

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 20th December, 2011

S.O. 2843(E).—In exercise of the powers conferred by sub-sections (1) and (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes an authority to be known as the Kerala Coastal Zone Management Authority (hereinafter referred to as the Authority) consisting of the following persons, for a period of three years, with effect from the date of publication of this order in the Official Gazette, namely :—

1. Principal Secretary, —Chairman
Science and Technology
Department, Government
of Kerala, Kerala.
2. Principal Secretary, —Member
Local Self Government,
Government of Kerala
or his nominee.
3. Secretary, —Member
Environment Department,
Government of Kerala or
his nominee.
4. Principal Secretary, —Member
Industries Department,
Government of Kerala or
his nominee.
5. Principal Secretary, —Member
Revenue Department,
Government of Kerala
or his nominee.
6. Secretary, —Member
Fisheries Department,
Government of Kerala
or his nominee.
7. Chairman, —Member
Kerala State Pollution Control
Board, Government of Kerala.
8. Director, —Member
Centre for Earth Science Studies,
Thiruvananthapuram.
9. Dr. K. Padmakumar, Professor, —Member
Aqatic Biology, University
of Kerala, Thiruvananthapuram
10. Dr. A. Ramachandran, Professor —Member
and Director Industrial Fisheries,
Cochin University of Science
And Technology, Kochi, Kerala

11. Sri Baby John, —Member
Malabar Coastal Institute for
Training Research and Action
(MCITRA), M. Kanaran Road,
Kozhikode, Kerala
12. Member Secretary, Member-Secretary
Kerala State Council for
Science, Technology and
Environment, Kerala.

II. The Authority shall have the power to implement and enforce the Coastal Regulation Zone Notification, 2011 for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in areas of the State of Kerala, namely :—

- (i) The Coastal Zone Management Authority shall examine the project proposals in accordance with the approved Coastal Zone Management Plan and in compliance with Coastal Regulation Zone notification and make recommendations within a period of sixty days from date of receipt of complete application ;
 - (a) to the Ministry of Environment and Forests or State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) as the case may be, for the project attracting Environmental Impact Assessment notification, 2006 ;
 - (b) to the Ministry of Environment and Forests for the projects not covered in the Environmental Impact Assessment notification, 2006 but attracting the provisions specified in Sub-paras (ii) of para 4 of the Coastal Regulation Zone notification ;
 - (c) to the concerned State Authority for the projects not covered under (a) and (b) above.
- (ii) The State Government, Union Territory Administration, the local authority or the concerned Coastal Zone Management Authority within the framework of such approved Coastal Zone Management Plans, as the case may be in accordance with provisions of this notification shall regulate all developmental activities listed in this notification.
- (iii) The State Government or the Union Territory of Coastal Zone Management Authorities shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union

Territory shall constitute District Level Committees under the Chairmanship of the District Magistrate concerned containing at least three representatives of local traditional coastal communities including from fisher folk.

- (iv) Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the Kerala State Government and making specific recommendations to the National Coastal Zone Management Authority therefore.
- (v) (a) Inquiry into cases of alleged violation of the provisions of the said Act and the rules made thereunder or any other law which is relatable to the objects of the said Act and, if found necessary in a specific case, issuing directions under Section 5 of the said Act, in so far as such directions are not inconsistent with any direction issued in that specific case by the National Coastal Zone Management Authority or by the Central Government;
- (b) Review of cases involving violations of the provisions of the said Act and the rules made thereunder, or under any other law which is relatable to the objects of the said Act, and if found necessary, referring such cases, with comment, for review to the National Coastal Zone Management Authority :

Provided that the cases under sub-paragraphs (iv) (a) and (ii) (b) of paragraph II may either be taken up suo moto, or on the basis of complaint made by an individual, or an representative body, or an organization.

- (vi) Filing complaints, under Section 19 of the said Act in cases of non-compliance of the directions issued by it under sub-paragraphs (i) and (ii) of paragraph II of this Order.
- (vii) To take action under Section 10 of the said Act to verify the facts concerning the issues arising from sub-paragraphs (i), and (ii) of paragraph II of this Order.

III. The Authority shall deal with environmental issues relating to Coastal Regulation Zone which may be referred to it by the State Government of Kerala, the National Coastal Zone Management Authority or the Central Government.

IV. To maintain transparency in the working of the Coastal Zone Management Authorities it shall be the responsibility of the Coastal Zone Management Authority to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved Coastal Zone Management Plans of the respective State Government or Union Territory.

V. The Authority shall furnish report of its activities at least once in six months to the National Coastal Zone Management Authority.

VI. The foregoing powers and functions of the Authority shall be subject to the supervision and control of the Central Government.

VII. The Authority shall have its headquarters at Thiruvananthapuram.

VIII. Any matter specifically not falling within the scope and jurisdiction of the Authority shall be dealt with by the statutory authorities concerned.

[F. No. J-17011/26/2007-IA-III (Pt.)]

Dr. NALINI BHAT, Scientist 'G'