

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 30th May, 2003.

S.O.635(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 restrictions were imposed on the setting up and expansion of industries, operations and processes in the said Zone;

And whereas the Andaman and Nicobar Administration of the Union territory of the Andaman and Nicobar Islands has drawn the attention of the Central Government to the difficulties being faced by the local population of the said territory due to restrictions imposed by the aforesaid notification on mining of sand in the Coastal Regulation Zone in the said territory;

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;

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

(a) in paragraph 2, in sub-paragraph (ix), for the portion beginning with the words "Provided that" and ending with the words "bird nesting sites and protected areas", the following provisos shall be substituted, namely:-

"Provided that in the Union territory of the Andaman and Nicobar Islands, mining of sand may be permitted 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 Committee may permit mining of sand upto 44,102 cu.m. for construction purposes on a case to case basis, for the period on and from the 1st day of April, 2003 to the 31st day of March, 2004 from sites selected, *inter-alia*, 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 ecosystem including corals, turtles, crocodiles, birds nesting sites and protected areas.”;

(b) in Annexure-I, under the heading “CRZ-IV Andaman and Nicobar Islands”, in item (iv), in sub-item (b), for the figures, letters and words “31st day of March, 2003,” the figures, letters and words “31st day of March, 2004” shall be substituted.

[No.Z-12011/2/96-IA-III]

(Dr. V. Rajagopalan)
Joint Secretary to the Government of India

Note: The principal notification was published in the Gazette of India *vide* number S.O.114(E) dated the 19th February, 1991 and subsequently 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
- (xiv) S.O.460(E), dated 22nd April, 2003.