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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 17 फरवरी, 2015

का.आ. 556(अ).—भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 19(अ), तारीख 6 जनवरी, 2011 का और संशोधन करने के लिए, प्रारूप अधिसूचना (जिसे इसमें इसके पश्चात् तटीय विनियमन जोन अधिसूचना, 2011 कहा गया है) पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) की अपेक्षानुसार, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) में अधिसूचना संख्यांक का.आ. 3202(अ), तारीख 11 दिसम्बर, 2014 द्वारा प्रकाशित की गई थी, जिसमें उन सभी व्यक्तियों से, जिनके उससे प्रभावित होने की संभावना है, उस तारीख से, जिसको उक्त अधिसूचना वाले राजपत्र की प्रतियां जनता को उपलब्ध करा दी जाती है, साठ दिन की अवधि के भीतर आक्षेप और सुझाव मांगे गए थे;

और उक्त अधिसूचना की प्रतियां, तारीख 11 दिसंबर, 2014 को जनता को उपलब्ध करवा दी गई थी;

और, केंद्रीय सरकार द्वारा उक्त प्रारूप अधिसूचना के प्रत्युत्तर में प्राप्त आक्षेपों और सुझावों पर विचार कर लिया गया है।

अत:, अब, केंद्रीय सरकार उक्त पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तटीय विनियमन जोन अधिसूचना, 2011 का और संशोधन करने के लिए, निम्नलिखित नियम बनाती है, अर्थात् :—

उक्त तटीय विनियमन जोन अधिसूचना, 2011 में,—

(क) पैरा 3 में,--

(i) मद (ix) के स्थान पर, निम्नलिखित मद रखी जाएगी, अर्थात् :—

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 17th February, 2015

S.O. 556(E).—Whereas, a draft notification further to amend the notification of the Government of India in the erstwhile Ministry of Environment and Forests number. S O. 19(E), dated the 6th January, 2011 (hereinafter referred to as the Coastal Regulation Zone, notification, 2011) was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) *vide* notification number S.O. 3202(E) dated the 11th December, 2014, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, 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 Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 11th December, 2014;

And whereas, objections and suggestions received in response to the said draft notification have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Environment (Protection) Act, (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the said Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the Coastal Regulation Zone notification, 2011, namely:—

In the said Coastal Regulation Zone, notification, 2011,—

(a) in paragraph 3,-

(i) for item (ix) , the following item shall be substituted, namely:—

"(ix) Reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities except for construction of memorials/monuments and allied facilities, only in CRZ-IV (A) areas, in exceptional cases, by the concerned State Government, on a case to case basis;"

(ii) for item (xiii), the following item shall be substituted, namely:—

"(xiii) Dressing or altering the sand dunes, hills, natural features including landscape change for beautification, recreation and other such purpose except utilising the rocks/hills/natural features, only in CRZ-IV (A) areas, for development of memorials/monuments and allied facilities, by the concerned State Government;"

(b) in paragraph 4, in sub-paragraph (ii), after item (i) the following item shall be inserted, namely :-

"(j) Construction of memorials/monuments and allied facilities by the concerned State Government in CRZ-IV (A) areas, in exceptional cases, with adequate environmental safeguards, subject to the following, namely:—

(A) The concerned State Government shall submit justification for locating the project in CRZ –IV (A) area along with details of alternate sites considered and weightage matrix on various parameters including environmental parameters, to State CZMA who will examine the project and make recommendation to the Central Government (MoEF) for grant of Terms of Reference (ToRs) for preparation of an environmental impact assessment report by the State Government;

(B) On grant of ToRs by the Central Government, the concerned State Government shall submit the draft Environmental Impact Assessment report (EIA) with Environmental Management Plan(EMP), draft Risk Assessment Report with Disaster Management Plan (DMP) including on-site and off-site emergency plan and evacuation plan during emergency, to the State Pollution Control Board for conduct of public hearing for the