

**(To be published in the Gazette of India, Extraordinary, Part-II, and  
Section 3, Sub-section (ii))**

**MINISTRY OF ENVIRONMENT AND FOREST**

**New Delhi, the 1<sup>st</sup> May, 2008**

S.O.No.1070(E).- Whereas the Central Government in the Ministry of Environment and Forests issued the Coastal Regulation Zone Notification vide No. S.O.114(E) dated the 19<sup>th</sup> February 1991, under which coastal stretches were declared Coastal Regulation Zones (CRZ) and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said Zones for its protection ;

And whereas the said notification has been amended from time to time based on recommendations of various committees, judicial pronouncements, representations from State Governments, Central Ministries, and the general public, etc., consistent with the basic objective of the said Notification;

And whereas perceiving the continuing difficulties posed by the Notification in its effective implementation for the sustainable development of coastal regions as well as conservation of coastal resources, the Ministry of Environment and Forests constituted an Expert Committee vide Order No.15(8)/2004-IA-III, dated the 19<sup>th</sup> July, 2004 under the Chairmanship of Prof. M. S. Swaminathan, with experts in the areas of environmental law, marine biodiversity, marine geology, environmental economics, socio-economics, remote sensing, coastal engineering, urban planning, and marine fisheries to carry out a comprehensive review of the said Notification including all its amendments in the light of findings and recommendations of previous Committees, judicial pronouncements, representations of various stakeholders, and suggest suitable amendments, if necessary, to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management;

And whereas the above Expert Committee had submitted its report to the Ministry of Environment and Forests in February, 2005 containing specific recommendations to build on the strengths of existing regulations and institutional structures and fill gaps for conservation and improving the management of the coastal resources by enhancing the living and non-living resources of the coastal zone; by ensuring protection to coastal populations and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihood security of coastal populations is strengthened;

And whereas the Central Government in the Ministry of Environment and Forests after carefully considering the above report and all the recommendations made therein have decided to accept them in principle for implementation;

And whereas in accordance with the above decision, the Central Government proposes to bring into force a new framework for managing and regulating activities in the coastal and marine areas for conserving and protecting the coastal resources and coastal environment; and for ensuring protection of coastal population and structures from risk of inundation due to natural hazards; and for ensuring that the livelihoods of coastal populations are strengthened; by superseding the said Coastal Regulation Zone, Notification, 1991;

Now, therefore, 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 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification published vide S.O.114(E) dated the 19<sup>th</sup> February, 1991, except as respects things done or omitted to be done before such supersession, the Central Government proposes to issue a notification to be known as the Coastal Management Zone (CMZ) Notification, 2008, for the information of the public likely to be affected thereby and notice is hereby given that the said draft Notification will be taken into consideration by the Central Government on and after the expiry of sixty days from the date of publication of said notification in the Official Gazette.

\* “And whereas, in addition to the above the Central Government has decided to consider the proposal for developing green field airports and to undertake expansion and modernisation of existing airports in the coastal areas, without compromising environmental considerations.”.

Any person interested in making any objections or suggestions on the proposals contained in the draft Notification may do so in writing within the period so specified through post to the Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi – 110003, or electronically at e-mail address: [secy@menf.nic.in](mailto:secy@menf.nic.in)

## DRAFT NOTIFICATION

1. (i) This notification may be called the Coastal Management Zone Notification, 2008.

(ii) It shall come into force on the date of its final publication in the Official Gazette.

### **2. Objective.-**

The Objective of this Notification is protection and sustainable development of the coastal **stretches** and marine environment through sustainable coastal zone management practices based on sound scientific principles taking into account the vulnerability of the coast to natural hazards, sustainable livelihood security for local communities, and conservation of ecologically and culturally significant coastal resources.

**3. Definitions.-** In this Notification, unless the context otherwise requires,-

(a) “**Coastal Zone**” means the area from the territorial waters limit (12 nautical miles measured from the appropriate baseline) including its sea bed, the adjacent land area along the coast, and inland water bodies influenced by tidal action including its bed, upto the landward boundary of the local self government or local authority abutting the sea coast, provided that in case of ecologically and culturally sensitive areas, the entire biological or physical boundary of the area may be included, as specified under the provisions of Environment Protection Act, 1986;

1. “*Integrated Coastal Zone Management (ICZM)*” means a process by which decisions are made for protection of coastal population and infrastructure, protection and conservation of coastal and marine areas and resources and sustainable development;

2. “*Integrated Coastal Zone Management Plan (ICZMP)*” is the landuse plan or development plan prepared for implementation of the Integrated Coastal Zone Management;

3. “*Local Self Government or Local Authority*” means a village Panchayat, or a urban local body, or any other body or authority, by what ever name called, for the time being invested by law, for rendering essential services or, with control and management of civic services, within a specified local area abutting the sea coast or inland tidal water having tidal action.

4. ‘**Setback Line**’ means a line demarcated along the coast, based on its vulnerability to sea-level rise, flooding and shore line changes as per Guidelines given in this notification in Appendix -I.

5. “**Ecologically Sensitive Areas**” are those areas of the coastal zone that play an important role in maintaining the functional integrity of the coast, including acting as natural barriers to coastal hazards and, or harbouring a diverse biodiversity that provide valuable resources to local communities.

**4. Categorization of the Coastal Zone.-** For the purposes of management and regulation, the coastal zone shall be divided into four categories, namely:-

1. Coastal Management Zone - I (CMZ -I) shall consist of areas designated as Ecologically Sensitive Areas (ESA), an indicative list is given in Appendix –II.

(ii) Coastal Management Zone - II (CMZ - II) shall consist of areas, other than CMZ - I and coastal waters, identified as “Areas of Particular Concern (APC)” such as economically important areas, high population density areas, and culturally and, or strategically

important areas. The administrative boundaries of these “Areas of Particular Concern” would be boundaries of CMZ - II. A generic list of such areas is given in Appendix –III.

(iii) Coastal Management Zone -III (CMZ - III) shall consist of all other open areas including coastal waters and tidal influenced inland water bodies, that is, all areas excluding those classified as CMZ - I, II and IV.

(iv) (a) Coastal Management Zone -IV (CMZ - IV) shall consist of island territories of Andaman and Nicobar, Lakshadweep, and other offshore islands.

1. In respect of the islands in coastal backwaters areas which are not included in CMZ - I or CMZ - II, such areas may be included in CMZ - IV at the option of the Local Authority; otherwise they would be included in CMZ - III. Once exercised, the option of the Local Authority would not be subject to change.

#### **5. (i) National Board for Sustainable Coastal Zone Management.-**

This Board consisting of not more than thirty two Members shall have the mandate to provide policy advice to the Central Government on matters relating to coastal zone management, but shall not undertake regulatory functions. The composition of the Board shall be as given in Appendix – IV. The term of the non-official members of the Board shall be three years only.

#### **(ii) National and State or UT Coastal Zone Management Authorities**

The National and State or Union territory Coastal Zone Management Authorities set up under the Environment (Protection) Act, 1986, shall be the Coastal Zone Management Authorities.

**6. Management Methodology.-** The management methodology and approach for the Coastal Management Zone shall be as follows:

1. **Notification of the Setback Line:** The Setback Line, for the entire coast, excluding CMZ-I and CMZ - IV areas, will be notified in one or more stretches at a time in a map on cadastral scale by the Central Government. For this purpose, the Central Government shall issue detailed technical guidelines, based on the approach set forth in Appendix - I. The notification shall be based on the delineation to be carried out by the competent and established scientific institutions specializing in earth surveys and mapping, among a set of such institutions to be notified by the Central Government. Till the Setback Line in respect of area under each local authority as per these technical

guidelines is notified by the Central Government the provisions of the Coastal Regulation Zone Notification, 1991 shall prevail.

**(ii) Coastal Management Zone - I :** The ecologically sensitive areas as per generic list given in Appendix - II shall be identified **within the coastal zone** by the Central Government jointly with the concerned State Government or Union territory Administration, with the technical assistance provided by the National Institute for Sustainable Coastal Zone Management or one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government. All activities in CMZ - I areas shall be regulated by the State or Union territory Coastal Zone Management Authority concerned on the basis of an Integrated Coastal Zone Management Plan (ICZMP) to be prepared by the concerned State or Union territory Administration with the help of National Institute of Sustainable Coastal Zone Management or one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government and notified under Environment (Protection) Act, 1986. The Integrated Coastal Zone Management Plans prepared for CMZ-I areas would be endorsed by the Central Government. The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas keeping in view the safety and livelihood needs of the local communities and essential development. There shall be no restriction in the fishing and fisheries related activities of local communities living in the area. The implementation of the ICZMPs by the State Government or Union territory Administration shall be monitored by the concerned State or Union territory Coastal Zone Management Authority and by the National Coastal Zone Management Authority.

\* Provided that the projects pertaining to the development of green field airports and expansion and modernisation of existing airports shall be undertaken on case to case basis based on detailed scientific study incorporating adequate environmental safeguard measures required for neutralising damage to the coastal environment.”.

**(iii) Coastal Management Zone – II:** In the administrative boundaries of areas of the Coastal Municipalities or Corporation and coastal Panchayat with population density of more than 400 persons per sq. km, activities shall be regulated based on an Integrated Coastal Zone Management Plan approved by the Central Government. The activities proposed on the seaward side of the setback line in the above administrative boundaries shall be regulated to ensure that no further development takes place other than foreshore requiring facilities and basic infrastructure.

The development on the landward side of the setback line shall be as per the local town and country planning rules as existed on the day of this notification. The Integrated Coastal Zone Management Plan prepared for the above areas shall take into account the guidelines laid down in Appendix-V.

With regard to economically and culturally important areas as identified by the concerned State or Union territory Governments, the activities shall be regulated as per Integrated Coastal Zone Management Plan prepared. The Integrated Coastal Zone Management Plan will be implemented by the concerned State or Union territory Governments after the plans are approved by the Central Government.

With regard to strategically important areas, the Ministry of Defence would prepare an Integrated Coastal Zone Management Plan and submit to the Ministry of Environment and Forests. Such plans would be accorded clearance by a Special Committee constituted by the Central Government.

**(iii) Coastal Management Zone - III :** The activities that may be permitted or prohibited on the seaward side of the setback line and agencies responsible are given in Appendix-VI. The existing dwelling units and other infrastructure existing on the seaward side of the setback line shall not be disturbed/relocated. No activities relating to fishing by traditional communities shall be disturbed.

**(iv) Coastal Management Zone – IV:** All activities shall conform to the approved Integrated Coastal Zone Management Plans, which shall be determined in each case by the concerned State or Union territory Coastal Zone Management Authority. While, preparing the Integrated Coastal Zone Management Plans it shall be ensured that no developments are permitted in the corals, mangroves, breeding and spawning of endangered species other than those minimum essential activities required for local communities.

## **7. Operation of the Coastal Regulation Zone Notification 1991.-**

The Coastal Regulation Zone Notification, 1991 shall cease to operate within:

- (a) CMZ - I area, from the date of Notification of the concerned Integrated Coastal Zone Management Plan.
- (b) CMZ - II area, from the date of Notification of the Setback Line and approval of Integrated Coastal Zone Management Plan.
- (c) CMZ - III area, from the date of Notification of the Setback Line.
- (d) CMZ - IV area, from the date of Notification of the concerned ICZMP.

## **Appendix-I**

### **SETBACK LINE**

The Setback Lines in the **coastal** management zones categorised as CMZ – I, II and III will be based on vulnerability of the coast to natural and manmade hazards. This procedure is followed in many countries where the coast has been mapped for vulnerability to coastal hazards.

For the purpose of mapping the vulnerability of the coast four parameters are taken into account: elevation, geomorphology, sea level trends, and horizontal shoreline displacement (erosion or accretion). A brief on each of the parameters which are to be considered for drawing up the Setback Line are given below:

- (i) **Elevation:** The elevation data shall be obtained from the available coastal toposheets and satellite data surveys with contour intervals of 0.5 and 1meter.
  
- (ii) **Geomorphology:** The land forms will be identified on the maps based on the available toposheet and remote sensing data. Bathymetry to be derived from naval Hydrographic Charts on location specific surveys
  
- (iii) **Sea level trends:** The sea level trend data shall be based on the reports of the United Nations Inter-Governmental Panel on Climate Change (IPCC).
  
- (iv) **Horizontal shoreline displacement:** The erosion or accretion data of horizontal shoreline displacement shall be obtained from long term information derived from Survey of India Topographic maps (1967) and the latest satellite data. Horizontal shoreline displacement shall be estimated (median estimate) over the next 100 years.

Further detailed Technical Guidelines for delineation of the Setback Line may be provided by the Central Government in the Ministry of Environment and Forests.

The setback line shall be demarcated based on the above parameters using the guidelines as approved by the Ministry for CMZ-II and III areas on cadastral scale by NISCM or any other agency authorised by the Ministry within a period of two years from the date of issue of this notification.

## **Appendix-II**

### **CMZ - I: INDICATIVE LIST OF ECOLOGICALLY SENSITIVE AREAS (ESA)**

1. Mangroves
2. Coral reefs
3. Sand Beaches and Sand Dunes
4. Mudflats
5. Marine wildlife protected areas under the Wildlife (Protection) Act, 1972
6. Coastal freshwater bodies such as creeks, lakes etc
7. Salt Marshes
8. Turtle nesting grounds
9. Horse shoe crabs habitats
10. Sea grass beds
11. Sea weed beds
12. Nesting grounds of birds

## **Appendix- III**

### **CMZ - II: THE INDICATIVE LIST OF AREAS OF PARTICULAR CONCERN**

1. Coastal Municipalities/Corporations (the entire notified area)
2. Coastal Panchayats with population density more than 400 persons per sq km (the entire notified area) as per the latest Census of India.
3. Ports and Harbours
4. Notified Tourism Areas
5. Mining sites
6. Notified Industrial Estates
7. Foreshore facilities for Special Economic Zones
8. Heritage areas
9. Notified Archaeological sites under the Protected Monuments Act.
10. Defence areas/installations
11. Power Plants
12. \*Green field airports and expansion and modernization of existing airports

## Appendix-IV

### COMPOSTION OF NATIONAL BOARD FOR SUSTAINABLE COASTAL ZONE MANAGEMENT

1. Union Minister for Environment and Forests Chair	-	
2. Union Minister in-charge of Ministry of Earth Sciences Co-Chair	-	
3. Secretary, Ministry of Environment and Forests	-	
		Member Secretary
4. Experts (by name) in:		
Coastal ecosystems	-	1
Marine biology	-	1
Maritime law	-	1
Meteorology	-	1
Disaster Management	-	1
Environmental Economics	-	
1		
4. Representative of the National Commission for Women	-	
1		
5. Representative of the Ministry of Defence	-	
1		
6. Representative from Indian Space Research Organization	-	1
7. Representative of the Ministry of Urban Development	-	1
8. Representative of the Ministry of Panchayati Raj	-	
1		
9. Representatives of community based organizations of the mainland coastal population	-	3
10.		
Representatives from fishers (1 male and 1 woman)	-	
2		
11. Representatives from aquaculture, tourism,		

industries, mining, ports, sectors	-	4
12. Representatives of coastal Rural District Panchayats 3	-	
13. Representatives of coastal Urban Local Authorities	-	3
14. Representatives of Andaman and Nicobar and Lakshadweep Islands	-	3

### **Appendix-V**

#### **GUIDELINES FOR PREPARATION OF INTEGRATED MANAGEMENT PLAN FOR CMZ II AREAS**

1. The entire notified Corporation, Municipality, Panchayat, revenue area, shall be the outer boundary of the APC.
2. ICZMPs shall be prepared for these areas indicating all present and future developments, conservation and preservation schemes.
3. The ICZMP shall address vulnerability to human life and property based on setback lines prepared by Ministry of Environment and Forests.
4. No constructions shall be permitted on the seaward side of any existing (as on 2008) approved building or a tarred or surfaced road in the area.
5. All the existing roads including the internal roads shall be strengthened, as these roads shall serve for the purpose of livelihood, communication, relief and evacuation measures particularly for fisher communities.
6. Adequate cyclone shelters shall be constructed taking into account the population of the area.
7. The new schools, market areas and other public facilities where large number of public congregate shall be located beyond the vulnerable area.
8. Along the seaward side sufficient bio shield with local vegetation, trees including mangroves shall be planted
9. The beaches shall be left free of any development.
10. Appropriate coastal protection structures be constructed where ever required on a scientific basis
11. New houses and settlements shall be planned on landward of the setback line.

12. Sand dunes, being natural speed breakers in the event of hazards, shall be maintained or regenerated by planting shrubs or through appropriate measures.
13. All the areas notified by the Ministry of Environment and Forests as CMZ I shall be clearly demarcated in the plan for their conservation.
14. The ICZMPs shall be approved by the proposed NISCM of the Ministry or any other authorized authorities as approved by the Ministry.
15. There shall be no regulation with regard to fishing and fishery related activities.
16. The enforcement and monitoring will be the responsibility of the concerned State or Union territory Coastal Zone Management Authorities.

### **Appendix –VI**

#### **CMZ III: PERMISSIBLE DEVELOPMENTAL ACTIVITIES ON THE SEAWARD SIDE OF THE SETBACK LINE**

**1. Activities, which are permitted by the local or concerned authorities without CMZ clearance**

1. Boating, shipping and navigation.
2. Fisheries including traditional fish processing, ice plants and ice crushing facilities.
3. Mariculture including hatcheries and traditional aquaculture.
4. Agriculture and horticulture.
5. Public toilets and rain or cyclone shelters.
6. Repair of existing buildings or infrastructure including reconstruction activities.

**(ii) Activities to be permitted with the approval of State or Union territory Coastal Zone Management Authority**

1. Construction of boat jetties and fishing harbours to be approved with Environmental Impact Assessment.
2. Saltpans-making salt by solar evaporation of seawater.
3. Temporary construction for tourism facilities.
4. Water sports and recreation facilities.
5. Discharge facilities of treated effluents compiling with the norms.

6. Forest related activities.
7. Boat building including repair and re-fuelling facilities.

**(iii) Activities that can be permitted with Environmental Impact Assessment and Environmental Management Plan to be approved by Ministry of Environment and Forests.**

1. Integrated port, harbour, jetties and moored facilities.
  2. Dredging and disposal of dredged materials.
  3. Reclamation within port limits and for coastal protection.
  4. Coastal Protection measures including mangroves and other bioshields.
  5. Bridges and sea links and approaches and reclamation therefor.
  6. Bunding for the purpose of preventing coastal erosion, salinity ingress, maintenance of waterways.
  7. Hydrocarbon exploration and extraction.
  8. Mining of placer minerals and offshore mining.
  9. Constructions of communication, power supply, lighthouses and water supply.
  10. Pipelines for transfer of petroleum or chemicals, storage facilities for storage of petroleum or chemical products and regasification facilities.
  11. Defence related projects.
  12. Shipbuilding yards.
- (m) Ship-breaking in existing locations.
- (n) Non conventional energy including windmills.
- (o) Any other activity which requires foreshore facilities.
- \*(p) Green field airports and expansion and modernization of existing airports

**(iv) All other activities not listed above are prohibited.**

{F. No. 11-83/2005-IA.III}

(Dr. Nalini Bhat)

Scientist 'G'

Note:- \* Amendment issued vide S.O.1120(E), dated 9<sup>th</sup> May, 2008 to the principal Draft Notification published in the Gazette of India vide S.O.1070(E), dated 1<sup>st</sup> May, 2008.

**[To be published in the Gazette of India, Extraordinary, Part-II, Section 3,  
Sub-section (ii)]**

**MINISTRY OF ENVIRONMENT AND FORES**

New Delhi, the 9<sup>th</sup> May, 2008.

**NOTIFICATION**

S.O.1120 (E).—Whereas a draft of the notification of the Government of India in the Ministry of Environment and Forests number S.O. 1070(E), dated the 1<sup>st</sup> May, 2008 under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules,1986, titled as the Coastal Management Zone (CMZ) Notification, 2008 (hereinafter referred to as the said notification), inviting objections and suggestions 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 1<sup>st</sup> May, 2008;

And Whereas the Central Government has decided to consider the request for developing green field airports and other incidental matters relating thereto;

Now, therefore, 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 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules,1986, the Central Government hereby makes the following amendments in the said draft notification, namely:—

**AMENDMENTS**

1. In the said notification, in the preamble, after paragraph 7, the following paragraph shall be inserted:—

“And whereas, in addition to the above the Central Government has decided to consider the proposal for developing green field airports and to undertake expansion and modernisation of existing airports in the coastal areas, without compromising environmental considerations.”.

2. In the said notification, in paragraph 6, in sub-paragraph (ii) relating to Coastal Management Zone , the following proviso shall be inserted at the end, namely:—

“Provided that the projects pertaining to the development of green field airports and expansion and modernisation of existing airports shall be undertaken on case to case basis based on detailed scientific study incorporating adequate environmental safeguard measures required for neutralising damage to the coastal environment.”.

3. In the said notification, in Appendix-III, after item (k), the following item shall be inserted, namely:—

“l) Green field airports and expansion and modernisation of existing airports.”.

4. In the said notification, in Appendix-VI, in sub-heading (iii) relating to “Activities that can be permitted with Environmental Impact Assessment and Environmental Management Plan to be approved by Ministry of Environment and Forests.”, after item (o), the following item shall be inserted, namely:—

“(p) Green field airports and expansion and modernisation of existing airports.”.

{F. No. 11-83/2005-IA.III}

(Dr. Nalini Bhat)

Scientist ‘G’

Note.—The principal draft notification was published in the Gazette of India *vide* number S.O.1070 (E). dated the 1<sup>st</sup> May, 2008.