

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 22nd April, 2003

S.O.460(E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O.114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared Coastal Stretches as Coastal Regulation Zone and restriction were imposed on setting up and expansion of industries, operations and processes in the said zone;

And whereas it has been brought to the notice of the Central Government that destruction of mangroves, depletion of ground water and certain other activities involving severe ecological damages have been caused as the result of large sized projects being implemented without clearance from the Government of India in the Ministry of Environment and Forests.

And whereas the issue has been examined by the Government of India in the Ministry of Environment and Forests;

And whereas the Central Government is of the opinion that the said notification should be amended with a view to preventing further ecological damages;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirements of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the said requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules for amending the said notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification, in paragraph 3, in sub-paragraph (2), for clause (iv), the following clauses shall be substituted, namely :-

"(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 of worship, education, medical care and cultural activities.

(iv) 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 provision of sub-paragraph (2) of paragraph 6 of Annexure-I of this notification.:

[F.No.J-17011/16/93-IAIII-Part-II]
V.RAJAGOPALAN, Jt. Secy.

Note : The principal notification was published in the Gazette of India *vide* number S.O.114(E) dated the 19th February, 1991 and subsequent amended *vide* notification -

- (i) S.O.595 (E) dated 18th August, 1994
- (ii) S.O.73 (E) dated 31st January, 1997
- (iii) S.O.494 (E) dated 9th July 1997
- (iv) S.O.334 (E) dated 20th April, 1998
- (v) S.O.873 (E) dated 30th September, 1998
- (vi) S.O.1122 (E) dated 29th December, 1998
- (vii) S.O.988 (E) dated 29th September, 1999
- (viii) S.O.730 (E) dated 4th August, 2000
- (ix) S.O.900 (E) dated 29th September, 2000
- (x) S.O.329 (E) dated 12th April, 2001
- (xi) S.O.988 (E) dated 3rd October, 2001
- (xii) S.O.550 (E) dated 21st May, 2002
- (xiii) S.O.52 (E) dated 16th January, 2003