

MINISTRY OF ENVIRONMENT AND FORESTS
(Department of Environment, Forests and Wildlife)

NOTIFICATION UNDER SECTION 3(1) AND SECTION 3(2)(v) OF THE ENVIRONMENT (PROTECTION) ACT, 1986 AND RULE 5(3)(d) OF ENVIRONMENT (PROTECTION) RULES, 1986, DECLARING COASTAL STRETCHES AS COASTAL REGULATION ZONE (CRZ) AND REGULATING ACTIVITIES IN THE CRZ.

New Delhi, the 19th February, 1991 (*As amended upto 25.01.2005*)

S.O. 114 (E): Whereas a Notification under Section 3(1) and Section 3(2)(v) of the Environment (Protection) Act, 1986, inviting objections against the declaration of Coastal Stretches as Coastal Regulation Zone (CRZ) and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O. No. 944(E) dated 15th December, 1990.

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) upto 500 metres from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and the HTL as Coastal Regulation Zone and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes etc., in the said Coastal Regulation Zone (CRZ).

- (i) [For the purposes of this Notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide. The High Tide Line shall be demarcated uniformly in all parts of the country by the demarcating authority or authorities so authorised by the Central Govt., in accordance with the general guidelines issued in this regard.]¹

Note: [Omitted]²

- (ii) [The distance from the High Tide Line shall apply to both sides in the case of rivers, creeks and backwaters and may be modified on a case to case basis for reasons to be recorded in writing while preparing the Coastal Zone Management Plans provided that this distance shall not be less than 100 meters or the width of the creek, river or backwaters, which ever is less. The distance up to which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance up to which the tidal effects are

¹ Substituted vide Notification S.O.550(E) dated 21.5.02.

² Note omitted vide Notification S.O..550(E) dated 21.5.02.

experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt). For the purpose of this notification the salinity measurement shall be made during the driest period of the year and the distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly I the Coastal Zone Management Plans.]³

2. Prohibited activities:

The following activities are declared as prohibited within the Coastal Regulation Zone, namely:

- (i) [setting up of new industries and expansion of existing industries, except (a) those directly related to water front or directly needing foreshore facilities ...⁴ (b) Projects of Department of Atomic Energy]⁵ and⁶ [(c) Non-polluting industries in the filed of information technology and other service industries in the Coastal Regulation Zone of Special Economic Zones (SEZ)]⁷

[provided that (a) facilities for generating power by non conventional energy sources and setting up of desalination plants may be permitted within the said zone in areas not classified as CRZ-I(i); and (b) construction of airstrips in the said zone in areas not classified as CRZ-I(i) may also be permitted in the Islands of Lakshadweep and Andaman & Nicobar by Government of India in the Ministry of Environment & Forests.]⁸

- (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 & Forests No. S.O. 594(E) dated 28th July, 1989, S.O. 966 (E) dated 27th November, 1989 and GSR 1037(E) dated 5th December 1989 [except transfer of hazardous substance from ships to ports, terminals and refineries and vice-versa, in the port areas]⁹;

[Provided that, facilities for receipt and storage of the petroleum products and Liquefied Natural Gas as specified in Annexure-III appended to this notification and facilities for regasification of Liquefied Natural Gas, may be permitted within the said zone not classified as CRZ-I (i), subject to implementation of safety regulations including guidelines issued by Oil Industry Safety Directorate in the Government of India, Ministry of

³ Amended by Notification S.O..550(E) dated 21.5.02.

⁴ The word “and” omitted vide Notification S.O..550(E) dated 21.5.02.

⁵ Substituted by Notification S.O. 329(E) dated 12 April 2001

⁶ The word “and” inserted vide Notification S.O..550(E) dated 21.5.02.

⁷ The item (c) inserted vide Notification S.O..550(E) dated 21.5.02.

⁸ Inserted vide Notification S.O.1100(E) dated 19.10.02.

⁹ Added by Notification S.O. 494(E) dated 9 July 1997

Petroleum and Natural Gas and guidelines issued by the Ministry of Environment & Forests and subject to such further terms and conditions for implementation of ameliorative and restorative measures in relation to the environment as may be stipulated by the Government of India in the Ministry of Environment & Forests]¹⁰;

- (iii) setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);

[Provided that existing fish processing units for modernisation purposes may utilize 25 percent additional plinth area required for additional equipment and pollution control measures only subject to existing Floor Space Index/Floor Area Ratio norms and subject to the condition that the additional plinth area shall not be towards seaward side of existing unit and also subject to the approval of State Pollution Control Board or Pollution Control Committee]¹¹;

- (iv) [setting up and expansion of units or mechanism for disposal of wastes and effluents, except facilities required for-
 - (a) discharging treated effluents into water course with the approval under the Water (Prevention and Control of Pollution Act, 1974 (6 of 1974);
 - (b) storm water drains;
 - (c) treatment of wastes and effluents arising from hotels and beach resorts located in Coastal Regulation Zone areas other than Coastal Regulation Zone-I and disposal of the treated wastes and effluents;
 - (d) treatment of domestic or municipal sewage in the Union territories of the Andaman and Nicobar Islands and Lakshadweep and disposal of the treated effluents]¹²;
- (v) discharge of untreated wastes and effluents from Industries, cities or towns or 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 waste for the purpose of landfilling 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;

¹⁰ Substituted vide Notification S.O. 730(E) dated 4 August 2000 and S.O. 329(E) dated 12 April 2001

¹¹ Added by Notification S.O. 494(E) dated 9 July 1997

¹² Substituted vide Notification S.O.725(E) dated 24.6.2003.

- (viii) [Land reclamation, bunding or disturbing the natural course of sea water except those required for construction or modernisation or expansion of ports, harbours, jetties, wharves, quays, slipways, bridges and sea-links and for other facilities that are essential for activities permissible under the notification or for control of coastal erosion and maintenance or clearing of water ways, channels and ports or for prevention of sandbars or for tidal regulators, storm water drains or for structures for prevention of salinity ingress and sweet water recharge;

Provided that reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities shall not be permissible]¹³;

- (ix) [Mining of sands, rocks and other substrata materials, except (a) those rare minerals not available outside the CRZ areas and (b) exploration and extraction of Oil and Natural Gas]¹⁴;

[Provided that in the Union Territory of the Andaman and Nicobar Islands, mining of sand may be permitted for construction purpose on a case to case basis by a Committee constituted by the Lieutenant Governor of the Andaman and Nicobar Islands consisting of – (1) the Chief Secretary, Andaman & Nicobar Administration; (2) Secretary, Department of Environment; (3) Secretary, Department of Water Resources; and (4) Secretary, Andaman Public Works Department:

Provided further that the total quantity of sand to be mined shall not exceed 28,226 CMD for the period ending on the 31st December, 2005 and that sand mining shall be undertaken only in those areas identified as accreting areas by Institute for Ocean Management (IOM), Chennai and based on rate of replenishment or deposition of sand;

Provided also that the permission as may be granted under this sub-paragraph for mining of sand shall be based on mining plans and shall stipulate sufficient safeguards to prevent damage to the sensitive coastal eco-system including corals, turtles, crocodiles, birds nesting sites and protected areas.

Provided further that the Andaman and Nicobar Administration shall identify alternate construction materials within the period of one year i.e., from 1st January, 2005 to 31st December, 2005;

Provided further that a monitoring Committee shall be constituted for monitoring the mining activity and the environmental safeguards taken, by the Union Territory Administration. The monitoring Committee

¹³ Substituted vide Notification S.O. 329(E) dated 12 April 2001

¹⁴ Substituted vide Notification S.O. 329(E) dated 12 April 2001

shall comprise of representatives from Union Territory Administration, Regional Office of the Ministry of Environment and Forests, Bhubaneshwar and a NGO based at Andaman and Nicobar. The monitoring report shall be sent quarterly to Ministry of Environment and Forests]¹⁵;

- (x) Harvesting or drawal of ground water and construction of mechanisms therefor 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;

[Provided that drawal of ground water is permitted, where no other source of water is available and when done manually through ordinary wells or hand pumps, for drinking and domestic purposes, in the zone between 50 to 200 m. from High Tide Line in case of seas, bays and estuaries and within 200 m. of the CRZ, whichever is less, from High Tide Line in case of rivers, creeks and back-waters subject to such restrictions, as may be deemed necessary, in areas affected by sea water intrusion, that may be imposed by an authority designated by State Government/Union Territory Administration]¹⁶.

- (xi) [construction activities in CRZ – I except as specified in Annexure-I of this Notification]¹⁷;
- (xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste 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 for beautification, recreational and other such purpose, except as permissible under this Notification.

3. Regulation of Permissible Activities:

All other activities, except those prohibited in para 2 above, will be regulated as under:

- (1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires waterfront and foreshore facilities. [The assessment shall be completed within a period of ninety days from receipt

¹⁵ Substituted vide Notification S.O.Nil (E) dated 25.01.2005.

¹⁶ Inserted vide Notification S.O. 73(E) dated 31 Jan. 1997 and amended by S.O. 494(E) 9 July 1997.

¹⁷ Substituted by Notification S.O. 329(E) dated 12 April 2001

of the requisite documents and data from the project authorities, and the decision shall be conveyed within thirty days thereafter]¹⁸.

(2) The following activities will require environmental clearance from the Ministry of Environment & Forests, Government of India, namely:

(i) [Construction activities related to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as slipways, jetties, wharves, quays; except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements, except in very special cases and hence shall not normally be permitted in the CRZ)]¹⁹;

(ia) [clearance granted shall be valid for a period of five years for the commencement of the construction or operation.]²⁰;

(ii) [Operational constructions for ports, harbours and light houses and construction activities of jetties, wharves, slipways, pipelines and conveying systems including transmission lines provided that environmental clearance in case of constructions or modernization or expansion of jetties and wharves in the Union Territory of Lakshadweep for providing embarkation and disembarkation facilities shall be on the basis of a report of scientific study conducted by the Central Government or any agency authorized or recognized by it suggesting environmental safeguard measures required to be taken for minimizing damage to corals and associated biodiversity]²¹;

[Proviso deleted]²²

(ii) a [Exploration and extraction of oil and natural gas and all associated activities and facilities thereto]²³;

(iii) Thermal power plants (only foreshore facilities for transport of raw materials, facilities for in-take of cooling water and outfall for discharge of treated waste water/ cooling water); and

¹⁸ Inserted vide Notification S.O..550(E) dated 21.5.02.

¹⁹ Substituted by Notification S.O. 329(E) dated 12 April 2001

²⁰ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

²¹ Substituted vide Notification S.O.636(E) dated 30.5.2003.

²² Deleted by Notification S.O. 329(E) dated 12 April 2001

²³ Inserted by Notification S.O. 730(E) dated 4 August 2000

- (iii a) [Housing schemes in CRZ area as specified in sub-paragraph (2) of paragraph 6;
- (iii b) Mining of rare minerals;
- (iii c) Specified activities/facilities in SEZ subject to one time approval by the Government of India in the Ministry of Environment and Forests to such activities based on the Master Plan of SEZ, spatial distribution of projects to be located in CRZ and such other information as may be required for the purpose.]²⁴
- (iii d) [facilities for generating power by non conventional energy sources, desalination plants and weather radars;
- (iii e) airstrips and associated facilities in Lakshadweep and Andaman and Nicobar Islands.]²⁵

- (iv) [Demolition or reconstruction of –
 - (i) buildings of archaeological or historical importance;
 - (ii) heritage buildings; and
 - (iii) buildings under public use.
 Explanation:- For the purpose of this clause iv, ‘public use’ shall include use for purposes or worship, education, medical care and cultural activities.

- (v) All other activities with investment of five crore rupees or more:

Provided that activities involving investment of less than five crore rupees shall be regulated by the concerned authorities at the State or Union territory level in accordance with the provisions of sub-paragraph (2) of paragraph 6 of Annexure-I of this notification.]²⁶

- (3) (i) The coastal States and Union Territory Administration shall prepare, within a period of one year from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures-I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment and Forests;
- (ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and

²⁴ Inserted vide Notification S.O.550(E) dated 21.5.2002.

²⁵ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

²⁶ Amended vide Notification S.O. 460(E) dated 22.4.2003.

- (iii) In the interim period till the Coastal Zone Management Plans mentioned in para 3(3) (i) above are prepared and approved, all developments and activities within the CRZ shall not violate the provisions of this Notification. State Governments and Union Territory Administrations shall ensure adherence to these regulations and violations, if any, shall be subject to the provisions of the Environment (Protection) Act, 1986.

4. Procedure for monitoring and enforcement:

The Ministry of Environment and Forests and the Government of State or Union Territory and such other authorities at the State or Union Territory levels as may be designated for this purpose, shall be responsible for monitoring and enforcement of the provisions of this Notification within their respective jurisdictions.

ANNEXURE-I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone:

6 (1) For regulating development activities, the coastal stretches within 500 m of High Tide Line of the landward side are classified into four categories, namely:

Category I (CRZ-I):

- (i) Areas that are ecologically sensitive and important, such as, national parks/ marine parks, sanctuaries, reserved forests, wildlife habitats, mangroves, corals/ coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty/ historical/ heritage areas, 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 may be declared by the Central Government or the concerned authorities at the State/ Union Territory level from time to time.
- (ii) Area between the Low Tide Line and the High Tide Line.

Category- II (CRZ-II):

The areas that have already been developed upto or close to the shoreline. For this purpose, “developed area” is referred to as that area within the municipal limits or in other legally designated urban areas which 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.

Category- III (CRZ-III):

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

Category-IV (CRZ-IV):

Coastal stretches in the Andaman and Nicobar, Lakshadweep and small islands except those designated as CRZ-I, CRZ-II or CRZ-III.

Norms for Regulation of Activities

- 6 (2)** The development or construction activities in different categories of CRZ areas shall be regulated by the concerned authorities at the State/Union Territory level, in accordance with the following norms:

CRZ-I

[No new construction shall be permitted in CRZ – I except (a) Projects relating to Department of Atomic Energy and (b) Pipelines, conveying systems including transmission lines [(c) facilities]²⁷ that are essential for activities permissible under CRZ– I [(d) operational construction of jetties, wharves or construction, development or modernization of jetties and wharves in the Union territory of Lakshadweep for providing embarkation or disembarkation facilities on the basis of scientific study report conducted by the Central Government or any agency authorised or recognized by it suggesting environmental safeguard measures required to be taken for minimising damage to corals and associated bio-diversity; [(e) installation of weather radar for monitoring of cyclone movement and prediction by Indian Meteorological Department; and (f) construction of trans-harbour sea-links];²⁸ Between the LTL and HTL, activities as specified under paragraph 2 (xii) may be permitted. In addition, between LTL and HTL in areas which are not ecologically sensitive and important, the following may be permitted: (a) Exploration and extraction of Natural Gas, (b) activities as specified under proviso of sub-paragraph [(i) and (ii)]²⁹ of paragraph 2, [(c) Construction]³⁰ of dispensaries, schools, public rain shelters, community toilets bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Sunderbans Biosphere Reserve area, West Bengal, on a case to case basis, by the West Bengal State Coastal Zone Management Authority]³¹ [(d) salt harvesting by solar evaporation of sea water]³² [(e) desalination plants]³³, [(f) storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports; (g) construction of trans-harbour sea links]³⁴.

CRZ-II

- (i) [Buildings shall be permitted only on the landward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) or on the landward side of existing authorised structures. Buildings permitted on the landward side of the existing and proposed

²⁷ The word “and (c) facilities” substituted by “(c) facilities” vide Notification S.O.1100(E) dt.19.10.02.

²⁸ Substituted vide Notification S.O.725(E) dated 24.6.2003.

²⁹ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

³⁰ The word “and (c) construction” substituted by “(c) construction vide Notification S.O.550(E) dt.21.5.02.

³¹ Substituted by Notification S.O. 329(E) dated 12 April 2001

³² Inserted vide Notification S.O.550(E) dated 21.5.2002.

³³ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

³⁴ Substituted vide Notification S.O.725(E) dated 24.6.2003.

roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of Floor Space Index/ Floor Area Ratio.

Provided that no permission for construction of buildings shall be given on landward side of any new roads (except proposed in the approved Coastal Zone Management Plan) which are constructed on the seaward side of an existing road]³⁵;

[Provided further that the above restrictions on construction, based on existing roads/authorised structures, roads/authorised structures, roads proposed in the approved Coastal Zone Management Plans, new roads shall not apply to the housing schemes of State Urban Development Authorities implemented in phases for which construction activity was commenced prior to 19th February, 1991 in atleast one phase and all relevant approvals from State/Local Authorities were obtained prior to 19th February, 1991; in all such cases specific approval of the Ministry of Environment and Forests would be necessary on a case to case basis.]³⁶

- (ia) [facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).
- (ib) desalination plants
- (ic) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.
- (id) facilities for generating power by non conventional energy sources.
- (ie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar.]³⁷
- (ii) Reconstruction of the authorised buildings to be permitted subject with the existing FSI/FAR norms and without change in the existing use.
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

- (i) The area upto 200 metre from the High Tide Line is to be earmarked as 'No Development Zone' [provided that such area does not fall within any notified port limits or any notified Special Economic Zone]³⁸. [No construction shall be permitted within this zone except for repairs of

³⁵ Amended by Notification S.O. 494(E) dated 9 July 1997

³⁶ Inserted vide Notification S.O.550(E) dated 21.5.2002.

³⁷ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

³⁸ Inserted vide Notification S.O.550(E) dated 21.5.2002

existing authorised structures not exceeding existing FSI, existing plinth area and existing density, and for permissible activities under the Notification including facilities essential for such activities]³⁹. [An authority local inhabitants]⁴⁰. However, the following [uses/activities]⁴¹ may be permissible in this zone - agriculture, horticulture, gardens, pastures, parks, playfields, forestry [projects relating to the Department of Atomic Energy],⁴² [mining of rare minerals]⁴³ and salt manufacture from seawater [facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii), facilities for generating power by non conventional energy sources, desalination plants, weather radars and construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman and Nicobar]⁴⁴.

- (ia) [Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads and provision of facilities for water supply, drainage, sewerage which are required for the local inhabitants may be permitted, on a case to case basis, by the Central Government or Coastal Zone Management Authority constituted for the State/Union Territory.

Provided that construction of units or ancillary thereto for domestic sewage treatment and disposal shall be permissible notwithstanding anything contained in sub-paragraph (iv) of paragraph 2 of this notification.]⁴⁵

- (ib) [the No Development Zone may be reduced to a minimum of 50 mts in the identified stretches of the Islands in the Union Territory of Andaman and Nicobar Islands selected and declared by the Central Government for promotion of tourism, based on an integrated coastal zone management study conducted or commissioned by the Ministry of Environment & Forests];⁴⁶
- (ii) Development of vacant plots between 200 and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of MEF permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

³⁹ Amended by Notification S.O. 494(E) dated 9 July 1997

⁴⁰ Sentence omitted vide Notification S.O.550(E) dated 21.5.2002.

⁴¹ Inserted vide Notification S.O.550(E) dated 21.5.2002

⁴² Inserted vide Notification S.O.838(E) dated 24.7.2003

⁴³ Inserted vide Notification S.O.550(E) dated 21.5.2002

⁴⁴ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

⁴⁵ Inserted vide Notification S.O.550(E) dated 21.5.2002.

⁴⁶ Inserted vide Notification S.O.838(E) dated 24.7.2003

- (iia) [facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-III appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in para 2(ii).
 - (iib) storage of non hazardous cargo such as edible oil, fertilizers and food grain in notified ports.
 - (iic) desalination plants
 - (iic) facilities for generating power by non conventional energy sources.
 - (iie) construction of airstrips and associated facilities in the Islands of Lakshadweep and Andaman & Nicobar.]⁴⁷
 - (iif) [construction and operation of jetties in the Union Territory of Lakshadweep;]⁴⁸
- (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 goathans. 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 exceeds 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]⁴⁹.
- (iv) Reconstruction alterations of an existing authorised building permitted subject to (i) to (iii) above.
- (v) [In notified SEZ, construction of non-polluting industries in the filed of information technology and other service industries, desalination plants, beach resorts and related recreational facilities essential for promotion of SEZ as approved in its Master Plan by SEZ Authority may be permitted.]⁵⁰

⁴⁷ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

⁴⁸ Inserted vide Notification S.O.636(E) dated 30.5.2003.

⁴⁹ Inserted by Notification S.O. 494(E) dated 9 July 1997

⁵⁰ Inserted vide Notification S.O.550(E) dated 21.5.2002.

CRZ-IV

Andaman & Nicobar Islands:

- (i) No new construction of buildings shall be permitted within 200 metres of the HTL [except facilities for generating power by non conventional energy sources, desalination plants and construction of airstrips and associated facilities]⁵¹.
 - (ia) - (No provision made under the clause in the Regulation.)
 - (ib) - (No provision made under the clause in the Regulation.)
 - (ic) - (No provision made under the clause in the Regulation.)
 - (id) [The No Construction Zone may be reduced to a minimum of 50 mts in the identified stretches of the Islands in the Union Territory of the Andaman and Nicobar Islands selected and declared by the Central Government for promotion of tourism, based on an integrated coastal zone management study conducted by the Ministry of Environment & Forests by itself or through any agency authorised by it in this behalf]⁵²;
- (ii) The buildings between 50⁵³ and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceeds 9 metres;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style,
- (iv) (a) [Corals from the beaches and coastal waters shall not be used for construction and other purposes;
- (b) Sand may be used from the beaches and coastal waters, only for construction purpose upto the [31st day of December, 2005]⁵⁴ and thereafter it shall not be used for construction and other purposes]⁵⁵;
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment and Forests and in such designated stretches, the appropriate regulations given from respective Categories shall apply.

⁵¹ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

⁵² Inserted vide Notification S.O.838(E) dated 24.7.2003.

⁵³ Substituted vide Notification S.O.838(E) dated 24.7.2003.

⁵⁴ Substituted vide Notification S.O. Nil (E) dated 25.01.2005.

⁵⁵ Amended by Notification S.O. 73(E) dated 31 Jan 1997.

Lakshadweep and small Islands:

- (i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island [on the basis of integrated coastal zone management study]⁵⁶ and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-à-vis local conditions including hydrological aspects, erosion and ecological sensitivity:
 - (ia) [facilities for generating power by non conventional energy sources;
 - (ib) desalination plants;
 - (ic) construction of airstrips and associated facilities;]⁵⁷
 - (id) [operational construction of jetties, wharves or construction, development or modernization of jetties and wharves on the basis of a scientific study conducted by the Central Government or any agency authorised or recognized by it on a case to case basis suggesting environmental safeguard measures required to be taken for minimising damage to corals and associated biodiversity.]⁵⁸
- (ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.
- (iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment & Forests. In such designated stretches, the appropriate regulations given for respective Categories shall apply.

⁵⁶ Substituted vide Notification S.O.838(E) dated 24.7.2003.

⁵⁷ Inserted vide Notification S.O.1100(E) dated 19.10.2002.

⁵⁸ Inserted vide Notification S.O.636(E) dated 30.5.2003.

ANNEXURE-II

GUIDELINES FOR DEVELOPMENT OF BEACH RESORTS/HOTELS IN THE DESIGNATED AREAS OF CRZ-III FOR TEMPORARY OCCUPATION OF TOURIST/VISITORS, WITH PRIOR APPROVAL OF THE MINISTRY OF ENVIRONMENT & FORESTS.

7(1) Construction of beach resorts/hotels with prior approval of MEF in the designated areas of CRZ-III for temporary occupation of tourists/visitors shall be subject to the following conditions:

- (i) [The project proponent shall not undertake any construction within 200 metres in the land-ward side from the High Tide Line and within the area between the Low Tide and High Tide Lines:

Provided that the Central Government may, after taking into account geographical features and overall Coastal Zone Management Plans, and for reasons to be recorded in writing, permit any construction subject to such conditions and restrictions as it may deem fit;

[Provided further that construction for the purpose of tourism development may be permitted beyond 50 mts on the landward side of the High Tide Line in the Union Territories of the Andaman and Nicobar Islands and Lakshadweep Islands based on integrated coastal zone management study conducted by the Ministry of Environment & Forests by itself or through any agency authorised by it in this behalf];⁵⁹

(i a) live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;

(i b) no flattening of sand dunes shall be carried out;

(i c) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;

(i d) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area. The State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

⁵⁹ Inserted vide Notification S.O.838(E) dated 24.7.2003.

Explanation:

Though no construction is allowed in the no development zone for the purposes of calculation of FSI, the area of entire plot including the portion which falls within the no development zone shall be taken into account]⁶⁰.

- (ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.33. [Further, the total covered area of all the floors shall not be more than 50% of the plot size both in the Union Territory of Andaman and Nicobar Islands and the Union Territory of Lakshadweep Islands]⁶¹. The open area shall be suitably landscaped with appropriate vegetal cover;
- (iii) The construction shall be consistent with the surrounding landscape and local architectural style;
- (iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);
- (v) Ground water shall not be tapped within 200 m of the HTL; within the 200 metre 500 metre zone it can be tapped only with the concurrence of the Central/State Ground Water Board;
- (vi) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 metres of the High Tide Line;
- (vii) The quality of treated effluents, solid wastes, emissions and noise levels etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986;
- (viii) Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent/solid waste shall be discharged on the beach;
- (ix) To allow public access to the beach, atleast a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and

⁶⁰ Amended by Notification S.O. No. 595(E) dated 18 Aug. 1994

⁶¹ Inserted vide Notification S.O.838(E) dated 24.7.2003.

- (x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with;
 - (xi) Approval of the State/Union Territory Tourism Department shall be obtained.
- 7(2) In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central/State Government Union Territories) construction of beach resorts/hotel shall not be permitted.

ANNEXURE – III ⁶²

[See paragraph 2, sub paragraph (ii)]

List of Petroleum Products Permitted for Storage in [Coastal Regulation Zone except CRZ – I (i)]⁶³

- (i) Crude oil;
- (ii) Liquefied Petroleum Gas;
- (iii) Motor Spirit;
- (iv) Kerosene;
- (v) Aviation Fuel;
- (vi) High Speed Diesel;
- (vii) Lubricating Oil;
- (viii) Butane;
- (ix) Propane;
- (x) Compressed Natural Gas;
- (xi) Naphtha;
- (xii) Furnace Oil;
- (xiii) Low Sulphur Heavy Stock
- (xiv) [Liquefied Natural Gas (LNG)]⁶⁴

Note: The Principal Notification was published in the Gazette of India Extraordinary vide No. S.O. 114 (E) dated 19 February 1991 in Part II section 3 sub section (ii) and subsequently amended vide:

- (i) S.O. 595 (E) dated 18th Aug. 1994.
- (ii) S.O. 73 (E) dated 31st Jan. 1997.
- (iii) S.O. 494 (E) dated 09th July 1997.
- (iv) S.O. 334 (E) dated 20th Apr. 1998.
- (v) S.O. 873 (E) dated 30th Sept. 1998.
- (vi) S.O. 1122 (E) dated 29th Dec. 1998.
- (vii) S.O. 998 (E) dated 29th Sept. 1999.
- (viii) S.O. 730 (E) dated 04th Aug. 2000.
- (ix) S.O. 900 (E) dated 29th Sept. 2000.
- (x) S.O. 329 (E) dated 12th April 2001.
- (xi) S.O. 988 (E) dated 03rd Oct. 2001.
- (xii) S.O. 550 (E) dated 21st May 2002.
- (xiii) S.O. 1100 (E) dated 19th Oct. 2002.
- (xiv) S.O. 52 (E) dated 16th Jan. 2003.
- (xv) S.O. 460 (E) dated 22nd Apr. 2003.
- (xvi) S.O. 635 (E) dated 30th May, 2003.
- (xvii) S.O. 636 (E) dated 30th May, 2003.
- (xviii) S.O. 725 (E) dated 24th June, 2003.
- (xix) S.O. 838 (E) dated 24th July, 2003.
- (xx) S.O. Nil (E) dated 25th Jan. 2005.

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DMS\CRZ Notification – amendment upto 25.1.05.

⁶² Inserted vide Notification S.O. 494(E) dated 9 July 1997

⁶³ Substituted by Notification S.O. 329(E) dated 12 April 2001

⁶⁴ Inserted vide Notification S.O. 329(E) dated 12 April 2001