

**AGENDA FOR THE 17<sup>TH</sup> MEETING OF DDCZMA TO BE HELD ON 25.08.2011  
AT 11:30 A.M. IN THE CONFERENCE HALL SECRETARIAT, MOTI DAMAN.**

**Agenda No. 1. Confirmation of the minutes of the 16<sup>th</sup> Meeting of DDCZMA**

The minutes of the 16<sup>th</sup> Meeting of DDCZMA which was held on 29/03/2007 is enclosed as **Annexure-I**. The members of the DDCZMA are requested to peruse the said minutes and confirm its contents as fair and correct.

**Agenda No. 2. Direction issued by the Ministry of Environment & Forests to the different State/U.T. Coastal Zone Management Authorities.**

The Ministry of Environment & Forests has issued the following directions under Section 5 of the Environment (Protection) Act, 1986, to different U.T./State Coastal Zone Management Authorities.

- A. To identify the violations of the Coastal Regulation Zone notification 1991 and approved Coastal Zone Management Plan there under within a period of four months from the receipt of this directions.
- B. To initiate action under the Environment (Protection) Act, 1986 upon the identified violations within four months thereafter.
- C. Upload the relevant details of the identified violations including the action taken on the violations in the website every fortnight.

The copy of the direction issued under Memo No. 11-83/2005-IA-III dated 14/07/2011 of MoEF, is enclosed as **Annexure-II**. As per the directions the violations are to be identified within 30 October 2011. In the U.T. of Daman & Diu, the Administration has already declared the Collector, Daman and Collector, Diu in their respective jurisdictions as competent authority for Monitoring and Enforcing the provisions of Coastal Regulation Zone notification 1991. The copy of the notification dated 05/07/1993 in this regard is enclosed as **Annexure-III** for perusal please. The U.T. Administration of Daman & Diu has also constituted a CRZ Violation Reporting Committee in the districts of Daman & Diu to identify and report the violations of CRZ notification 1991 to the respective Collectors for initiating action against the violators. The copy of the notification constituting the CRZ Violation Reporting Committee for the district of Daman and district of Diu is enclosed as **Annexure-IV and Annexure V** respectively.

Since the Collectors of Daman & Diu are acting as monitoring and enforcing authority for their respective districts, they may be advised to take further follow-up action as per the directions received from the Ministry. The members of the DDCZMA are requested to deliberate on this issue and take a suitable decision.

**Agenda No. 3. Identification of the areas where natural fish drying can be permitted.**

As per the provision contained in the para 3 (iii) of the Coastal Regulation Zone Notification, 2011 setting up and expansion of fish processing unit including warehousing is prohibited within the Coastal Regulation Zone except hatchery and natural fish drying in permitted areas. In this regard a copy of the Coastal Regulation Zone notification 2011 is enclosed as **Annexure VI** which may please be perused. The MoEF vide their office memorandum dated 24/02/2011 has also desired that the areas where natural fish drying can be permitted, be identified by the Fisheries Department and the details be made public within a period of six month. The copy of the said office memorandum of the Ministry is enclosed as **Annexure-VII**.

The Fisheries Department may therefore be requested to identify the aforesaid areas in a time bound manner and intimate the same with all required details to the DDCZMA.

**Agenda No. 4. Preparation of comprehensive plan for treatment of sewage generated from coastal towns/cities.**

As per the provision contained in para 8 (IV) (a) of the CRZ notification 2011, a comprehensive plan for treatment of sewage generated from coastal towns/cities are to be formulated within a period of one year in consultation with all stake holders. In this regard the Ministry vide their office memorandum dated 24/02/2011 has desired that DDCZMA should carry out the following activities.

- A. To issue directions to all Municipal Body, Industrial Units, Ports, Aquaculture Units etc. directing them to stop discharging untreated effluent/disposal of solid waste in the coastal and marine areas.
- B. To prepare a comprehensive plan involving reputed scientific institution for identification and treatment of sewage generated from coastal town and cities.
- C. To implement the comprehensive plan in a phased manner in consultation with all stake holders.

The copy of the aforesaid office memorandum of the Ministry is enclosed as **Annexure VIII**. Therefore as desired we may issue necessary direction under Section 5 of Environment (Protection) Act, 1986 to the Daman Municipal Council, Diu Municipal Council, Pollution Control Committee and other relevant departments to comply with the aforesaid provision of the CRZ notification 2011.

**Agenda No. 5. Constitution of District Level Committees for enforcing and monitoring of the provisions of the CRZ notification 2011.**

As per the provision contained in para 6 (c) of the CRZ Notification, 2011, the U.T. Administration is required to constitute District Level Committee under the chairmanship of District Magistrate concerned to assist the DDCZMA for enforcing and monitoring of the provisions of CRZ notification 2011. The U.T. Administration has already constituted the District Level CRZ Screening Committee for the district of Daman & Diu under the chairmanship of the concerned District Collector, for regulating the developmental activities and screening of all construction plans/proposals within the Coastal Regulation Zone. The copy of the order dated 13/09/2006 in this regard is enclosed as **Annexure IX**. To comply with the aforesaid provision of CRZ notification 2011 we may also request the Collector, Daman/Diu to suggest the name of atleast three representatives of the local Traditional Coastal Communities so that they can be included in the aforesaid committee.

The members of DDCZMA is requested to deliberate on this issue and to decide whether the aforesaid committee itself can be assigned this task or a new committee under the chairmanship of District Collector is to be constituted for the purpose

**Agenda No. 6. Creation of a dedicated website of DDCZMA.**

As per the provision in para 4.2 (vi) of the CRZ notification 2011, the DDCZMA is required to create a dedicated website of its own to maintain transparency in the working of DDCZMA and to post the agenda, minutes, decision taken, clearance letters, violations etc. on the website.

Therefore the officer incharge of National Informatics Centre, Daman may be requested to create separate website of DDCZMA and the expenditure in this regard may be borne out of the budget allocated to the Forest Department.

**Agenda No. 7. Preparation of Coastal Zone Management Plan and demarcation of High Tide Line in the districts of Daman & Diu.**

As per para 2 of the CRZ notification 2011 the HTL is to be demarcated uniformly all over the country within one year from the date of issue of the notification. Further as per para 5 of the CRZ Notification 2011, Coastal Zone Management Plan has to be prepared by

the U.T. Administration by engaging reputed and experienced scientific institutions/agencies. The Ministry of Environment & Forests vide its letter No. J-17011/8/92-IA-III dated 29/12/1999, authorized the following agencies for demarcation of HTL and LTL.

- A. Space Application Centre, Ahmedabad.
- B. Centre for Earth Sciences Studies, Thiruvananthapuram.
- C. Institute for Remote Sensing, Anna University, Chennai
- D. Institute for Wetland Management and Ecological Designs, Kolkata.
- E. Naval Hydrographer's Office, Dehradun.
- F. National Institute of Oceanography, Panjim, Goa.
- G. National Institute of Ocean Technology, Chennai.

The copy of the aforesaid letter of the Ministry dated 29/12/1999 is enclosed as **Annexure-X**. The members of the DDCZMA are requested to deliberate on the issue and decide the agency to which the work of demarcation of HTL/LTL and preparation of Coastal Zone Management Plan for the district of Daman & Diu, can be entrusted as per the guidelines given in Annexure-I of the CRZ Notification, 2011.

**Agenda No. 8. matters regarding construction of Fish Landing Centre at Ghogla, Diu and construction of Fishery Harbor at Vanakbara, Diu.**

The DDCZMA in its 15<sup>th</sup> meeting held on 21-06-2006 approved the project of Fish Landing Centre at Ghogla, Diu and construction of Fishery Harbor at Vanakbara, Diu for forwarding the same to the Ministry for CRZ clearance as per the Clause 3.2 (ii) of the CRZ notification 1991 which was in-force at that time subject to the condition that the Fishery Department will carryout an EIA study of the said projects and the recommendation of the EIA report will form the part of recommendation of DDCZMA. The copy of the minutes of the 15<sup>th</sup> meeting of DDCZMA is enclosed as **Annexure - XI** for perusal please. The Fishery Department had since carried out the EIA study of both the projects through National Institute of Oceanography, and the copy of the executive summary of the EIA study carried out by the NIO is enclosed as **Annexure - XII**. The projects were forwarded to the Ministry during October 2010 by the DDCZMA. However the approval of the Ministry has not yet been obtained.

Mean while the Central Government vide notification dated: 06-01-2011 has promulgated the new CRZ notification 2011 and the earlier notification of 1991 has been superseded. As per the para 4 (b) of the CRZ notification 2011 those projects which are listed under CRZ notification and also attract EIA notification dated: 14-09-2006, will require clearance under EIA notification only subject to being recommended by the concerned Coastal Zone Management Authority. The ports and harbours appear in column 7 (e) of the EIA notification 2006. The copy of the EIA notification is enclosed as **Annexure -XIII**. As per the EIA notification the ports and harbours having less than 5 million TPA cargo handling capacity and / or more than 10,000 TPA fish handling capacity falls in category "B" project. As per the O.M. dated: 24-02-2011 and O.M. dated: 08-02-2011 issued by the Ministry, the projects which are categorized as "B" shall be considered under EIA notification 2006 by the State Environment Impact Assessment Authority, and if such projects are pending with Central EAC of the Ministry then it will be sent for appraisal to the State Environment Impact Assessment Authority concerned. The copy of the O.M. dated 24-02-2011 and O.M. dated: 08-02-2011 is enclosed as **Annexure - XIV** and **Annexure - XV** respectively. The Fishery Department vide letter dated 25-06-2010 as clarified that there will be no cargo handling activity in the Aforesaid projects the Fishery Department vide letter dated: 02-05-2011 has also intimated the Annual Fish Landing Data of both the locations at Diu. The copy of the letter dated: 02-05-2011 and 25-06-2010 of Fishery Department is enclosed as **Annexure - XVI** and **Annexure XVII** respectively.

The members of the DDCZMA are requested to deliberate on this issue and decide whether the aforesaid projects can be referred to the U.T. level Environment Impact Assessment Authority for granting of environmental clearance in view of the position explained above.

Member Secretary,  
DDCZMA,  
Daman.

**MINUTES OF THE 17<sup>TH</sup> MEETING OF DDCZMA HELD ON 29-08-2011 AT 11:30  
A.M. IN THE CONFERENCE HALL SECRETARIAT, MOTI DAMAN.**

The following officers attended the meeting:

- 1) Shri Mohanjeet Singh, IAS,  
Development Commissioner /  
Secretary (E & F),  
Daman & Diu and Dadra & Nagar Haveli.
- 2) Shri Sunil Kumar Aggarwal, IFS,  
Chief Conservator of Forests,  
Daman & Diu and Dadra & Nagar Haveli.
- 3) Shri Kamal Datta,  
Conservator of Forests,  
Daman & Diu and Dadra & Nagar Haveli.
- 4) Shri Manoj Kumar Sahoo, IAS,  
Collector, Daman.
- 5) Dr. N. J. Mistry,  
Head of Department,  
Department of Environmental Engineering,  
S. V. National Institute of Technology,  
Surat.
- 6) Dr. H. P. Chauhan,  
Scientist / Engineer – SF,  
Marine, Geo & Planetary Sciences Group,  
Space Application Center,  
Ahmedabad.
- 7) Shri Prakash P. Parmar,  
Chief Town & Country Planner,  
Town & Country Planning Department,  
Daman.

At the outset the chairman DDCZMA welcomed all the members to the meeting and thereafter the agenda items were taken up for discussion. The summary record of the proceedings held in the meeting is as follows:

**Agenda item no. 1 : Confirmation of minutes of the 16<sup>th</sup> meeting of the DDCZMA.**

The minutes of the 16<sup>th</sup> meeting of DDCZMA were confirmed as circulated.

**Agenda item no. 2 : Direction issued by the Ministry of Environment & Forest to different State / U.T. Coastal Zone Management Authorities.**

The Ministry of Environment & Forest has issued following directions under Section 5 of the Environment (Protection) Act, 1986, to U.T.'s / State Coastal Zone Management Authorities.

- a) To identify violations of the Coastal Regulation Zone notification 1991 and approved Coastal Zone Management Plan there under within a period of four months from the receipt of this directions.
- b) To initiate action under the Environment (Protection) Act, 1986 upon identified violations within four months thereafter.
- c) Upload the relevant details of the identified violations including the action taken on the violations in the website every fortnight.

As per aforesaid directions, the violations are to be identified within 30 October 2011. The members noted the fact that in the U.T. of Daman & Diu Collector, Daman and the Collector, Diu have been declared as competent authorities for monitoring and enforcing the provisions of Coastal Regulation norms in their respective jurisdictions. The matter was discussed in detail and the following decisions were taken:

- 1) The Collector, Daman & Collector, Diu will initiate necessary action immediately against the cases of violation of Coastal Regulation Zone Notification 1991 in their respective jurisdictions. Strict action will be taken specially against the on going constructions being carried out in violation of the CRZ norms and such constructions will be demolished after following the due procedure of law.
- 2) The action taken in this regard will be published in the local news papers for information of all concerned and as an act of deterrence for violators. The details will also be uploaded in the official website of the Administration by the respective Collectors.

### **Agenda No. 3. Identification of the areas where natural fish drying can be permitted.**

The Ministry of Environment & Forest vide their office memorandum dated: 24-02-2011 has desired that the areas where natural fish drying can be permitted, be identified and the details be made public within a period of six months. This matter was discussed in detail by the members of DDCZMA and it was decided that the Member Secretary DDCZMA will request the Superintendent of Fisheries, Daman to identify such areas where such natural fish drying can be permitted and intimate the details so that the same can be uploaded in the official website of the Administration for information of all concerned.

### **Agenda No. 4. Preparation of comprehensive plan for treatment of sewage generated from coastal towns/cities.**

As per the provision contained in para 8 (IV) (a) of the CRZ notification 2011, a comprehensive plan for treatment of sewage generated from coastal towns/cities is to be formulated within a period of one year in consultation with all stake holders. In this regard the Ministry vide their office memorandum dated 24/02/2011 has desired that DDCZMA should carry out the following activities.

- A) To issue directions to all Municipal Bodies, Industrial Units, Ports, Aquaculture Units etc. directing them to stop discharging untreated effluent/disposal of solid waste in the coastal and marine areas.
- B) To prepare a comprehensive plan involving reputed scientific institutions for identification and treatment of sewage generated from coastal town and cities.
- C) To implement the comprehensive plan in a phased manner in consultation with all stake holders.

This issue was discussed in detail by the members and the following decisions were taken:

- 1) Direction to be issued by DDCZMA under the provisions of Section 5 of Environment (Protection) Act 1986 to the Chief Officer, Daman Municipal Council, Chief Executive Officer of District Panchayat, Daman & Diu and Chief Officer, Diu Municipal Council to submit an action plan within 15 days of receipt of the direction, to stop discharging of

untreated effluent / disposal of solid waste in the coastal and marine areas, from their respective jurisdictions.

- 2) A committee under the chairmanship of Collector, Daman and Collector, Diu will be formed for the districts of Daman and Diu respectively to prepare a comprehensive plan for identification and treatment of sewage / solid waste generated in their respective districts. The representative of Environment and Engineering / Civil Engineering Department of SVNIT, Surat, Chief Officer of the concerned Municipal Council, the Chief Executive Officer, District Panchayat, Daman & Diu, representative of Public Works Department, representative of Forest Department and the Associate Town Planner, Daman will be nominated as the members of the committee. It was also decided that the committee will hold its meetings at regular intervals to prepare a comprehensive plan and to monitor its subsequent implementation in a time bound manner. The Notification in this regard will be issued by the respective Collectors.

#### **Agenda No. 5. Constitution of District Level Committees for enforcing and monitoring of the provisions of the CRZ notification 2011.**

The members noted the fact that as per the provision contained in para 6 (c) of the CRZ notification 2011, U.T. Administration is required to constitute a district level committee under the chairmanship of concerned District Magistrate to assist the DDCZMA in enforcing and monitoring the provisions of CRZ notification 2011. This matter was discussed in detail and it was decided that a new committee under the chairmanship of Collector, Daman and Collector, Diu will be formed for this purpose for their respective jurisdictions. It was also decided that the Collector, Daman and Collector, Diu will be requested to submit the necessary proposal for constitution of the committee and to suggest the names of atleast three representatives of the local traditional coastal Communities so that they can be included in the said committee.

#### **Agenda No. 6. Creation of a dedicated website of DDCZMA.**

As per the provision in para 4.2 (vi) of the CRZ notification 2011, the DDCZMA is required to create a dedicated website of its own to maintain transparency in the working of DDCZMA and to post the agenda, minutes, decision taken, clearance letters, violations etc. on the website.

The matter was discussed in detail and it was decided in principle to create a separate website for DDCZMA on the NIC platform. It was also decided that the Member Secretary DDCZMA will initiate further action for creation of the website in consultation with the officer incharge, National Informatics Centre, Secretariat, Moti Daman.

#### **Agenda No. 7. Preparation of Coastal Zone Management Plan and demarcation of High Tide Line in the districts of Daman & Diu.**

As per para 2 of the CRZ notification 2011 HTL is to be demarcated uniformly all over the country within one year from the date of issue of the notification. Further as per para 5 of the CRZ Notification 2011, Coastal Zone Management Plan has to be prepared by the U.T. Administration by engaging reputed and experienced scientific institutions/agencies. The Ministry of Environment & Forests vide its letter No. J-17011/8/92-IA-III dated 29/12/1999, authorized following agencies for demarcation of HTL and LTL.

- A. Space Application Centre, Ahmedabad.
- B. Centre for Earth Sciences Studies, Thiruvananthapuram.
- C. Institute for Remote Sensing, Anna University, Chennai
- D. Institute for Wetland Management and Ecological Designs, Kolkata.

- E. Naval Hydrographer's Office, Dehradun.
- F. National Institute of Oceanography, Panjim, Goa.
- G. National Institute of Ocean Technology, Chennai.

During the meeting Dr. H. P. Chauhan, Scientist, Space Application Center, Ahmedabad, informed that the Space Application Centre has the requisite technical capability to prepare the maps of district of Daman and Diu showing the High Tide Line and the present land use on 1 : 25000 scale on the basis of satellite imageries. He further informed that the Space Application Centre, Ahmedabad does not prepare the maps of smaller scale like 1 : 4000 scale and does not take up the work of actual field survey for demarcating the High Tide Line on the ground. The Collector, Daman opined that from the practical perspective the demarcation of High Tide Line on the ground is of prime importance for implementation of the Coastal Regulation Zone norms. The Chief Conservator of Forests, also informed the committee that as per Annexure – I of the CRZ Notification 2011 preparation of local level Coastal Zone Management maps of 1 : 4000 scale is required.

The matter was discussed in detail and after considering all pros and cons of the issue it was decided that all the aforesaid scientific institutions / agencies will be requested to submit their proposal for demarcation of High Tide Line and Low Tide Line in the district of Daman & Diu alongwith their financial bids. On receipt of the proposal from the concerned agencies final decision will be taken on this issue.

#### **Agenda No. 8. matters regarding construction of Fish Landing Centre at Ghogla, Diu and construction of Fishery Harbor at Vanakbara, Diu.**

The issue regarding the construction of fish landing centre at Ghogla, Diu and construction of fishery harbor at Vanakbara, Diu was discussed in detail. The members noted the fact that proposals have already been submitted to the Ministry by the DDCZMA for obtaining approval and the same is awaited. The members also noted the fact that when the proposals were forwarded to the Ministry, the earlier CRZ notification i.e. CRZ notification of 1991 was in force. Subsequently the new CRZ notification 2011 has been promulgated in supersession of the earlier CRZ notification 1991. The members also noted the fact that the Ports and Harbors appear in column 7 (e) of the EIA notification 2006 and as per the para 4 (b) of new CRZ notification 2011, those projects which are listed under the CRZ notification and also attract the EIA notification, will require the clearance under the EIA notification only subject to being recommended by the DDCZMA. The aforesaid projects have already been recommended by the DDCZMA in its 15<sup>th</sup> meeting held on 21-06-2006.

The members also noted the fact that the Fishery Department vide letter no. ASFD/43-5/FH-FLC/2010-11/759 dated: 25-06-2010 has intimated that there is no cargo handling proposed in both the projects and that the Fudam Bird Sanctuary is located about 10 km away from the Vanakbara Fishery harbor and about 4.5 km away from the Ghogla Fish Landing Center and that the distance from interstate boundary with Gujarat is about 1.5 km from the Vanakbara and about 2 km from Ghogla. It was also noted by the members that if no cargo handling is envisaged then for ports and harbors environmental clearance can be issued at the state level as such projects are classified as category "B" project, as per the column 7 (e) of the EIA notification 2006. However, it was also noted by the members that the general condition of the EIA notification is applicable in such cases and as per the general condition if a project or activity is situated whole or in part within 10 km from the boundary of protected areas notified under Wild life (Protection) Act 1972 and interstate boundaries, then any project or activity specified as category "B" will be treated as category "A" and consequently the environmental clearance in such cases has to be issued by the Central Government. It was further noted that as per the proviso to the general condition, the requirement regarding 10 km distance from the interstate boundary can be completely done away with by an agreement between the respective



states or U.T.s sharing the common boundary if the projects are not located within 10 km distance of Wildlife Sanctuary. In case of Vanakbara Fishery harbor the project is located within 10 km of interstate boundary but is about 10 km away from the Bird Sanctuary. The Ghogla fish landing centre is within 10 km distance from both the Fudam Bird Sanctuary and the interstate boundary.

Considering the aforesaid factual position, the members of the DDCZMA were of the considered opinion that the environmental clearance for the Ghogla fish landing center has to be accorded by the Central Government since it has to be treated as category "A" project in view of the general condition of the EIA notification 2006. The members were also of the opinion that the clearance to the project of Vanakbara fishery harbor can be accorded at the U.T. level considering it as a category "B" project under EIA notification 2006 if the requirement regarding the 10 km distance from the interstate boundary is done away with.

In view of the above, it was decided that Collector, Diu will be requested to submit a proposal to the Gujarat Government for according no objection certificate / approval for construction of the fishery harbor at Vanakbara, Diu and on receipt of the clearance from the Government of Gujarat, the proposal will be forwarded by the DDCZMA to the U.T. level Environmental Impact Assessment Authority (UTEIAA) for according environmental clearance to the project.

It was also decided that the next meeting of the DDCZMA will be held at Diu on any convenient date after 15<sup>th</sup> of October 2011.

Member Secretary,  
DDCZMA,

Daman.