

**Minutes of the 123<sup>rd</sup> Meeting of KCZMA held on 29.06.2022 through Video Conference**

The meeting started at 10 AM. Dr.Venu V. IAS, Additional Chief Secretary to Government, Environment Department, and Chairman of KCZMA chaired the meeting.

**Participants**

1. Sri. Suneel Pamidi, IFS, Member Secretary, KCZMA.
2. Dr.Dinesan Cheruvat, Member (Expert), KCZMA
3. Dr. Richard Scaria, Member (Expert), KCZMA
4. Dr.Chandanathil Pappachan Geevan, Member (NGO), KCZMA
5. Smt. Lizymol. E, Deputy Secretary, LSGD

**In attendance**

6. Sri. BinuKumar.V, Joint Secretary, KCZMA
7. Sri. P.Kalaiarasan, Environmental Engineer, DoE&CC

**Agenda Item No.123.01.01**

**File No: 1068/A2/2022/KCZMA**

**Noting the Minutes of the 122<sup>nd</sup> meeting of KCZMA**

Decision: Noted

**Agenda Item No.123.01.02**

**File No: 08/A1/2019/KCZMA**

**Status of preparation of CZMP 2019**

Decision: Dr Suresh Babu, Scientist F, NCESS presented the agreed methodology after discussion with NCSCM for demarcation of HTL along the bunds/ sluice gates as per the amendment issued by MoEF&CC and on marking the buffer around mangrove vegetation of more than 1000 sq.m in Government-owned land in Kasaragod District. Chairman appreciated NCESS for presenting the finalized methodology to demarcate HTL along with a clear time-bound action plan for the finalization of CZMP-2019.

After the discussion, Authority has directed NCESS to modify HTL and incorporate other changes suggested as per the proposed timeline and to finalize the draft CZMP 2019.

**List A1 (Government Projects / Projects of Public Interest)**

**Agenda Item No: 123.01.03**

**File No:1191/A1/21/KCZMA**

**Proposed Pipeline from Q4 Jetty to POL Terminal of IOCL at Willingdon Terminal, Kochi, Ernakulam by Shri G.Balagopal, Sr Terminal Manager, Indian Oil Corp Ltd, PB No: 535, Indira Gandhi Road, Willington Island, Kochi, Ernakulam.**

Decision: After the discussion, it is decided to forward the recommendations along with the EIA report to MoEF&CC.

**Agenda Item No.123.01.04**

**File No: 840/A2/2022/KCZMA**

**Construction of Kitchen & Toilet to the School Building by The Headmistress, B.E.M.P.U.P.School, Barnacherry, Kannur – 670013**

Decision: Approved.

**Agenda Item No.123.01.05**

**File No: 57/A1/2022/KCZMA**

**Construction of Take a Break Project by the Secretary, Thrikkaruva Grama Panchayat, Thrikkaruva, Kanjaveli.P.O, Kollam District**

Decision : Approved subject to the condition that the Secretary, Thrikkaruva GP should ensure proper management of solid/liquid waste generated by the proposed activity.

**Agenda Item No.123.01.06**

**File No: 136/A1/2022/KCZMA**

**Construction of School Building by The Headmistress, G.F.H.S.S, Kuzhithura, Alappad, Karunagappally, Kollam – 670013**

Decision : Approved.

**List A-2 (All Non-Residential Projects)**

**Agenda Item No.123.02.01**

**File No: 2231/A1/2021/KCZMA**

**Construction of Flour Mill by Sri. Prasin Kumar.M.P, Radhas, Chalad.P.O, Kannur**

Decision : Approved.

**Agenda Item No.123.02.02**

**File No: 383/A1/2022/KCZMA**

**Condonation of delay of constructed Commercial Building by Sri. Cheriya Bava, Kondachante Purakkal House, Ottummal Beach, Parappanangadi, 676303**

Decision : Approved.

**Agenda Item No.123.02.03**

**File No: 1048/A1/2022/KCZMA**

**Construction of Commercial Building by Sri. Shafeek.C, Chulliyil House, Kadalundi Nagaram, Anangadi, Malappuram District**

Decision : Declined as no commercial activity is permissible in NDZ of CRZ III.

**Agenda Item No.123.02.04**

**File No: 537/A1/2022/KCZMA**

**Construction of Commercial Building by Sri. Benny.C.P, S/o Sri.Pailykutty @ C.L.Paily, Chullikattu House, Thevarkad, Varapuzha.P.O, Ernakulam District**

Decision : Declined as no commercial activity is permissible in NDZ of CRZ III.

**Agenda Item No.123.02.05**

**File No: 125/A1/2022/KCZMA**

**Construction of Commercial Building by Sri. Badaru and Others Puthuparakkal House, Akalad PO Thrissur District**

Decision : Declined as no commercial activity is permissible in CRZ III.

**Agenda Item No.123.02.06**

**File No: 443/A1/2022/KCZMA**

**Reconstruction of Commercial Building (Shop) by Sri. Purushothaman, S/o Damodaran, Kalathil (H), South Chellanam P.O, Kochi, Ernakulam District**

Decision : Reconstruction is approved subject to condition that the built up area should not exceed the built up area of the existing authorized building.

**Agenda Item No.123.02.07**

**File No: 941/A2/2022/KCZMA**

**Construction of Welding Shop Building by Sri. Kannichangandy Achuthan, Puthiyaparambath House (PO), Kuttikkakam, Kannur District**

Decision : Approved.

**Agenda Item No.123.02.08**

**File No: 1117/A1/2022/KCZMA**

**Construction of Commercial Building by Sri. Sudheer, Kattil Veedu, Vettoor.P.O, Thiruvananthapuram District**

Decision : Approved.

**Agenda Item No.123.02.09**

**File No: 331/A2/2022/KCZMA**

**Condonation of delay of Commercial Building by Mr. Manaf, Kunhimunte Purakkal (h), Tanur, Malappuram District**

Decision : The Secretary, Tanur Municipality shall be directed to inform whether the said construction is included in the list of CRZ violations prepared by the Coastal District Committee constituted as per G.O (Rt) No. 98/2017/Envnt dt.16.10.2019 and also report when the first application for this project was submitted by the project proponent.

**Agenda Item No.123.02.10**

**File No: 255/A1/2022/KCZMA**

**Construction of Residential cum Commercial Building by Sri. Musthafa, Bairooha, Kollam (PO), Koyilandy – Kozhikode District**

Decision : Approved.

**Agenda Item No.123.02.11**

**File No: 1349/A1/2022/KCZMA**

**Construction of Fish Selling Shop by Sri. Sajan M.S, Moolankara House, Palliport.PO, Pallippuram Beach, Ernakulam District - 683 515**

Decision : Approved.

**List A3 (Legal Issues)**

**Agenda Item No.123.03.01**

**File No: 1274/A2/2016/KCZMA**

**O.A No.04/2013 with Appeal No. 18/2017 filed by Sri. O. Fernandes & C. H. Balamohan before the Hon'ble NGT, South Zone, Chennai – Inception Report furnished by Chief Engineer, Irrigation Department**

Decision : Noted

**Agenda Item No.123.03.02**

**File No: 1047/A1/2020/KCZMA**

**Condonation of Delay for the Constructed Apartment building by Smt Renu Mathew, Director, Chakolas Homes Pvt Ltd, Pandit Karupan Road, Thevara, Ernakulam**

Decision : The Authority has noted the order of Hon'ble high court of Kerala in WP (C) 1325/ 2014 filed by Smt Renu Mathew. The Hon'ble high court has ordered as below:

*“ (i) The decisions taken at the meetings of the 3<sup>rd</sup> respondent as evidenced by Exts.P23 and P29, to the extent they relate to the FAR applicable to the building constructed by the petitioner is concerned are quashed.*

(ii) *It is declared that the FAR applicable in Cochin Corporation at the time of issuance of Ext.P1 Building Permit was 2.5.*

(iii) *The 3<sup>rd</sup> respondent is directed to consider the application submitted by the petitioner for post facto clearance and forward the same to the 4<sup>th</sup> respondent with their recommendations as required under clause 4.3 of CRZ, 2011. While making such recommendations, the 3<sup>rd</sup> respondent shall consider the project as if it is constructed on the basis of an FAR that was permissible in Corporation of Cochin at the time of issuance of Ext.P1 Building Permit, for the reasons already stated above. The necessary action as aforesaid shall be taken within two months from the date of receipt of a copy of this judgment.*

(iv) *There will be a further direction to the additional 4<sup>th</sup> respondent to consider the application submitted by the petitioner for post facto clearance, and pass final orders regarding post facto clearance, after hearing the petitioner, within three months after receipt of the application along with the recommendations of the 3<sup>rd</sup> respondent.”*

After a detailed discussion, the authority has accepted the clarification given by Secretary, Cochin corporation that the FAR of this structure as per Kerala Municipal Building Rules 1999 is 2.41. According to KMBR 1999, FAR is the quotient obtained by dividing the total floor area on all floors by the area of the plot. This also needs to be incorporated in processing of applications and clarification needs to be issued to DLCs as well. It was decided to forward the application for *post facto* clearance to MoEFCC for consideration given the letters issued by MoEFCC *vide* F. No 19-11/2016-IA.III dated 24<sup>th</sup> February 2016 and *vide* No 19-11/ 2016- I.A-II dated 28<sup>th</sup> June 2016 with regard to FAR applicable in Cochin corporation.

**List B1 (Residential)**

**Agenda Item No.123.04.01**

**File No: 98/A1/2022/KCZMA**

**Construction of Residential Building by Sri. Shafeek O.T, “Bethul Salamath”  
(H), Kadaloor P.O, Kozhikode – 673 529**

Decision : Approved.

**Agenda Item No.123.04.02**

**File No: 1042/A2/2022/KCZMA**

**Construction of Residential Building by Sri.Achuthan.C.K, Kuttyamiyil,  
Pakkayil, Vadakara Beach, Kozhikode**

Decision : Approved.

**Agenda Item No.123.04.03**

**File No: 1025/A1/2022/KCZMA**

**Construction of Residential Building by Sri.Mansoor Ali.T.K.M, Mansoor Manzil, Sea Road, Thaikkadappuram, Nileshwaram, Kasaragod District**

Decision : Approved.

**Agenda Item No.123.04.04**

**File No: 688/A1/2022/KCZMA**

**Reconstruction of Residential Building by Sri. Krishnan, Plachery House, Kadamakudy, Pizhala.P.O, Ernakulam-682027**

Decision : Declined as the reconstruction exceeding the existing plinth area is not permissible in NDZ of CRZ III.

**Agenda Item No.123.04.05**

**File No: 872/A1/2022/KCZMA**

**Construction of Residential Building by Sri.Suresh, S/o Sankaran, Palakk House, Manathala Beach, Chavakkad, Thrissur District**

Decision : Approved.

**Agenda Item No.123.04.06**

**File No: 2570/A1/2021/KCZMA**

**Construction of Residential Building by Smt. Parambath Ramani Alias Rema, Devikripa, Near Odan Kavu, Cherukunnu.P.O, Azheekkode, Kannur**

Decision : Approved.

**Agenda Item No.123.04.07**

**File No: 2228/A1/2021/KCZMA**

**Construction of Study room to the existing Residential Building by Smt.Sunitha Rajan & Others, Oliparambil House, Kuzhupilly, Ayyampilly P.O, Ernakulam District**

Decision : Approved.

**Agenda Item No.123.04.08**

**File No: 1206/A1/2022/KCZMA**

**Construction of Residential Building by Sri. Dileep Thomas & Smt.Sayani Sarkar, Christ Nivas, Kochuthura, Trivandrum – 695 526**

Decision : Approved.

**Agenda Item No.123.04.09**

**File No: 277/A1/2022/KCZMA**

**Construction of Residential Building by Smt. Deepthy Suresh, Konathezhath (H) Edavanakkad P.O Eranakulam-685 202**

Decision : Declined as no new construction is permissible in NDZ of CRZ III.

**Agenda Item No.123.04.10**

**File No: 1275/A2/2022/KCZMA**

**Construction of Residential Building by Sri. Ramshad & Smt. Afra, Suhara  
Manzil, Beach Road,Koyilandy – 673 305 Kozhikode District**

Decision : Approved.

**Agenda Item No.123.04.11**

**File No: 1087/A1/2021/KCZMA**

**Construction of Residential Building by Sri. Manoj N.S, Nellippillil  
Padinjaruveetil, Kaitharam.P.O, North Paravur, Ernakulam District**

Decision : Declined no new construction is permissible in NDZ of CRZ III.

**Agenda Item No.123.04.12**

**File No: 1088/A1/2022/KCZMA**

**Construction of Study room to the existing Residential Building by Smt.  
Valsala and Sri. Santhosh Kumar, Thekkinezath Veedu, Nayarambalam P.O,  
Ernakulam District**

Decision : Approved.

**List D (Miscellaneous/Others)**

**Agenda 123.05.01**

**File no. 389/A1/2022/KCZMA**

**Condonation of the delay in seeking CRZ Clearance for the constructed  
residential buildings.**

Decision : All District level Committees of KCZMA are directed to treat the applications received up to 29-06-2022, of constructed residential buildings that are otherwise permissible as per the CRZ Notification 2011 as late applications and also to condone the delay based on the merits of the case. While condoning the delay, the list of CRZ violations reported by the District Coastal Committee shall also be verified. No further extension of time will be given in this regard and structures constructed henceforth without prior clearance will be treated as illegal.

**Agenda Item No.123.05.02**

**File No : 1068/A2/2022/KCZMA**

**Action taken report of the 122<sup>nd</sup> Meeting of KCZMA held on 11.05.2022 and  
18.05.2022**

Decision : Noted

**ADDITIONAL AGENDA**

**List A1 (Government Projects / Projects of Public Interest)**

**Additional Agenda Item No.123.06.01                      File No: 1540/A2/2022/KCZMA**

**EC/CRZ Clearance Amendment for Development of Vizhinjam International Deepwater Multipurpose Seaport at Vizhinjam in Thiruvananthapuram District, Kerala by M/s. Vizhinjam International Seaport Ltd**

Decision : The Proposal is recommended and shall be forwarded to MoEF&CC.

**List A-2 (All Non-Residential Projects)**

**Agenda Item No.123.07.01    File No: 1471/A1/2022/KCZMA**

**Reconstruction of Commercial Building by Sri. Asharf C.H, Chathoth House, Payyoli Angadi P.O, Kozhikode**

Decision : Declined. The Secretary, Thurayoor Grama Panchayat shall be directed to furnish the explanation for furnishing inconsistent reports regarding the year of construction of the existing building.

**Agenda Item No.122.07.02    File No: 2166/A1/2019/KCZMA**

**Regularisation of the Expanded Existing Resort building and also for additional construction of the resort building by M/s Carnoustie Resorts Privates Limited,326,Master Mins-1, Royal Palm Arey Colony,Goregaon (East), Mumbai, Maharashtra.**

Decision : The proposal is recommended and shall be forwarded to MoEF&CC.

**List A3 (Legal Issues)**

**Agenda Item No.123.08.01    File No: 2063/A1/2021/KCZMA**

**Judgment dated 10.05.2022 in WP(C) No. 23352/21 filed by Smt. Sreya Joseph before the Hon'ble High Court of Kerala**

Decision: The observation of the Hon'ble High Court in the Judgment dated 10.05.2022 in WP(C) No. 23352/21 filed by Smt. Sreya Joseph was discussed and the proposal is approved by the Authority. It was also decided that the repair/reconstruction of existing authorized structure

not exceeding Floor Space Index, existing plinth area, and existing density is permissible as per clause 8 III A (ii) and the applicant doesn't need to belong to a traditional coastal community. The decision of the authority shall be communicated to DLCs.

**List D (Miscellaneous/Others)**

**Agenda Item No.121.09.01**

**File No:5194/A2/2017/KCZMA**

**Ratification of Minutes of DLC Meeting**

Decision : Ratified with the remarks of KCZMA

**Agenda No.123.09.02**

**File No:1575/A1/2022/KCZMA**

**Pending List of CRZ Applications**

Decision : The pending list shall be prepared district-wise and the same shall be submitted in the forthcoming meeting of KCZMA.

**Other Items**

**Construction of Residential Building by Smt .Ummu Salma, Sri.**

**Abdul Rahman, Kayikkaran House, Palakkodu.P.O, Valiya**

**Kadappuram, Payyannoor, Kannur-670305**

**Decision:** The matter was deferred in the 122<sup>nd</sup> KCZMA meeting for further examination. After a detailed discussion, the proposal was approved as it was discussed and decided previously by the authority based on the recommendations of the sub-committee in the special meeting held on 8<sup>th</sup> March 2021 that fixing an upper limit to the plinth area of residential buildings is not proper, as no upper ceiling is stipulated in the CRZ Notification 2011.

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