

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

LOK SABHA
UNSTARRED QUESTION No. 4048
TO BE ANSWERED ON 10.08.2018

Coastal Regulation Zone

4048: SHRI RADHE SHYAM BISWAS:
DR. RAVINDRA BABU:
DR. KIRIT SOMAIYA:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether his Ministry has powers to make provisions to the contents of Coastal Regulation Zone (CRZ) notification thus making it legal to infrastructure project component owners and illegal to traditional fisher community and if so, the details thereof;
- (b) the details of objections, suggestions, submissions and manifestations received from various stakeholders including coastal community organizations while carrying out amendments to CRZ 2011 and proposed draft CRZ 2018 along with the reasons for acceptance and rejection of each manifestations, suggestions and objections;
- (c) the definition of Public Interest used for the latest amendment to CRZ 2011 and authority of defining agency along with the study report that recommends removal or reduction of Hazard line as a measure to environment protection under CRZ notification;
- (d) whether Dr. Shailesh Nayak Committee has consulted NGT orders and reports in this regard and if so, the details thereof;
- (e) whether the draft CRZ 2018 undoes the authority of NGT and if so, the reaction of the Government thereto; and
- (f) whether the Government has delegated or transcended the powers to his Ministry to effect draft CRZ 2018, if so, the details and reasons therefor along with the details of the items of Union list/ Concurrent list/State list covered directly or indirectly under the CRZ notifications 1991, 2011 and 2018?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(DR. MAHESH SHARMA)

- (a) In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, with a view to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas and to conserve and protect the unique environment of the marine areas

of the country and promote development in a sustainable manner, the Central Government issued the Coastal Regulation Zone Notification in 1991. This was followed up with suitable amendments from time to time and a revision in 2011.

- (b) The Ministry has received representations from coastal States and Union Territories, besides other stakeholders for a comprehensive review of the provisions in CRZ Notification, 2011 related to management and conservation of marine and coastal ecosystems, development regulations in coastal areas, eco-tourism, livelihood options and sustainable development of coastal communities etc. To this effect, the Ministry constituted a Committee for a comprehensive review to address the concerns of coastal States/UTs and other stakeholders. The Committee submitted its report and based on it, a draft CRZ Notification, 2018 was framed and put up on public domain for seeking comments/suggestions thereto. Comments/suggestions in respect of draft Notification have been examined in the Ministry.
- (c) While 'Public Interest' is not defined in the CRZ Notification, 2011, it is commonly understood in the context of CRZ Notification, 2011 as sustainable development in coastal areas and provisions, which are commonly applicable for the benefit of coastal communities at large. The hazard line is a projection of impact of rise in sea level and shoreline changes that may happen over long period of time viz. over 100 years. It indicates the vulnerability over long period of time and the need for better planning and management of coastal areas. The hazard line has not been completely removed from the CRZ Notification. It has been only stated that the hazard line shall not be used for CRZ regulatory purposes, but as a tool for Disaster Management Plan for the coastal environment, including planning of adaptive and mitigation measures. The hazard line has been already mapped and is required to feature in the Coastal Zone Management Plans for respective States/UTs, as per the CRZ Notification, 2011.
- (d) to (f) The draft CRZ Notification, 2018 has been drawn up in consonance with the statutory provisions of Environment (Protection) Act and its subordinate legislation in the form of Environment (Protection) Rules. It does not contravene orders or the authority of the NGT. "Environment" does not specifically feature in the State List or Concurrent List and is, therefore, a subject matter of the Central Government and the Coastal Regulation Zone Notification related to the environment management of the coastal areas has been accordingly drafted by the Ministry of Environment, Forest & Climate Change from time to time.
