

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

LOK SABHA

STARRED QUESTION NO. 315

TO BE ANSWERED ON WEDNESDAY, THE 8TH AUGUST, 2018

CRZ Notification

***315. DR. RAVINDRA BABU:**

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Coastal Regulation Zone(CRZ) Notification is part of the 'Law' under Article 13 of the Constitution of India, and if so, the details thereof;
- (b) the details of the Constitutional provisions under which agencies like Ministries, consultants, corporations and corporate houses, etc. are authorized to make such laws without parliamentary debate; and
- (c) whether the Government or its agencies have been exempted from incorporating provisions contained in Part 3 and Part 4 of the Constitution during the policy formulation and if not, the status of land titles and livelihood titles granted to fishermen communities in coastal belt since 1991?

ANSWER

**MINISTER OF LAW AND JUSTICE AND ELECTRONICS AND INFORMATION
TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a) to (c) : A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (c) of LOK SABHA
STARRED QUESTION NO. 315 FOR ANSWER ON 08TH AUGUST, 2018.**

The CRZ Notification is a part of law under the Constitution. As per sub-clause (a) of clause (3) of article 13 of the Constitution, “law” includes any Ordinance, order, bye-law, rule, regulation, notification, custom or usage having in the territory of India the force of law.

The Parliament *vide* article 246 of the Constitution enacted the Environment (Protection) Act, 1986 (29 of 1986) which is a principal legislation, duly enacted as per parliamentary procedure. However, the Environment (Protection) Act, 1986 delegated certain powers to the Central Government to issue notification under section 3 of the said Act. Exercising those powers, the Ministry of Environment, Forest and Climate Change issued the CRZ Notification.

The essence of CRZ Notification is to conserve and protect the unique environment and marine area of the coastal stretches to provide livelihood security for the fisher and other local communities and promoting sustainable development based on scientific principles, duly taking into account the natural hazards in the coastal areas and the sea level rise due to global warming etc. The Notification provides for livelihood security to the fisherman community. While there are strict regulations for construction, industrial, commercial setups and also residential buildings, the CRZ notification protects the interests of the fisher community by means of suitable enabling provisions even in the No Development Zone (NDZ) of the CRZ. Facilities associated with livelihoods of fishing community such as fish drying yards, net mending yards, traditional boat building yards, ice plants, ice crushing units, auction walls, fish curing facilities etc. have been permitted in the NDZ. Fisher communities and other local communities have also been permitted to repair or reconstruct their dwelling units, as per their traditional rights in the NDZ.