

**Ministry of Environment and Forests
Notification**

New Delhi, 21st May, 2002

S.O. 550 (E)– Whereas a notification of the Government of India in the Ministry of Environment and Forests number S.O. 51 (E), dated the 11th January, 2002 under sub-section (1) and clause (v) of sub-section (2) of section 3 and section 6 of the Environment (Protection) Act, 1986 (29 of 1986), inviting objections and suggestions to the amendments proposed to the 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) from all persons likely to be affected thereby within a period of sixty days from the date on which copies of the Gazette in which that notification was made available to the public was published in the Gazette of India, Part II, Section 3, Sub-Section (ii) on the the 11th January 2002;

And whereas copies of the said Gazette was made available to the public on the 23rd January, 2002;

And whereas all objections and suggestions received have been duly considered by the Central Government;

Now therefore, in exercise of powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 and section 6 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the said notification, namely:-

AMENDMENTS

1. In the said notification,(i) in paragraph 1, in sub-paragraph (3),-
 - (1) the portion beginning with the words “ For the purpose of this notification” and ending with words “general guidelines issued in this regard”, shall be numbered as clause (i);
 - (2) after clause (i) as so numbered, the following clause shall be inserted, namely;

“(ii) The distance from the High Tide Line shall apply to both sides in the case of rivers, creeks and backwaters and may be modified on a case to case basis for reasons to be recorded in writing while preparing the Coastal Zone Management Plans provided that this distance shall not be less than 100 meters or the width of the creek, river or backwaters, which ever is less. The distance up to which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance up to which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt). For the purpose of this notification ,the salinity measurements shall be made during the driest period of the year and the

distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans.”;

(iii) the Note shall be omitted.

2. In the said notification, in paragraph 2, in sub-paragraph(i)-

(i) in item (a), the word “ and ” occurring at the end shall be omitted;

(ii) in item (b) the words “ and ” shall be inserted at the end;

(iii) after item (b), the following item shall be inserted, namely :- “(c) non-polluting industries in the field of information technology and other service industries in the Coastal Regulation Zone of Special Economic Zones (SEZ)”

3. In the said notification, in paragraph 3,-

(a) in sub-paragraph (1) , the following shall be inserted at the end, namely:-

“The assessment shall be completed within a period of ninety days from receipt of the requisite documents and data from the project authorities, and the decision shall be conveyed within thirty days thereafter”.

(b) in sub-paragraph (2) , after item (iii), the following items shall be inserted, namely :-

“(iii a) Housing schemes in CRZ area as specified in sub-paragraph (2) of paragraph 6;

(iii b) Mining of rare minerals;

(iii c) Specified activities/facilities in SEZ subject to one time approval by the Government of India in the Ministry of Environment and Forests to such activities based on the Master Plan of SEZ, spatial distribution of projects to be located in CRZ and such other information as may be required for the purpose.

4. In the said notification, in Annexure I, in paragraph 6, in sub-paragraph (2), -

(i) under the heading CRZ-I ,-

(a) for the words, brackets and letter “and (c) construction”, the brackets, letter and word “ (c) construction ” shall be substituted;

(b) after the words “ by the West Bengal State Coastal Zone Management Authority” the following shall be inserted, namely:

“and (d) salt harvesting by solar evaporation of sea water.”

(ii) under the heading CRZ-II,-

(a) in clause (i) after the proviso, the following proviso shall be inserted at the end, namely:-

“Provided further that the above restrictions on construction, based on existing roads/authorised structures, roads proposed in the approved Coastal Zone Management Plans, new roads shall not apply to the housing schemes of State Urban Development Authorities implemented in phases for which construction activity was commenced prior to 19th February, 1991 in atleast one phase and all relevant approvals from State/Local Authorities were obtained prior to 19th February, 1991; in all such cases specific approval of the Ministry of Environment and Forests would be necessary on a case to case basis.”

(iii) under the heading CRZ-III,-

(a) In clause (i);-

(A) after the words ‘ No Development Zone,’ the words “ provided that such area does not fall within any notified port limits or any notified Special Economic Zone” shall be inserted.

(B) the sentence beginning with the words “ An authority designated and ending with the words “ requirements of local inhabitants” shall be omitted;

(C) in the last sentence, the word “ uses” shall be replaced by the words “ uses/activities” and the words “ mining of rare minerals” “ shall be inserted after the word “ forestry”.

(b) after clause (i),the following sub-clause shall be inserted namely:-

“(ia) Construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads and provision of facilities for water supply, drainage, sewerage which are required for the local inhabitants may be permitted, on a case to case basis, by the Central Government or Coastal Zone Management Authority constituted for the State/Union Territory.

Provided that construction of units or ancillary thereto for domestic sewage treatment and disposal shall be permissible notwithstanding anything contained in sub-paragraph (iv) of paragraph 2 of this notification.”

(c) after clause (iv),the following clause shall be inserted, namely;-

“(v) In notified SEZ, construction of non-polluting industries in the field of information technology and other service industries, desalination plants ,beach resorts and related recreational facilities essential for promotion of SEZ as approved in its Master Plan by SEZ Authority may be permitted.”

[F. No. H-11011/6/97-IA III]
Dr. V. Rajagopalan, Jt. Secy.

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:-

- (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. 998 (E) dated 29th September, 1999.
- (viii) S.O. 730 (E) dated 29th September, 2000.
- (ix) S.O. 329 (E) dated 12th April, 2001.
- (xi) S.O. 988 (E) dated 3rd October, 2001.