

Confidential

KERALA COASTAL ZONE MANAGEMENT AUTHORITY

29th MEETING

Agenda & Notes

**Venue: Sasthra Bhavan,
Pattom,
Thiruvananthapuram.**

Date & Time: 2.30PM on 28th February, 2009.

***KERALA COASTAL ZONE MANAGEMENT AUTHORITY
SASTHRA BHAVAN, PATTOM, THIRUVANANTHAPURAM - 695 004.***

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28th MEETING**

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Venue

**Sasthra Bhavan,
Pattom, Tvpm.**

Agenda Items

- 29.1 : Confirmation of the Minutes of 28th Meeting held on 23.1.2009.**
- 29.2 : Action taken report on the decision of 28th Meeting.**
- 29.3 : Consideration of New Agenda Item.**
- 29.3.1 : Establishment of Chitin Unit by M/s.Traders in CRZ area- Punnapra Grama Panchayath -reg.**
- 29.3.2 : Construction of a building in CRZ area in Orumanayoor Grama Panchayath- application of Smt.Femina Shamsuddin-reg.**
- 29.3.3 : Construction of building in CRZ area, Kadakkavur Grama Panchayath - Application of Shri.Abhimanyu and Smt.Saraswathy-reg.**
- 29.3.4 : Munniyoor Grama Panchayath - Reclassification of CRZ area -reg.**
- 29.3.5 : Thalassery Municipality - Victoria Hotel building construction (additional) in ward No.50 - CRZ clearance - reg.**
- 29.3.6 : Construction of Houses in No Development Zone of CRZ area under EMS Housing Scheme Punnapra Grama Panchayath - reg.**
- 29.3.7 : Vechoor Grama Panchayath - request for exemption from CRZ Notification-reg.**
- 29.3.8 : Construction of House in CRZ area -Perinad Grama Panchayath- Application of Smt.Jayasree.**
- 29.3.9. : Construction of Police Quarters in Vizhinjam Grama Panchayath-reg.**
- 29.3.10 : Compliance of judgment - authorizing Chairman,KCZMA to conduct hearings on behalf of KCZMA-reg.**
- 29.3.11 : Kottuvally Grama Panchayath - Issuance of building numbers in CRZ area - request from Secretary, Kottuvally Grama Panchayath -reg.**
- 29.3.12 : Matsyafed-TRP Establishment of fish meal plant - CRZ clearance -reg.**

Agenda Item No.29.1

Consideration of the minutes of the 28th meeting of Kerala Coastal Zone Management Authority

The minutes of the meeting (copy at Annexure I) may be considered for approval.

Agenda Item No.29.2

Action Taken Report(28th KCZMA)

Agenda Item No	File No	Subject	Action taken
28.3.1	1869/A3/08/S&TD	Construction of building – CRZ clearance – Application from Shri.Rishi Shangari, Director, Glob Link Hotel, Jamshedpur-reg.	The project proponent is directed to remit the required fee.
28.3.2	2101/A3/08/S&TD	Construction of a residential building in Kozhikode Corporation by Shri.K.P.Ali Koya – Instruction for CRZ clearance issued – ratification-reg.	The Secretary, Kozhikode Corporation is addressed.
28.3.3	2273/A2/08S&TD	Construction of building in CRZ area in Pallippuram Grama Panchayath – Application of Smt.Geetha-reg.	The case was recommended and forwarded to Govt. of India. Sub committee constituted.
28.3.4	2362/A2/08/S&TD	Construction of hotel Silver Sand Island near vytila Junction by M/s.Backwater Hotels & Resorts Pvt. Ltd.	Recommendations forwarded to MoEF on 4.2.2009.
28.3.5	2412/A2/08/S&TD.	Request for regularization of the reconstructed building in Perinad Grama Panchayath, Kollam District – Application of Smt.Sheela and Shri.Joy - reg.	CRZ clearance issued vide letter dated 4.2.2009.

28.3.6	2419/A2/08/S&TD.	Setting up of Coastal Police Stations under CRZ Notification, 1991 – guidelines issued-reg.	File closed.
28.3.7	2458/A2/08/S&TD	Proposal for the construction of a building for Pump house in CRZ-I area.	CRZ clearance issued on 9.2.2008.
28.3.8.	2459/A2/08/S&TD	Construction of residential building near Pokkali fields in CRZ-I area – Application received from Shri.Shanmughan, Mulavukad-reg.	Subcommittee constituted vide G.O.(Rt) 15/09/S&TD.
28.3.9	2472/A3/08/S&TD	Construction of Angavady building in Mangalam Grama Panchayath, Tirur Taluk-CRZ clearance –reg.	Clearance issued
28.3.10	86/A2/09/S&TD	Cadastral Scale Maps for Kozhikode Corporation and Varkala Municipality – Final Report –reg.	Communication issued to the LSG Institutions concerned.
28.3.11	1676/A2/08/S&TD	Construction of a five star Hotel ‘Crown Plaza’ at Kundannur, Maradu, Kochi-reg.	Views furnished to Govt. of India.
28.3.12	2163/A2/08/S&TD.	Establishment of Chitin Unit by M/s.A.S.Traders in CRZ area- Punnappa Grama Panchayath-reg.	Case being placed in the 29 th KCZMA
28.3.13	2385/A2/08/S&TD	Construction of building ‘Prestige Forum Mall’ Maradu Grama Panchayath by M/s.Thomsun Realtors-reg.	Sub committee constituted.
28.3.14	2194/A2/08/S&Td	Construction of building in CRZ area in Orumanayoor Grama Panchayath – Application of smt.Femina Shamsuddin-reg.	Item being placed in the 29 th KCZMA.
28.3.15	105/A2/09/S&TD	Mining of heavy mineral sand at Alappad, Ponmana and Ayanivelikulangara,	Recommended and forwarded to Govt. of India on 3.2.2009.

		Kollam - request from IREL-reg.	
28.3.16	114/A2/09/S&TD	Illegal construction at Pulinkudi within CRZ -reg.	Hearing conducted.
28.3.17	2125/A2/08/S&TD	Govt. LPS, Edakkazhiyoor - Construction of building, Stage and Compound Wall - CRZ clearance issued-Ratification -reg.	File closed.
28.3.18	104/A2/09/S&TD	Clarification on CRZ Notification 1991 - Request from Ezhikkara Grama Panchayath-reg.	Subcommittee constituted.
28.3.19	2413/A2/08/S&TD	Paravur Municipality - Construction of Shed in CRZ area- reg.	Communication issued to Municipality, Paravur.
28.3.20	1000/A2/06/S&TD	Recategorisation of CRZ III area into CRZ II	Subcommittee reconstituted.
28.3.21	39/A3/09/S&TD	Thalassery Municipality- Reconstruction and renovation work of Hotel Victoria in Ward 50, Re.Sy.No.75 - CRZ clearance -reg.	Case being placed in the 29 th KCZMA

Agenda item No.29.3.1

File No.2163/A2/08/S&TD

Establishment of Chitin Unit by M/s.Traders in CRZ area - Punnapra

Grama Panchayath - reg.

Secretary, Punnapra Grama Panchayath vide letter dated 11.11.2008 requested to issue CRZ clearance for establishing a chitin Unit. The proposed industry is in No Development Zone of CRZ-III (within 200m from the High Tide Line). It is proposed to utilize the already existing building and no new construction is involved. As per the CRZ Notification 1991, industrial activities are prohibited in CRZ III. This is not specifically defined as an industry which needs foreshore facility. However it is a fish processing related industrial activity. Whether the fish processing related industrial activity on the coastal areas can be treated as a special permissible activity in which a decision to be taken by the MoEF.

KCZMA discussed the case in its 28th meeting and deferred the case for detailed discussion.

Point for decision.

Whether the proposal for the establishment of a Chitin Unit in the No Development Zone of CRZ III area in an existing building may be recommended and forwarded to Govt. of India.

Agenda Item No.29.3.2

File No. 2194/A2/08/S&TD

Construction of a building in CRZ area in Orumanayoor Grama Panchayat

- Application of Smt. Femina Shamsuddin - reg

Secretary, Orumanayoor Grama Panchayat has requested to clarify whether clearance may be issued to a building proposed to be constructed at 87 metre from the banks of a lake, where the width is more than 100m. A site inspection has been conducted to verify the CRZ status of the area. Copy of the same may be seen as Annexure

It is reported that the above proposal is a reconstruction in place of a two storied tiled house on the landward side into a concrete building. The inspection team has recommended to issue permission to the above subject to the following conditions :-

1. The area should not be exceeding that of the existing house.
2. The old house must be demolished after completing the present construction.

It is also reported that the people belonging to those area face many difficulties, because of the denial of permissions for construction of residential buildings..

Hence the team recommended that the KCZMA take a decision (1) to reduce the NDZ to 40% on the banks of river/creeks and backwaters (as in the case of sea) and to permit construction landward of the existing buildings in the No Development Zone of CRZ area, subject to conditions as stipulated in CRZ III.

The case was placed before the KCZMA in its 28th meeting, and it was deferred.

Point for decision

Whether permission may be granted to the proposed construction and also to advise on the action to be taken on the above recommendations.

Construction of building in CRZ area, Kadakkavur Grama panchayath-

Application of Shri.Abhimanyu & Smt.Saraswathy.

The Secretary, Kadakkavur Grama Panchayath forwarded an application for the construction of a building in Kadakkavur Village by Shri.Abhimanyu and Smt.Saraswathy. A site inspection has been conducted by a team of officers from Science and Technology Department and Kerala State Council for Science, Technology & Environment. Copy of the Site Inspection Report may be seen as Annexure 3(a).

The area is surrounded by sea and backwater having tidal influence. The construction is in between 200-500m of High Tide Line of sea and within the No Development Zone of backwaters and landward of an existing building.

Point for decision

Whether the Kadakkavur Grama panchayath may be informed that construction of dwelling unit in the above area may be permitted if it is confirmed that the applicants are traditional fishermen or traditional dwellers and it is within the ambit of traditional rights and customary uses such as existing fishing villages and gothans.

Munniyur Grama Panchayath - reclassification of CRZ area - reg.

Munniyur Grama Panchayath in Malappuram District is on the banks of Kadalundi river which joins the Lakshadweep Sea through the Kadalundi tidal inlet. The Secretary, Munniyur Grama Panchayath has informed that the bund/sluiice at Mannattampara is Munniyur Panchayath was constructed across Kadalundi river in 1958 to prevent salinity intrusion further upstream. Hence it was requested to reassess the CRZ area considering the salinity upstream of Mannattamkpara sluiice/bund.

As per the study report of CESS, the salinity in the upstream of Mannattampara bund/sluiice is below 5ppt. Throughout the year including the driest period. Hence part of Munniyur Panchayath upstream of Mannattampara bund/sluiice could be considered outside CRZ.

Point for decision.

Whether the proposal for excluding Munniyur Grama Panchayath upstream of Mannattampara sluiice/bund from from cRZ, on the basis of the report of CESS, may be recommended to Ministry of Environment and Forests, Government of India.

Agenda item No.29.3.5

File No.39/A3/09/S&TD.

**Thalassery Municipality - Victoria Hotel Building construction (additional)
in Ward No.50 - CRZ clearance - reg.**

In connection with a petition under Information Act, a field inspection was conducted at Thalassery on 17.11.2008 for identifying the violation of CRZ Notification taking place at Victoria Hotel as per G.O.(Rt)No.111/08/S&TD dated 14.11.2008, since prior permission of KCZMA was not sought for the reconstruction taking place in the area, it was directed to furnish new proposal before the KCZMA.

Later the Secretary, Thalassery Municipality forwarded the proposal for the reconstruction of Victoria Hotel in Ward 50 for CRZ clearance. The site lies in CRZ II. The reconstruction is on the landward side of the existing building which is authorized. A few huts with wooden poles is also existing on the seaward side, which are also very old and temporary constructions. The area of the proposed reconstruction is 1815.19 sq.m. The field inspection report may be seen as Annexure 5(a).

CRZ clearance may be issued subject to the following conditions:

- i) Untreated effluents and sewages should not be discharged into the sea. Proper drainage facilities shall be provided.
- ii) Construction of the structures shall be in conformity with the existing local architectural style and rules.
- iii) All safety norms should be followed.
- iv) No activity prohibited as CRZ Notification 1991 and subsequent amendments should not be done in the CRZ area.
- v) No construction shall be undertaken on the seaward to the existing structure.

(Contd....)

- vi) Project proponent should provide necessary facilities for the officials of CZMA for the inspection of the project site and its premises at any time.
- vii) Adequate scrutiny fee should be remitted.
- viii) All construction should be on the landward side of the existing building.
- ix) All other relevant rules as per CRZ Notification should be followed strictly.

Point for decision

Whether reconstruction of Hotel Victoria in ward 50 of Thalassery Municipality by Shri.P.N.Samyukta on the landward side of the existing authorized building in CRZ II of Thalassery Municipality may be permitted subject to the above conditions.

**Construction of houses in No Development Zone of CRZ area under EMS
Housing Scheme - Punnapra Grama Panchayath - reg.**

President, Punnapra South Grama Panchayath forwarded a proposal for the construction of houses within the No Development Zone of CRZ under EMS Housing Scheme, for people who have no other land outside this area. As per the existing provisions of CRZ Notification 1991, construction of dwelling units is not a permissible activity in the No Development Zone of CRZ III. As these dwelling units are for the fishermen community/coastal community, this may be considered as a special case.

On a previous occasion a proposal to exempt local fishermen from the provisions of CRZ for construction of dwelling units in No Development Zone was recommended and forwarded to Government of India. Their decision is being awaited.

Point for decision

Whether the request for granting permission for the constructions of houses under EMS Housing Scheme in No Development Zone, may be recommended and forwarded to Government of India.

**Vechoor Grama Panchayath-Request for exemption from CRZ Notification-
reg.**

President, Vechoor Grama Panchayath, Kottayam requested to issue CRZ clearance for the houses constructed at 50-80m on the banks of Kayal, and for the reconstructions in the area. These dwelling units are proposed to be made on the banks of Vembanadu backwaters. As per CRZ Notification 1991, constructions on the banks of Vembanadu backwaters. As per CRZ Notification 1991, constructions on the banks of inland water bodies are regulated. The width of the waterbody is not clear. Decision may be taken after verifying the width of the waterbody.

Regarding reconstruction/alteration of an authorized building it can be permitted subject to the conditions laid down in para 6(2) of CRZ Notification 1991.

Point for decision.

Whether the Panchayath may be informed that CRZ clearance may be issued to the reconstructions, as per the provisions of CRZ Notification and to take up the cases of new constructions with all relevant details including site plan indicating distance from the High Tide Line, building plan, etc. for consideration. Also to advise whether such requests from local people of BPL category can be recommended and forwarded to MoEF as special cases.

Agenda Item No.29.3.8

File No.267/A2/09/S&TD

Construction of house in CRZ area Perinad Grama Panchayath -

Application of Smt.Jayasree - reg.

Smt.Jayasree.C., Ajesh Bhavanam, Vellimon, Kollam submitted an application for issuing CRZ clearance for the construction of a dwelling house in Perinad Grama Panchayath under I.A.Y Scheme. The construction is at a distance of 70m from the High Tide Line of backwater, The plinth area of the building is 49.5m². The request may be considered as a special case, as it is for the use of local inhabitants.

Point for decision

Whether the request of Smt.Jayasree may be considered as a special case and to recommend the proposal to Government of India for consideration, especially considering that the petitioner belongs to SC community and the house is to be built under I.A.Y.

Construction of Police Quarters in Vizhinjam Grama Panchayath.

The Secretary, Vizhinjam Grama panchayath forwarded the application for the construction of a Police Quarters in Vizhinjam Grama Panchayath. The proposed construction lies in between 200-500m from High Tide Line of sea. As per CRZ Notification 1991, construction of dwelling units between 200-500m of High tide Line is permitted as long as it is within the ambit of traditional rights and customary use such as existing fishing villages and goathans. But the proposed construction is for police quarters. Since police quarters are required near to the police station for effective actions, the proposal may be considered as a special case and CRZ clearance may be issued subject to the following conditions:

1. The total number of dwelling units including the proposed ones shall not be more than twice the number of existing units.
2. Total covered area on all floors shall not exceed 33% of the plot size.
3. The overall height of construction shall not exceed 9m and construction shall not be more than two floors (ground floor+one floor)
4. No solid wastes/drainage shall be allowed to flow into the sea and proper arrangements shall be executed.

Point for decision.

Whether the proposal for the construction of a Police Quarters in Vizhinjam Grama Panchayath in the CRZ area, subject to the above conditions, may be recommended to Government of India.

Agenda Item No.29.3.10

File No.277/A2/09/S&TD.

**Compliance of judgment - Authorizing Chairman, KCZMA to conduct
hearings on behalf of KCZMA-reg.**

It is seen that a large number of Writ Petitions are being filed arraying Chairman, KCZMA/Principal Secretary, S&TD/Member Secretary, KCZMA as respondents. In most cases, the Hon'ble High Court issued orders directing the Authority to take decisions after conducting a hearing. The Chairman himself used to conduct hearings and dispose the cases. But some petitioners approached the Hon'ble Court to quash the orders issued by the Authority on the reason that hearing was conducted by the Chairman alone and not by the authority. As the judgments have to be complied within the time limit it may not be possible to conduct the authority meeting in each case where hearing is ordered.

Hence a decision may be taken by the KCZMA to authorize the Chairman to conduct hearing and to dispose off all the Court direction cases for and on behalf of the Authority.

Point for decision.

Whether the Chairman, KCZMA may be authorized to conduct hearings on CRZ matters on behalf of KCZMA, while complying with the judgments and the outcome of the hearing will be presented in the following KCZMA for information and ratification.

Agenda Item No.29.3.11

File No.310/A2/09/S&TD

**Kottuvally Grama Panchayath - issuance of building numbers in CRZ area-
request from Secretary, Kottuvally Grama Panchayath - reg.**

Secretary, Kottuvally Grama Panchayath requested to grant permission to issue building numbers, to the buildings constructed to violation to CRZ norms, for preparing voters list. The views of Chief Electoral Officer is sought for in this regard and is being awaited.

Point for decision.

Whether the Chairman may be authorized to take a decision in the matter after the views of Chief Electoral Officer is received.

Matsyafed - TRP Establishment of Fish meal Plant-CRZ clearance -reg.

Managing Director, Matsyafed vide letter dated 28.1.2009 requested to issue CRZ clearance for the establishment of fish meal plant at Valiyazheekal in Aarattupuzha Grama Panchayath under TRP. The identified land is in Sy.No. 196/9, 197/2, 197/3 and 195/9-B in Aarattupuzha Grama Panchayath. As per the CRZ Notification 1991, setting up of industry except those directly related to waterfront or directly requiring foreshore facilities are prohibited in CRZ area. The fish meal and oil plant are industries which may not require direct foreshore facilities. The project proponent has stated that the project requires foreshore facilities. The case may be considered as this is a project which is being taken up by Govt. agency under TRP.

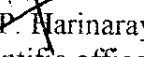
Point for decision


Whether the proposal for the establishment of a fish meal plant by Matsyafed in the CRZ area of Aarattupuzha, Alappuzha District under TRP may be recommended and forwarded to Govt. of India or any other advise.

Reference File No. 2294/A2/08/ S&TD

FIELD INSPECTION REPORT

1. The construction made by Shri. Abhimanyu and Smt. Saraswathy, Chanpanvilakathuveedu, Thekkumbagam, Anchuthengu for residential purpose in Survey number 3337/1, 2905/A-1-1. The construction is made on banks of Anchuthengu backwater in Kadakkavur Panchayath. The area is shown in map no. 9 of KCZMP. The construction is made between 200-500 meters from HTL of Sea and within the No development Zone of CRZ III that is on the banks of backwater having tidal influence.
2. The construction is made on the landward of an existing old building owned by Shri. Silva and Smt Prabha, Kripalayam, Valiya Mesarikal, Thekkumbagam with building number IX/544 of Kadakkavur Gramapanchayath.
3. As per CRZ notification 1991 the construction/reconstruction of dwelling units between 200 and 500 metres of HTL of sea is permitted as long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gothans. But construction is not permissible in the No Development Zone of CRZ III of backwaters.

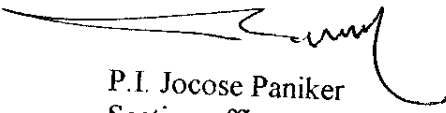

Dr. P. Marinarayanan
Scientific officer,
KSCSTE



T.A. Alphonsa
Under Secretary
S&T Department

FIELD INSPECTION REPORT

A field inspection was conducted at Thalassery on 17.11.2008 for investigating the violations of CRZ notification taking place in the Nagarasabha as per G.O. (Rt) No. 111/08/S&TD dated 14-11-08. The site is in CRZ II as per Kerala Coastal Zone Management Plan (map No. 63). While inspecting the site it was noted that new construction and renovation work of an authorised structure (TM50/129) was being taken up in the area by Smt. P.N. Samyutha, 'Govardhan', Hollow Way Road, Near Court, Thalassery. The building TM50/129 is located seaward of existing road. The new construction is taking place on the landward of an existing building owned by Smt. Nabeesu, V.P. House with Municipal No. TM 50/129, which is about 6mts from the HTL of Sea on the Cliff. The Thalassery Municipality have permitted the construction vide ref. No.E3/BA/84/05-06. A few temporary huts were also noted near to the shore line.

As per the CRZ notification 1991 construction can be permitted on the landward of existing authorised structure and it can only be permitted by the State Coastal Zone Management Authorities. It is also noted that Permission of the Kerala Coastal Zone management Authority has not been obtained so far, *by the proponent*


P.I. Jocose Paniker
Section officer, S&T Dept


Dr. P. Hanumantharayanan
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