

GOVERNMENT OF KERALA

SCIENCE AND TECHNOLOGY DEPARTMENT

Minutes of the 33rd Meeting of Kerala Coastal Zone Management Authority

Date & Time : 18th December, 2009 at 3.00 PM

Venue : Sasthra Bhavan, Pattom, Thiruvananthapuram

The meeting commenced at 3.00PM. The Chairman welcomed all the Members to the meeting of the Authority. Thereafter, the Authority considered the items in the Agenda.

List of Members present is given as Annexure I

Agenda Item No.1

KCZMA considered the minutes of the 32nd meeting and approved it.

Agenda item No.2.

Action Taken Report

The Authority noted the action taken on the decisions of 32nd meeting of KCZMA and approved it.

Agenda Item No.3

New proposals for consideration

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No.33.3.1

File No.1000/A2/06/S&TD

Recategorisation of CRZ III areas in the State into CRZ II category.

KCZMA considered the proposal for the recategorisation of CRZ III areas in the state to CRZ II, which is a long pending issue. Authority discussed the case in detail and decided that

1. Press release to be issued stating that CRZ III areas added to Municipality/Corporation have not become CRZ II areas automatically.
2. To consider the recategorisation and start with Ernakulam District first as phase I and Local Self Government Department should be informed of this and requested to provide necessary proposals, support and data in this regard.

Agenda Item No. 33.3.2.

File No. 1103/A2/08/S&TD

Appointment of Standing Counsel for Kerala Coastal Zone

Management Authority.

KCZMA in its 23rd meeting decided to appoint a separate Counsel for attending Court cases on its behalf. Based on the above, Sri.S.Ramesh, Advocate, High Court of Kerala has been appointed as the counsel vide G.O.(Rt)116/09/S&TD dated 19.11.2009. KCZMA discussed the case and ratified the action taken. It is also decided to invite the standing counsel also for the meeting.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No.33.3.3

File No. 660/A2/09/S&TD

Destruction of mangroves in the Campus of College of Fisheries,

Panangad, Kochi

A group of experts from KCZMA was deputed to enquire into the destruction of mangroves in the campus of college of Fisheries, Panangad, Kochi.

KCZMA discussed the site inspection report in detail and decided to

- 1. Address the University Authorities to furnish explanation about the destruction of mangroves and direct the Forest Department to take action against these responsible as per relevant provisions of E.P. Act, 1986.***
- 2. Also inform the Vice Chancellor of the seriousness of the action and necessity to take remedial action including replanting of mangroves to preserve the wetlands.***

Agenda Item No. 33.3.4

File No. 866/A2/09/S&TD

Functioning of Ice Plant in CRZ area – Application of

Sri..L.Michael, Arthiyal Purayidom, Marianad

Sri.L.Michael, Arthiyal Purayidom, Marianad, requested to grant permit, to run an ice plant, in Kadinamkulam Grama Panchayat, in the No Development Zone of CRZIII area. Proposal in this regard, received in KCZMA, was recommended and forwarded to Ministry of Environment & Forests, Government of India as it is a small one . But Ministry of Environment & Forest, did not permit the same, as it is violative of the provisions of CRZ Notification 1991.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

KCZMA considered the proposal in detail and decided to recommend again to Government of India on the ground that CRZ regulations are being reviewed and this is a small establishment, which is essential for the local fishermen community.

Agenda Item No.33.3.5

File No.1266/A2/09/S&TD

**Report of the Subcommittee on Reduction of No Development Zone
on the banks of rivers/backwaters to 40% of the CRZ**

KCZMA in its 30th meeting decided to examine the possibility of reduction of No Development Zone on the banks of rivers/backwaters by a Subcommittee.

KCZMA discussed the report of the Sub committee in detail and decided to recommend and forward the same to Government of India, in view of the fact that CRZ Notification is being reviewed by Government of India.

Agenda Item No.33.3.6

File No.1579/A2/09/S&TD

**Construction of Residential Apartment in Thalassery Municipal Area
- Application of Shri.K.C.Basheer-reg.**

Secretary, Thalassery Municipality has forwarded a building plan for the construction of a residential apartment in Ward No.50, T.S., 7 in Thalassery Municipality. The total plinth area of the proposed building is 3135.36 sq.m. The area belongs to CRZ-II category. An old building with building No.50/3 exists in the location.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

KCZMA discussed the matter in detail and decided that

- i) Reconstruction of the demolished structure is not permitted.***
- ii) CRZ Status report may be obtained from an authorized agency such as CESS.***
- iii) New construction landward of the existing building, can be permitted subject to verification of status report.***

Agenda Item No.33.3.7

File No.1654/A2/09/S&TD

House constructed in CRZ area-Issuance of building number – Application of Smt.Alphonsa Cardoz –reg.

Secretary, Neendakara Grama Panchayat has forwarded a request for the regularization of a house constructed by Smt.Alphonsa Cardoz on the banks of a waterbody of 30m width at a distance of 10.5m from the High Tide Line in Re.Sy.No.27/14/4, 27/14/3-2 of Neendakara Village. The plinth area of the building is 53.76sq.m. It is also informed that the construction made is in place of an old demolished building, which was an authorized structure.

KCZMA discussed the case in detail and decided to grant CRZ clearance for the reconstruction.

Agenda Item No.33.3.8

File No.1677/A2/09/S&TD

Tirur Municipality – construction of Commercial building – Application of Sri.T.V.Nazar and Sri.T.V.Manzoor, Thyvalappil House, Thazhepalam, Pookayil Bazar, Tirur

Secretary, Tirur Municipality has forwarded a proposal for the construction of a Commercial building in Re.sy.No.178, in Tirur Municipality.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

The area where the building is proposed to be constructed belongs to CRZ II. It is also reported that remnants of two old buildings are seen in the plot. These constructions are at about 7m from the High Tide Line of Tirur puzha. Secretary, Tirur Municipality informed that these old constructions are authorized structures in existence prior to 1991.

KCZMA discussed the case in detail and decided to grant CRZ clearance for the project subject to following conditions:

- i) All constructions should be in conformity with the existing local town and country planning regulations, including the existing norms of Floor Space Index/Floor area ratio.***
- ii) No effluents should be discharged into the water body.***
- iii) All other clearances should be obtained from the authorities concerned.***
- iv) Necessary scrutiny fee shall be paid.***
- v) Mangroves shall not be destroyed.***
- vi) Harvesting or withdrawal of ground water and any constructions for the same is prohibited in the CRZ area.***
- vii) The design and construction of buildings shall be consistent with the local architectural style and surrounding landscape.***

Agenda Item No.33.3.9

File No.1945/A2/09/S&TD

**Construction of houses for fishermen in CRZ area –
Thanoor Grama Panchayat, Malappuram district – reg.**

The Secretary to Government, Local Self Government Department forwarded a proposal for the construction of 440 houses for fishermen under 'EMS Housing Scheme' and 'Housing Scheme for fishermen' in Thanoor Grama Panchayat, Malappuram District. It is informed that fund has been allocated in the Annual Plan for the purpose Majority of them are now residing in thatched houses within 200m from the seashore.

Sd/-

R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-

Dr.E.P.YESODHARAN,
Chairman, KCZMA.

KCZMA discussed the case in detail and decided to recommend and forward the proposal to Ministry of Environment and Forests, Government of India.

Agenda Item No.33.3.10

File No.1950/A2/09/S&TD

Chellanam Grama Panchayat – EMS Housing Scheme, Jenoram

BSUP Housing Scheme -reg.

President, Chellanam Grama Panchayat informed that various Housing Schemes such as EMS Housing Scheme and Jenoram BSUP Housing Scheme are being implemented in the Panchayat. As informed construction activities could not be carried out as the area belongs to CRZ. Most of the inhabitants in the area are fishermen and people coming under BPL. It is requested to exempt the Panchayat from the purview of CRZ Notification 1991.

KCZMA discussed the case in detail and decided to collect details of the project from the Panchayat.

Agenda Item No.33.3.11

File No.1951/A2/09/S&TD

Judgment in WP©No.32050/08 of Hon'ble High Court-representation

received from Smt.Suprabha.P. Kukillaya, Adarsh, Mamangalam,

Kochi.

Smt.Suprabha.P.Kukillaya, Adarsh, Mamangalam, Kochi submitted a representation before KCZMA, requesting reclassification of the Bolgatty Island, into CRZ II category pursuant to the direction from MoEF, in compliance to the judgment of Hon'ble High Court.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

KCZMA discussed the case in detail and decided that status quo should be maintained.

Agenda Item No.33.3.12

File No.2158/A2/09/S&TD

Construction of LPG Godown in CRZ area – Application of Shri.Joe John Thomas-clarification issued from Ministry of Environment and Forests-reg.

The proposal for the construction of LPG Godown in Punnapra Grama Panchayat, was rejected by KCZMA in its 32nd meeting, as the activity doesn't need any foreshore facilities.

KCZMA in its 33rd meeting discussed the case again following the clarification issued by MoEF, and decided to grant CRZ clearance for the same.

Agenda Item No.33.3.13

File No.1593/A2/09/S&TD

Construction of Apartment in Thalassery Municipality – Application of Sri.K.V.Abdul Azeez-reg.

Secretary, Thalassery Municipality forwarded the proposal for the construction of apartment in Ward 5, Block -1, TS-R, 1/1 in Thalassery Municipality. Project proponent has made a presentation before the authority.

Since the presentation has shown that existing structures from which the imaginary line is to be drawn and parallel to the HTL are not in the adjacent plots, it has been decided to get more details from the project proponent with respect to the above points and consider the case in the next meeting.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Agenda Item No.33.3.14

File No.1146/A2/09/S&TD

**Ayurvedic Hospital in Korumkulam Grama Panchayat – application of
Sri.Joseph – reg.**

Secretary, Karumkulam Grama Panchayat forwarded the proposal for the construction of an Ayurvedic Hospital in Karumkulam Grama Panchayat.

A site inspection has been conducted. The meeting discussed the site inspection report in detail, since Ayurvedic Hospital is not a permissible activity in No Development Zone, the proposal is rejected.

Agenda item No.33.3.15

File No.1290/A2/09/S&TD

DLF Riverside Housing Project, Chilavannur, Kochi Corporation.

M/s. DLF Limited requested the KCZMA for CRZ clearance for their proposed construction of a residential multi storied complex named DLF Riverside housing project, in survey nos. 1019, 1028-33, 1474 & 1473-75 of Poonithura village at Chilavannur Kayal. The project proponent made a presentation before KCZMA on 17th July, 2009.

A subcommittee of KCZMA has inspected the site and furnished a report.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

KCZMA discussed the report in detail and decided to call for the following documents:

- i) Documents in proof of the FSI as existed on 19th February 1991, in Cochin Corporation and the FSI now allowed for constructions.***
- ii) Details on plot boundaries as existed on 19th February, 1991.***
- iii) The approved plan of choice garden apartments.***
- iv) The approved plan of adjoining buildings.***
- v) The survey plot number of the project site.***

It was also decided to call for explanation from the project proponent for having started the construction without CRZ clearance.

The meeting came to a close at 5.00PM.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.

Annexure - I

**Kerala Coastal Zone Management Authority – 33rd Meeting at
3.00PM on 18.12.2009**

Present:

1. Dr.E.P.Yesodharan, Chairman, KCZMA.
2. Smt.Mercykutty Amma.J., Ex.MLA
3. Dr.M.Baba, Director, CESS.
4. Dr.N.R.Menon, Hon'ble Director & Emirates Professor,CUSAT
5. Prof.B.Madhusoodana Kurup, Director, CUSAT.
6. Shri.B.Surendran, Additional Secretary, Environment Department.
7. Shri.K.Radhakrishnan, Additional Secretary to Government, Fisheries & Ports Department.
8. Shri.Eapen Varghese, Chief Town Planner, (Nominee of Principal Secretary, LSGD)
9. Sri.Sudhakaran Pillai, Under Secretary, Revenue Department.
10. Smt.Lovely V.T., Senior Environmental Engineer, KSPCB.

Sd/-
R.S.GIRISH,
Deputy Secretary,
Science and Technology Dept.

Sd/-
Dr.E.P.YESODHARAN,
Chairman, KCZMA.