then, it has to be enforced.

Otherwise, infringement of law, which is actively or passively condoned for personal gain, will be encouraged which will in turn lead to a lawless society. Violation of anti pollution laws not only adversely affects the existing quality of life but the non enforcement of the legal provisions often results in ecological imbalance and degradation of environment, the adverse affect of which will have to be borne by the future generations.

27. The present case also shows that having issued the main Notification, no follow up action was taken either by the coastal States and Union Territories or by the Central Government. The provisions of the main Notification appear to have been ignored and, possibly, violated with impunity. The coastal States and Union Territory Administrations were required to prepare Management Plans within a period of one year from the date of the Notification but this was not done. The Central Government was to approve the plans which were to be prepared but it did not appear to have reminded any of the coastal States or the Union Territory Administrations that the plans had not been received by it. Clause 4 of the main Notification required the Central Government and the State Governments as well as Union Territory Administrations to monitor and enforce the provisions of the main Notification, but no effective steps appear to have been taken and this is what led to the filing of the present Writ Petition.

28. There is no challenge to the validity of main Notification. Counsel for all the parties are agreed that the main Notification is valid and has to be enforced. Instances have been given by the petitioner as well as some of the intervenors where in different States, infringement of the main Notification is taking place but no action has been taken by the authorities concerned. The courts are ill equipped and it is not their function to see day to day enforcement of law. This is an executive function which it is bound to discharge. A public interest litigation like the present, would not have been necessary if the authorities, as well as the people concerned, had voluntarily obeyed and / or complied with the main Notification or if the authorities who were entrusted

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Page 8

with the responsibility, had enforced the main Notification. It is only the failure of reinforcement of this Notification which has led to the filing of the present petition. The effort of this Court while dealing with public interest litigation relating to environmental issues, is to see that the executive authorities take steps for implementation and enforcement of law. As such the Court has to pass orders and give directions for the protection of the fundamental rights of the people. Passing of appropriate orders requiring the implementation of the law cannot be regarded as the Court having usurped the functions of the Legislature or the Executive. The orders are passed and directions are issued by the Court in discharge of its judicial function namely, to see that if there is a complaint by a petitioner regarding the infringement of any Constitutional or other legal right, as a result of any wrong action or inaction on the part of the State, then such wrong should not be permitted to continue. It is by keeping the aforesaid principles in mind that one has to consider as to what directions should be issued to ensure, in the best possible manner, that the provision of the main Notification which has been issued for preserving the coastal areas are not infringed. **VALIDITY OF NOTIFICATION OF 1994.**

29. The Notification dated 18.8.1994 made six amendments in the main Notification. These amendments were made after the receipt of the report of a Committee, headed by Mr. B. B. Vohra, which had been set up by the Central Government. The validity of amended Notification was also challenged in LA. 19/1995 which was filed by three environment protection groups, namely, the Goa Foundation, Nirmal Vishwa and Indian Heritage Society (Goa Chapter). In the said application, the applicants gave a table containing the main points of the main Notification, the recommendations made by the Vohra Committee and the amendments made by amended Notification of 1994. The said particulars are as follows:

Main C.A. Notification dated 18.8.1994 issues for reference	Vohra Committee recommendations	Amending Notification dated 18.8.94
1. No waters from a no-development zone	Regulation allowed rocky and jelly areas to flow specified	Regulation is allowed for all areas upto HTL Central Government so decide
2. No development for trees, creeks and backwaters-100 metres	Clarification demanded about limits, no relaxation suggested	No development relaxation up to 20m related to 50 metres
3. No felling or digging of sand dunes or sand	Allow destruction of sand dunes	No destruction of sand dunes allowed. However, good points and pits, deep pits allowed
4. No development zone area cannot be used for ESI calculations	Recognize no-development zone area as permitted for ESI Calculations	Relevant section not amended but explanation added as an after thought in the Notification permitting no development zone area to be included for ESI calculations
5. No berms allowed area not to be included in ESI	Decisions permitted	Decisions allowed
6. No fishing permitted within 200 metres from HTL	Only green fishing permitted, no barbed wire fishing allowed	Allow green and barbed wire fishing

Contending that the 1994 Notification will adversely affect the environment and would lead to unscientific and unsustainable development and ecological destruction, an application was filed by the petitioner being LA. 16/1995, inter alia, praying for the quashing of the said Notification.

30. A reply was filed by the Union of India justifying the amendments and giving reasons for the issuance of 1994 Notification.

31. While examining the validity of the 1994 Notification, it has to be borne in mind that normally, such Notification are issued after a detailed study and examination of all relevant issues. In matters relating to environment, it may not always be possible to lay down rigid or uniform standards for the entire country. While issuing the notifications like the present, the Government has to balance various interests including economic, ecological, social and cultural. While economic development should not be allowed to take place at the cost of ecology or by causing wide spread

08/04/2019

environment destruction and violation; at the same time, the necessity to preserve ecology and environment should not hamper economic and other developments. Both development and environment must go hand in hand, in other words, there should not be development at the cost of environment and vice versa, but there should be development while taking due care and ensuring the protection of environment. This is sought to be achieved by issuing notifications like the present, relating to developmental activities being carried out in such a way so that unnecessary environmental degradation does not take place. In other words, in order to prevent ecological imbalance and degradation that developmental activity is sought to be regulated.

32. The main Notification was issued under S.3(1) and 3(2)(v) of the Environment Protection Act, presumably after a lot of study had been undertaken by the Government, that such a study had taken place is evident from the bare perusal of Notification itself which shows how coastal areas have been classified into different zones and the activities which are prohibited or permitted to be carried out in certain areas with a view to preserve and maintain the ecological balance.

33. According to the Union of India, while implementing the main Notification, certain practical difficulties were faced by the concerned authorities. There was a need for having sustainable development of tourism in coastal areas and that amendments were effected after giving due consideration to all relevant issues pertaining to environment protection and balancing of the same with the requirement of development. It has been specifically averred that a Committee headed by Mr. B. B. Vohra was set up by the Government in response to the need for examining the issues relating to development of tourism and hotel industry in coastal areas and to regulate the same keeping in view the requirements of sustainable development and the fragile coastal sociology. According to the Union of India, the Committee also included three environmentalist Members who had expressed their views and that the Government had accepted the recommendations of the Vohra Committee with slight modifications. According to it, there has been no blanket relaxation in any area as alleged and adequate environmental safe guards have been provided in the 1994 Notification.

34. In this background, we now deal with each of these six amendments separately:
(i) According to the main Notification, distance of 200 metres from the HTL was no development zone (hereinafter referred to as 'NDZ'). The representation of the Hotel and Tourism Industry was that the existing 200 metres depth of NDZ constituted a serious handicap in the said industry competing with the beach hotels of other countries where there were no such restrictions. It was represented that a reduction of the NDZ would not be ecologically harmful and there was no convincing scientific reason for fixing 200 metres as the appropriate width for the NDZ. It was also stated before the Committee that according to its projection, the Hotel Industry in India would at the most require only about 20 - 30 K.Ms. of coastline for the construction of sea side resorts over the next 15 years or so. If this requirement was viewed in the context of the fact that the total coastline of the country was over 6,000 K.Ms. in length, the industry represented that relaxation with regard to this limited area would not pose any big threat to the country's ecology. The Vohra Committee in its recommendations observed that certain Members of the Committee had felt that a blanket provision of 200 metres in the case of sandy beaches would lead to difficulties and there should be provision for relaxation to be made in suitable cases, but the consensus that emerged was that the present regulations should not be disturbed. The Committee, however, recommended that relaxations in 200 metres rule may be made in a case to case basis with regard to such stretches of the coastline which were rocky or hilly, but the relaxations should be made after carrying out necessary impact assessment studies. Further more, this relaxation should be made by the Ministry of Environment & Forest and not by the State Government concerned. In the 1994 Notification, there is a clear departure from the recommendations of the Vohra Committee. The Notification now provides that for reasons to be recorded, the Central Government may permit any construction within the said 200 metres NDZ subject to such conditions and restrictions as it may deem fit.

In the written submissions filed by the Union of India in this Court on 29.9.1995, this

amendment has been sought to be justified and explained by it in the following words:

As regards the developmental activities upto the High Tide Line, the Central Government may for reasons recorded in writing permit construction in any particular case taking into account the geographical features and other relevant aspects.

This is necessary as providing of 200 metres of no development zone all along was not possible in the coastal line in an uniform way on account of wide variations in geographical features, existing human settlements and developmental activities requiring fore shore facilities etc.

The relaxation with regard to NDZ was sought by the Hotel and Tourism Industry and they desired concession only with regard to 20-30 K.Ms. of coastline; By the amended Notification, power had been given to the Central Government to make such relaxation with regard to any part of the 6,000 K.M.s long coastline of India. The Central Government has, thus, retained the absolute power of relaxation of the entire 6,000 K.Ms. long coastline and this, in effect, may lead to the causing of serious ecological damage as the said provision gives unbridled power and does not contain any guidelines as to how or when the power is to be exercised. The said provision is capable of abuse. The Central Government also did not confine the relaxation to the extent as specified by the Vohra Committee. No satisfactory reason has been given by the Union of India as to why it departed from the opinion of the expert Committee and that too in such a manner that the concession which has now been given is far in excess of what was demanded by the Hotel and Tourism Industry.

We, accordingly, hold that the newly added proviso in Annexure III in paragraph 7 in sub paragraph (1) (item i) which gives the Central Government arbitrary, uncanalized and unguided power, the exercise of which may result in serious ecological degradation and may make the NDZ ineffective is ultra vires and is hereby quashed. No suitable reason has been given which can persuade us to hold that the enactment of such a proviso was necessary, in the larger public interest, and the exercise of power under the said proviso will not result in large scale ecological degradation and violation of Art.21 of the citizens living in those areas, (ii) The NDZ for rivers, creeks and backwaters which was 100 metres from HTL has, by the amended Notification, been relaxed to 50 metres. As already seen the main Notification does not apply to all the rivers. It applies only to tidal rivers which are part of coastal environment. It was contended that the reduction from 100 metres to 50 metres was arbitrary and was not made on any basis. It was also contended that the Vohra Committee had made no proposal for relaxation along the rivers but it merely asked for a clarification of the limits to which the control would apply since in some areas, tidal ingress could go upto 50 K.Ms. from the coastline. Justifying this amendment, it was contended by the Union of India that in case of creeks, rivers or back waters, it is not possible to have a uniform basis for demarcating NDZ. The zone shall be regulated based upon each individual case. It is no doubt true that there can be no uniform basis for demarcating NDZ and it will depend upon the requirements by each concerned State Authority in their own Management Plans but no reason has been given why in relation to tidal rivers, there has been a reduction of the ban on construction from 100 metres to 50 metres. Even the Vohra Committee which had been set up to look into the demands of Hotel and Tourism Industry had not made such a proposal and, therefore, it appears to us that such a reduction does not appear to have been made for any valid reason and is arbitrary. This is more so when it has been alleged that in some areas like Goa, there are mangrove forests that need protection and which stretch to more than 100 metres from the river bank and this contention had not been denied. In the absence of any justification for this reduction being given the only conclusion which can be arrived at is that the relaxation to 50 metres has been done for some extraneous reason. It was submitted, at the time of arguments by the Additional Solicitor General that construction has already taken place, along such rivers, creeks etc. at a distance of 50 metres and more, but no such explanation has been given in the reply affidavit. Even if this be so such reduction will permit new construction to take place and this reduction cannot be regarded as a protection only to the existing structures. In the absence of a categorical statement being made in an affidavit that such reduction will not be harmful or result in serious ecological imbalance, we are unable to conclude that the said amendment has been made in the larger public interest and is valid.

This amendment is, therefore, contrary to the object of the Environment Act and has not been made for any valid reason as is, therefore, held to be illegal. (iii) The main Notification had provided that there would be no levelling of sand dunes or sand extraction. The Vohra Committee, however, allowed extraction of sand. This recommendation has not been accepted but the amended Notification allowed the installation of goal posts or lamp posts.

Justifying this amendment, it was contended by the Union of India that installing such goal posts or lamp posts will not result in flattening of sand dunes and will also not have any other undesirable effect with regard to the said sand dunes. No permanent structure for sport facilities is permitted. We do not see any illegality having been committed by allowing the goal posts, net posts and lamp posts to be erected. In fact the erection of these would facilitate or lead to more enjoyment of the beaches. Therefore, the challenge to this amendment fails. (iv) By the amended Notification, the NDZ is now to be included for FSI calculations. Justifying this amendment, it was submitted by the Union of India that an explanation had been added to the effect that although no construction is allowed in NDZ, for the purpose of calculation of FSI the area of entire plot including portions which falls within NDZ shall be taken into account. This modification has been brought in because the area in NDZ will in any case be left vacant and although this land may belong to a private owner, he has to keep it vacant. To compensate for this, he is allowed to construct a building of such FSI as permissible after taking into account the area which falls in NDZ. This, it was submitted, is based upon fair and equitable conditions and as such this would have no effect on the ecological balance in the coastal area. In view of the aforesaid reasons given by the Union of India and also keeping in view the fact that a similar recommendations had also been made by the Vohra Committee, we agree with the principle that some compensation is to be allowed to the private owner whose land falls in the NDZ, but at the same time haphazard and congested construction a pollutant in itself cannot be permitted in any area of the city. We, therefore, modify the amendment and direct that a private owner of land in NDZ shall be entitled to take into account half of such land for the purpose of permissible FSI in respect of the construction undertaken by him outside the NDZ. (v) With regard to the amendment which allows construction of the basements, it was contended that the deep foundations and structure could interfere in the coastal areas where there is an intermixture of salt and sweet aquifers. According to the Union of India, this amendment has been made on the recommendation of the Vohra Committee. It was, however, stated that the basements shall be allowed subject to the condition that the other authorities such as State Ground Water Boards will permit such construction and will issue no objection certificate after confirming that the basement will not hamper free flow of ground water in that area. It is, therefore, obvious that there will not be any adverse effect to the ecological balance in the area if basements are allowed to be constructed subject to the satisfaction of the concerned authorities that the same will not hamper free flow of ground water. (vi) The main Notification, had not permitted fencing within 200 metres zone from HTL. By the amended Notification, green and barbed wire fencing within the said zone has been permitted. Challenging this amendment, it was contended that the effect of such fencing would be to prevent the public from using the beaches. Justifying this amendment, the Union of India had stated that the Vohra Committee had permitted green fencing. By the amended Notification barbed fencing, in addition to green fencing, has also been allowed. The reason for this is that green and barbed fencing has been allowed so that private owners are in a position to stop encroachment of their properties. Further more, in the interest of security also, a private owner would like to have some kind of boundary so that his property is safe. The implication, therefore, clearly is that it is not as if public beaches will be encroached or fenced. The fencing is being allowed only of the privately owned property in order to protect the same. We, however, direct that fencing should not be raised in such a manner so as to prevent access of the public to public beaches. In other words, the right of way enjoyed by the general public to those areas which they are free to enjoy, should in no way be closed, hampered or curtailed. The amendment as made, does not, in our opinion, call for any interference.

35. GENERAL CONCLUSION:

With rapid industrialisation taking place, there is an increasing threat to the maintenance of the ecological balance. The general public is becoming aware of the need to protect environment. Even though, laws have been passed for the protection of environment, the enforcement of the same has been tardy, to say the least. With the governmental authorities not showing any concern with the enforcement of the said Acts, and with the development taking place for personal gains at the expense of environment and with disregard to the mandatory provisions of law, some public spirited persons have been initiating public interest litigations. The legal position relating to the exercise of jurisdiction by the Courts for preventing environmental degradation and thereby, seeking to protect the fundamental rights of the citizens, is now well settled by various decisions of this Court. The primary effort of the Court, while dealing with the environmental related issues, is to see that the enforcement agencies, whether it be the State or any other authority, take effective steps for the enforcement of the laws. The Courts, in a way, act as the guardian of the people's fundamental rights but in regard to many technical matters, the Courts may not be fully equipped. Perforce, it has to rely on outside agencies for reports and recommendations whereupon orders have been passed from time to time. Even though, it is not the function of the Court to see the day to day enforcement of the law, that being the function of the Executive, but because of the non functioning of the enforcement agencies, the Courts as of necessity have had to pass orders directing the enforcement - agencies to implement the law.

36. As far as this Court is concerned, being conscious of its constitutional obligation to protect the fundamental rights of the people, it has issued directions in various types of cases relating to the protection of environment and preventing pollution. For effective orders to be passed, so as to ensure that there can be protection of environment along with development, it becomes necessary for the Court dealing with such issues to know about the local conditions. Such conditions in different parts of the Country are supposed to be better known to the High Courts. The High Courts would be in a better position to ascertain facts and to ensure and examine the implementation of the anti pollution laws where the allegations relate to the spreading of pollution or non compliance of other legal provisions leading to the infringement of the anti pollution laws. For a more effective control and monitoring of such laws, the High Courts have to shoulder greater responsibilities in tackling such issues which arise or pertain to the geographical areas within their respective States. Even in cases which have ramifications all over India, where general directions are issued by this Court, more effective implementation of the same can, in a number of cases, be affected, if the concerned High Courts assume the responsibility of seeing to the enforcement of the laws and examine the complaints, mostly made by the local inhabitants, about degradation is best protected by the people themselves. In this connection, some of the non governmental organisations (NGOs) and other environmentalists are doing singular service. Time has perhaps come when the Government can usefully draw upon the resources of such NGOs to help and assist in the implementation of the laws relating to protection of environment. Under S.3 of the Act, the Central Government has the power to constitute one or more authorities for the purposes of exercising and performing such powers and functions, including the power to issue directions under S.5 of the Act of the Central Government as may be delegated to them.

DIRECTIONS

i) Keeping in view the aforesaid observations in mind, we would direct that if any question, arise with regard to the enforcement or implementation or infringement of main Notification as amended by the Notification of 1994, the same should be raised before and dealt with by the respective High Courts. In the present case, there were allegations of infringement having been taking place by allowing the setting up of industries in Dahanu Taluka in Maharashtra in violation of the provisions of main Notification and which industries are stated to be causing pollution. Similarly, there were allegations of non compliance with the provisions of law by a unit manufacturing Alcohol in Pondicherry; with regard to Goa also allegations have been made. As we have already observed, it will be more appropriate if the allegations so made are dealt with by the respective High Courts, for they would be in a better position to know

about and appreciate the local conditions which are prevailing and the extent of environmental damage which is being caused. We, accordingly, direct that the contentions raised in the Petition regarding infringement of the main Notification and of the Notification dated 20.6.1991 relating to Dahanu Taluka should be dealt with by the Bombay High Court. The High Court may issue such directions as it may deem fit and proper in order to ensure that the said Notifications are effectively implemented and complied with. A copy of the Writ Petition along with a copy of the Judgement should be sent to the High Court by the Registry for appropriate orders. As regard LA. No. 17-18 of 199S is concerned relating to alcohol manufacturing unit at Pondicherry, the said application is transferred to the Madras High Court for disposal in accordance with law.

2) Any allegation with regard to the infringement of any of the Notification dated 19.2.1991, 20.6.1991 & 18.8.1994 be filed in the High Courts having territorial jurisdictions over the areas in respect of which the allegations are made. As far as this Court is concerned, this matter stands concluded except to examine the reports which are to be filed by all the States with regard to the approval of the Management Plans, or any classification which may be sought.

3) Considering the fact that the Pollution Control Boards are not only overworked but simultaneously have a limited role to play in so far as it relates to controlling of pollution for the purpose of ensuring effective implementation of the Notifications of 1991 and 1994, as also of the Management Plans, the Central Government should consider setting up under S.3 of the Act. State Coastal Management Authorities in each State or zone and also a National Coastal Management Authority.

4) The States which have not filed the Management Plans with the Central Government are directed to file the complete plans by 30.6.1996. The Central Government shall finalise and approve the said plans, with or without modifications within three months thereafter. It is possible that the plans as submitted by the respective State Governments and Union Territories may not be acceptable to the Ministry of Environment and Forests. Returning the said plans for modifications and then i.e. submission of the same may become an unnecessary time consuming and, perhaps, a futile exercise. In order to ensure that these plans are finalised at the very earliest, we direct that the plans as submitted will be examined by the Central Government who will inform the State Government or the Union Territory concerned with regard to any shortcomings or modifications which the Ministry of Environment and Forests may suggest. If necessary, a discussion amongst the representatives of the State Governments and the Ministry of Environment and Forests should take place and thereafter the plans should be finalised by the Ministry of Environment, if necessary, by carrying out such modifications as may be required. The decision by the Ministry of Environment and Forests in this regard shall be final and binding. A report with regard to the submission and the finalisation of the plans should be filed in this Court and the case will be listed for noting compliance in September, 1996.

5) Pending finalisation of the plans, the interim orders passed by this Court on 12.12.1994 and 9.3.1995 shall continue to operate.

6) Four States, namely Andhra Pradesh, Gujarat, Karnataka and Kerala have not yet submitted their Management Plans to the Central Government. There is thus a clear non compliance with the direction issued by this Court on 12.12.1994 and 9.3.1995. We issue notices to the Chief Secretaries of these States to explain and show cause why further appropriate action be not taken for this non compliance. The notices are to be returnable after six weeks.

**2016 KHC 6683
Supreme Court**

T. S. Thakur, C. J. ; *A. M. Khanwilkar; Dr. D. Y. Chandrachud, JJ.

Anil Hoble v. Kashinath Jairam Shetye and Others
Parallel citation(s): 2016 KHC 6683 : AIR 2016 SC 5293 : 2016 (10) SCC 701

National Green Tribunal Act, 2010 - S.14 - Degradation of environment - Plot purchased by appellant on 3rd August, 1992 i.e. after CRZ Policy 19/02/1991 with only small structure at corner of said plot used as garage - Indisputably it was within 100 metres from High Tide Line - Structure raised on said plot after 19/02/1991 in violation of CRZ Policy by appellant - Finding of fact by Tribunal that said structure was unauthorized and directions for removal of said structure not liable to be interfered with.

Important Para(s):8, 9, 10, 11

Advocates:

A. M. Khanwilkar, J.

1. Delay condoned.
2. This appeal arises from the final judgment and order passed by the National Green Tribunal (Western Zone) Bench, Pune dated 29th May, 2015 in Application No. 51/2014 and dated 14th December, 2015 in M.A. No. 180/2015 (WZ) and Review Application No. 15/2015(WZ).
3. Respondent Nos. 1-4 had filed an application before the Tribunal under S.14(1) read with S.14(3) of the National Green Tribunal Act, 2010 complaining about degradation of environment on account of unauthorized construction on plot of land falling within CRZ(III)(No Development Zone - in short NDZ).
4. According to the said respondents (original applicants), the appellant (original respondent No.3) was responsible for construction of a commercial building on plot of land bearing Chalta No.1 / PTS No.10, Panjim City and Survey No.65/1 - A Village Morombio Grande in Mercas Panchayat, without obtaining necessary permission from the concerned Authorities. That construction is detrimental to the coastal ecosystem and river ecosystem; and is also likely to cause pollution of river water due to the commercial activities of the Bar and Restaurant. It was alleged that the appellant exerted political influence to facilitate construction of the unauthorized structure on the said plot.
5. The appellant opposed the said application by raising preliminary objections. Firstly, that the subject application was not maintainable - as remedy of appeal under S.16 against the decision of the Authority could be preferred. Secondly, the applicants had failed to comply with the procedure prescribed under R.13 of the National Green Tribunal (Practices and Procedure) Rules, 2011. Thirdly, the application was barred by limitation - as the cause of action had arisen soon after the construction work was commenced in the year 2011. The application, however, was not filed within 6 months therefrom. Further, a writ petition for similar challenge was filed before the High Court and has since been withdrawn. No liberty has been given by the High Court to the applicants to pursue the same cause of action. On merits, it was asserted that the structure was in existence prior to 19th February, 1991 when the CRZ Policy came into force. It was used as a garage at the relevant time. The appellant after purchasing the plot and the structure standing thereon vide registered sale deed dated 3rd August, 1992, initially used it for motor garage and allied activity. The same structure after repair and renovation was used as Restaurant and Bar. In substance, the stand of the appellant was that since the structure was in existence prior to 19th February, 1991, the change of user after taking permission of the concerned authorities would

not make the same unauthorized. The appellant had taken due permission of the competent Authority for re - roofing and re - flooring of the structure. It was not a case of construction of a new structure within the No Development Zone (NDZ) as is contended.

6. The Tribunal after analyzing the documentary evidence including the survey reports brought on record by the parties, negated the plea of the appellant that the structure as it exists at present was constructed prior to 19th February, 1991. The Tribunal recorded that finding on the basis of the contents of the registered Sale Deed dated 3rd August, 1992 executed in favour of the appellant by the original owner of the plot, the House Property Revenue Records, Settlement of Land Records, No Objection Certificate given by the Panchayat, Inspection Report dated 2nd May, 2012, and also the contents of the affidavit filed by the appellants. The Tribunal held that the structure as existed prior to 19th February, 1991, on plot of land bearing Survey No. 65/1 - A or in Survey No.83/2 - A of Village Morombio Grande in Mercedes Panchayat, falling within 100 metres distance (in CRZ III area), was a small structure at the corner of the said plot and was used as a garage. The Tribunal then relied on the decision of the High Court of Bombay in the case of Goa Foundation vs. The Panchayat of Condolim & The Panchayat of Calangut, W.P.No.422 / 1998 & W.P.No.99/1999 in which directions were issued to the State Authorities to take action against such unauthorized structures and constructions put up on the land falling within CRZ - III area in Goa, village or town - wise after 19th February, 1991; and further that permission can be granted "only" for repair and renovation of the existing "dwelling units" in such areas. The Tribunal following that decision observed that the structure other than the original structure as existed on 19th February, 1991, standing on land Survey No. 65/1 - A or in Survey No.83/2 - A of Village Morombio Grande in Mercedes Panchayat at South Goa be demolished forthwith after following due process. The directions given by the Tribunal read thus :-

"a. All the structures, including Restaurant and Bar / Pub and allied structures standing in the land Survey No.65/1 - A, or in Survey No.83/2 - A, of Village Morombio Grande, shall be demolished by Deputy Collector, South Goa, within the period of six(6) weeks)

b. We direct Respondent No.3 Anil to pay amount of rs.20(Twenty) Lacs as costs of degradation of environment and violation of CRZ Notification, 1991, within six(6) weeks to the Environment Department, Govt. of Goa along with costs of Rs.5000/- (five thousand) as litigation costs, which be equally disbursed in favour of all the applicants.

c. The GCZMA, is directed to hold enquiry regarding houses illegal structures of CRZ area about which permission might have been obtained without following due procedures and to take appropriate action against the violators of CRZ Notifications.

d. The compliances about demolition of illegal structures of Respondent No.3 and costs payment of costs, shall be reported to the tribunal within(6) weeks.

e. The application is accordingly disposed of."

The appellant thereafter filed review petition before the Tribunal which, however, was dismissed on December 14, 2015, thus reiterating the direction already issued by the Tribunal.

7. Aggrieved, the appellant has filed the present appeal challenging both the judgments on the original application and the review application. According to the appellant the finding of fact recorded by the Tribunal with regard to the status of the structure standing on the subject plot is manifestly wrong. It was then contended that even the finding of the Tribunal that permission can be granted only for repair or renovation of dwelling units, was contrary to the CRZ Policy document. Further, the CRZ Policy document does not restrict the user of the existing structure or disallow the change of user therein. Further, the appellant having taken due permission of the competent Authority to use the structure as Restaurant and Bar must prevail. In the alternative it is submitted that the appellant was entitled to repair and renovate the original structure as it existed on 19th February, 1991 and use it for the purpose / activity permissible after taking approval of the competent Authority in that behalf. The learned counsel for Respondent No. 5 invited our attention to the relevant documents, in particular to the show cause notice issued by Goa Coastal Zone

Municipal Authority (GCZMA) dated 25th May, 2012 and the Report of the Enquiry Committee (GCZMA) dated 30th February, 2014 which concluded that there was no violation of CRZ Regulation.

8. The appellant has not seriously pursued the preliminary objections which were otherwise raised in the reply to the application filed before the Tribunal and rejected by the Tribunal. The principal argument of the appellant is that the factual finding recorded by the Tribunal about the status of the structure on the subject plot is manifestly wrong. In the first place, merely because remedy of appeal is provided against the decision of the Tribunal before this Court that does not mean that this Court must reappreciate the entire evidence on record and specially when the same has already been analysed by the Tribunal, unless the appellant is able to demonstrate that the finding recorded by the Tribunal suffers from error apparent on the face of the record or is perverse. Nevertheless, we permitted the appellant to refer to the relevant contemporaneous record which has already been extensively analysed by the Tribunal. On going through the said documents, we are not in a position to take a view different than the view already taken by the Tribunal. We find that when the appellant purchased the subject plot vide registered Sale Deed dated 3rd August, 1992, only a small structure at the corner of the said plot was in existence and was used as a garage and which was indisputably within 100 metres from the High Tide Line. On this finding, it necessarily follows, that the structure as it exists now is quite different - both in shape, size and location being in the middle of the plot. Obviously, it is an unauthorized structure constructed after 19th February, 1991. The CRZ policy dated 19.02.1991 prohibits any construction upto 200 metres from the High Tide Line. It is to be treated as 'No Development Zone', except for repairs of existing "authorized structures" not exceeding specific permissible FSI, plinth area and other norms for permissible activities including facilities essential for such activity under the Notification. The relevant clause in the said Notification, dealing with land area falling within CRZ - III area reads thus :-

CRZ - III

- i. The area upto 200 metres from the High Tide Line is to be earmarked as 'No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorized structures not exceeding existing FSI, existing plinth area and existing density, and for permissible activities under the notification including facilities essential for such activities. An authority designated by the State Government / Union Territory administration may permit construction of facilities for water supply, drainage and sewerage for requirements of local inhabitants. However, the following used may be permissible in this zone agriculture, horticulture, gardens, pastures, parks, play fields, forestry and salt manufacture from sea water.
- ii. Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ - III with prior approval of Ministry of Environment and Forests (MEF) permitted for construction of hotels / beach resorts for temporary occupation of tourists / visitors subject to the conditions as stipulated in guidelines at Annexure - II.
- iii. Construction / reconstruction of dwelling units between 200 and 500 metres of the High Tide Line permitted so long it is within the Ambit of traditional rights and customary uses such as existing fishing villages and gaothans. Building permission for such construction / reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33 percent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors ground floor plus one floor. Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government / Union Territory Administration may permit construction of public rain shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities.

iv. Reconstruction / alterations of an existing authorized building permitted subject to (i) to (iii) above.

....." (emphasis supplied)

9. Relying on sub-clauses (i), (iii) and (iv), it was contended that the Tribunal committed error in law on two counts. Firstly, in assuming that the structure within CRZ area can be used only as a dwelling unit, and secondly, that repairs and renovation permission can be given only to such dwelling units. This submission does not commend us. Sub-clause (i) plainly mandates that "no construction" of any kind be permitted within 200 metres from the High Tide Line. That area has to be treated as "No Development Zone", except for repairs of "existing authorized structures" (on the date of the Notification i.e. 19th February, 1991) and not exceeding the permissible FSI, plinth area and density and for permissible activities. Sub-clause (iii) deals with CRZ area between 200 to 500 metres of High Tide Line with which we are not concerned in the present case. In as much as, the finding of fact by the Tribunal about the location of the plot is that the plot was within 100 metres from the High Tide Line. There is nothing to doubt the correctness of this finding.

10. The moot question then is: whether the structure as it existed when the respondents moved the Tribunal complaining about violation within the CRZ area was the same structure as on 19th February, 1991 when the CRZ Policy came into being. That finding of fact has been answered against the appellant by the Tribunal and we must agree with the same. For, the structure as it existed when the plot was purchased by the appellant on 3rd August, 1992 was a small structure at the corner of the subject plot and was used only as a garage or for repairs of vehicles and allied activity. The structure in respect of which complaint has been made before the Tribunal was completely different in shape, size and also location for which reason the Tribunal issued direction to remove the same. The view taken by the Tribunal relying on the decision of the Bombay High Court, which the Tribunal was bound to follow, permitted retention of only dwelling units within CRZ III area and constructed prior to 19th February, 1991. The direction given by the High Court in the case of Goa Foundation (supra) have been reproduced by the Tribunal in para 12 of the impugned judgment, which reads thus :-

"12. The Hon'ble High Court summarized findings and gave directions in paragraph 32 as follows :

- (A) To conduct survey and enquiry as regards the number of dwelling units and all other structures and constructions which were existing in the CRZ - III Zone in Goa, village or town wise as on 19th February, 1991 and increase the number thereof thereafter, date - wise.
- (B) To identify on the basis of permission granted for construction of the dwelling units which are in excess of double the units with regard to those which were existing 19th February, 1991.
- (C) To identify all types of structures and constructions made in CRZ - III zone, except the dwelling units, after 19th February 1991 in the locality comprised of the dwelling units and to take action against the same for the demolition in accordance with the provisions of law.
- (D) To identify the open plots in CRZ - III zone which are available for construction of hotels and to frame appropriate policy / regulation for utilization thereof they are being allowed to be utilized for such construction activities.
- (E) Till the survey and enquiry is completed, as directed above, no new licence for any type of construction in CRZ - III zone, except repairs and renovation of the existing houses which shall be subject to the appropriate order on completion and result of the survey and enquiry to be held as directed above and this should be specifically stated in the licences to be granted for the purpose of repairs and / or renovation of the existing houses.
- (F) The Respondent No.5 to conduct an enquiry and fix responsibility for the violation of CRZ notification in relation to clause - III of CRZ - III zone and to take appropriate action against the persons responsible for such violation of the provisions of the Environmental Protection Act and the said notification in relation to the CRZ - III zone.
- (G) All this directions stated above are in relation to the CRZ - III zone in Goa in terms

of the said notification.

(H) The survey and enquiry should be conducted as expeditiously as possible and should be concluded preferably within the period of six months, and in any case, by 30th May, 2007, and report in that regard should be placed before this court in the first week after the summer vacation of 2007, for necessary for the order.

(I) Meanwhile, on conclusion of the survey and inquiry, necessary action should proceed against the offending structures and report in that regard also should be placed along with the above effort report.

(J) The Respondent No.3 and 4 shall ensure prompt compliance of the directions given in this judgment and shall be responsible for submitting the report required to be submitted as stated above.

(K) All the records relating to the survey and the inquiry should be made available to the public available to the public and in that regard a website should be opened and the entire material should be displayed on the website. The Respondent No.3 should ensure due compliance of this direction by 10th of June, 2007.

(L) The respondent No.1 and 3 shall pay costs of Rs.10,000/- in each of the petitions to the petitioners.

(M) Report to be received from the respondents should be placed before this court in the third week of June, 2007.

(N) Rule is made absolute in above terms."

So long as these directions are in force, the State Authorities or Municipal Authorities were bound by the same and they could not have granted permission to any applicant in breach thereof. Any permission given contrary to those directions must be viewed as nullity and non - est, having been given in complete disregard of the directions of the High Court. Thus, the permission granted to the appellant by GCZMA would be of no avail, as it is not consistent with the directions of the High Court.

11. The fact remains that the structure directed to be demolished by the Tribunal, was obviously erected after 19th February, 1991. That being an unauthorized structure within the meaning of sub-clause (i) quoted above, could not be used for any purpose whatsoever and was required to be demolished. Therefore, the finding recorded by the Tribunal and the consequential directions given in that behalf are unassailable.

12. In this view of the matter, it is not necessary for us to dilate on the argument as to whether the CRZ Policy prohibits change of user of the structure which was in existence on 19th February, 1991, so as to be used as a Restaurant and Bar. In our opinion, on the facts of the present case, no substantial question of law much less of great public importance arises for our consideration.

13. Hence this appeal must fail and the same is, therefore, dismissed with no order as to cost.

**2004 KHC 497
Supreme Court****R. C. Lahoti; AR. Lakshmanan, JJ.**

Piedade Filomena Gonslves v. State of Goa and Others
 Parallel citation(s) : 2004 KHC 497 : 2004 (3) SCC 445 : AIR 2004 SC 3112
 CaseNo : C. A. No. 960, 961 of 2002
 Date : 11/03/2004

Constitution of India - Art.136 - Environmental matters - Interference - Coastal Regulation Zone Notifications - They have been issued in the interest of protecting environment and ecology in the coastal area - Construction raised in violation of such regulations cannot be lightly condoned.

Important Para(s): 4, 6

Referred: The Goa Foundation and Another v. State of Goa and Ors., Writ Petition No. 102 of 1996; Referred to

Advocates:

Ashok Grover; Anupama Grover; V. K. Singh; T. N. Singh; For Appellant
 T. L. V. Iyer; A. Subhashini; For Respondents

JUDGMENT

1. The appellant is in possession of a piece of property included in survey No. 54/4 located within the jurisdiction of village panchayat of Colva, Salcete, Goa. It is the appellant's own case, vide para 4 of the writ petition, that earlier there existed a structure of thatched roof supported by laterite stone pillars, which structure was used by sun bathers and visitors. However, in place of old construction, appellant commenced putting up fresh construction which resulted into a pucca building coming up in existence in place of the old structure.
2. The new building is now structure of laterite stones and cement with a concrete roof. This construction was commenced on 13.7.1994 and completed on 17.8.1994. Two writ petitions came to be filed in the High Court of Bombay at Goa. CWP No. 76 of 1995 was filed by the appellant's neighbour seeking demolition of the construction put up by the appellant. CWP No. 237 of 1999 was filed by the appellant seeking protection of the construction raised by her. The petitioner in CWP No. 76 of 1995 alleged the appellant's construction to be unauthorised and also violative of High Tide Line in Coastal Region Zone within which no construction is permissible. The Case of the appellant in writ petition No. 237 of 1999 was that the construction put up by her was beyond 200 metres from High Tide Line, and therefore, permissible and that although the appellant's construction was not supported by previous permission by the authorities, the same could be regularised. The High Court allowed the writ petition No. 76 of 1995 while dismissing the appellant's writ petition No. 237 of 1999. The High Court directed the construction put up by the appellant to be demolished.
3. Feeling aggrieved by the common judgment disposing of the two writ petitions, the appellant has filed these appeals by special leave. The learned senior counsel for the appellant has reiterated the same two contentions which were advanced before the High Court. Forceful reliance has been placed on the judgment of the High Court of Bombay delivered by a Division Bench on 25.9.1996 in Writ Petition No. 102 of 1996 titled The Goa Foundation and Another v. State of Goa and Ors., wherein the High court has issued directions in the matter of determining the High Tide Line on the basis of Hydrographic charts prepared by the Naval Hydrographic Office. The learned senior counsel for the appellant submitted that such a direction issued by the Division Bench of the High court in another writ petition has been accepted by the respondents and therefore, unless and until the High Tide Line has been determined in compliance with the direction issued by the High court on 25.9.1996, the construction raised by the appellant should not be demolished.

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

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

6. The Coastal Regulation Zone notifications have been issued in the interest of protecting environment and ecology in the coastal area. Construction raised in violation of such regulations cannot be lightly condoned. We do not think that the appellant is entitled to any relief. No fault can be found with the view taken by the High Court in its impugned judgment.

7. The appeals are held devoid of any merit and are dismissed accordingly.

