

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 249/2023

News item on India's Sinking Islands appeared in the Hindu 19.03.2023.

WITH

Original Application No. 795/2023

News Item titled "Third of India's coastline vulnerable to erosion - here are the worst-hit states" appearing in Indian Express dated 06.12.2023.

Date of hearing: 13.03.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Dr. Swait Jindal Garg, Mr. Sowmya China, Mr. Abhimanyu Kumar &
Ms. Nidhi Kumar, Advs. for MoEF & CC
Ms. Madhumita Bhattacharjee, Adv. for the State of West Bengal
Mr. Gigi. C. George, Adv. for Ministry of Earth Sciences and A&N Islands
Mr. Jogy Scaria, Adv. for KSPCB
Mr. Nishe Rajen Shonker, Adv. for the State of Kerala
Mr. Maulik Nanavati, Adv. for Gujarat CZMA (Through VC)
Mr. G. Prabhu, Adv. for Kerala CZMA (Through VC)
Ms. Madhuri Donti Reddy, Adv. for Andhra Pradesh CZMA (Through VC)
Mr. Abhimanyu Garg, Adv. for UT of Puducherry (Through VC)

ORDER

1. In the O.A. No. 249/2023, the issue of danger of sea level rise and submergence of low lying island was raised and while considering that issue, the question relating to revision and upgradation of CZMP-ICRZP-IIMP as per the CRZ-ICRZ Notification 2019 arose in respect of the concerned coastal States and Union Territories. The Tribunal in the proceedings dated 08.01.2024 had noted that the CZMPs as per 2019 Notification were improved only for the State of Odisha, Karnataka and Maharashtra and ICRZP as per ICRZ 2000 Notification was approved only for Greater Nicobar Island and Little Andaman Island.

2. Now, a status report has been filed by MoEF&CC disclosing the status of compliance by different Coastal States/Union Territories as under:-

S. N.	Coastal State's / UT's	Coastal Districts/ Island	Agency preparing CZMP/ICRZP- 2019	At what stage of preparation the CZMP is pending	Expected date of completion as communicated by SCZMA
1.	Andhra Pradesh	1. Srikakulam	NCSCM -	• Preparation of CZMP as per CRZ Notification, 2019 was awarded to M/s. NCSCM, Chennai vide Lr. dt. 31/01/2020 by the EFS&T Dept., Govt of A.P. • APPCB paid an amount of ₹1,98,66,480/ vide Lr. dt. 03/09/2020 for the above work. • APCZMA has conducted meetings with NCSCM & Stakeholder Departments on 13/09/2022, 11/05/2023, 08/06/2023, 16/08/2023, 17/08/2023 and 13/12/2023. The views and data submitted by the Stakeholder Depts., were forwarded to the NCSCM. • The draft CZMPs are at final stage. After receipt of draft CZMPs, Public Hearing Notifications will be given and further course of action will be taken to prepare final CZMPs for onward submission to the MoEF&CC, Gol, New Delhi for final approval. • The APCZMA had requested the Secretary, Ministry of Earth Sciences / (MoES) vide Lr. Dt. 01.11.2023 to prepare Shoreline Management Plan (SMP) for the Coast of Andhra Pradesh. • APCZMA has conducted meeting	May 2024
		2. Vizianagaram			
		3. Vishakhapatnam			
		4. Anakapalli			
		5. Kakinada			

2.	Andaman & Nicobar (UT)	6. Dr. B.R. Ambedkar Konaseema		with NCCR & Stakeholders Department on 16/08/2023, 17/08/2023, 01/12/2023 & 12/12/2023. The views and date submitted by the Stakeholder Depts., were forwarded to the NCCR. The preparation of draft SMP is at final stage.	
		7. West Godavari			
		8. Eluru			
		9. Krishna			
		10. Bapatla			
		11. Prakasam			
		12. SPSR Nellore			
		13. Tirupathi			
		1. Great Nicobar	NCSCM	Approved on 01/06/2021	-
		2. Little Andaman		Approved on 12/09/202	-
		3. Flat Bay		Comments of Administration on the comments of TSC was submitted to NCSSM on 27/12/2022. Final draft IIMP from NCSCM is awaited.	On receipt of final draft from NCSCM, the ANZMA shall forward the same to the Ministry for approval within 01 month.
		4. Smith		The comments of the administration on the comments of the Technical Scrutiny Committee have been submitted to the NCSCM on 16/01/2024 for finalization of IIMP. Final draft IIMP from NCSCM is awaited.	
		5. Kamorta Island		The comments of administration on claims/objections / suggestions of stakeholders have been submitted to NCSCM for placing the same before the TSC on 26/12/2022. The Administration is awaiting the placement of draft IIMPCRZ before the TSC.	On receipt of final draft from NCSCM, the ANZMA shall forward the same to the Ministry for approval within 01 month.

		6. <i>Swaraj Dweep (Havelock)</i> •		The comments of administration on claims/objections / suggestions of stakeholders have been submitted to NCSCM for placing the same before the TSC on 07/03/2023. The Administration is awaiting the placement of draft ICRZ before the TSC.	
		7. <i>Rutland</i>		The comments of administration on claims/objections / suggestions of general public and stakeholder have been submitted to NCSCM for placing the same before the technical scrutiny committee on 07/03/2023. The Administration is awaiting the placement of draft ICRZ before the TSC.	
		8. <i>Long island</i>		The comments of administration on claims/objections / suggestions of stakeholders have been submitted to NCSCM for placing the same before the TSC on 23/11/2023. The Administration is awaiting the placement of draft ICRZ before the TSC.	On receipt of final draft from NCSCM, the ANCZMA shall forward the same to the Ministry for approval within 01 month.
		9. <i>Baratang</i>		The comments of administration on claims/objections / suggestions of stakeholders have been submitted to NCSCM for placing the same before the TSC on 23/11/2023. The Administration is awaiting the placement of draft ICRZ before the TSC.	

		10. Middle Andaman		The comments of administration on claims/objections / suggestions of stakeholders have been submitted to NCSCM for placing the same before the TSC on 23/11/2023. The Administration is awaiting the placement of draft ICRZ before the TSC	
		11. North Andaman		The comments of administration on claims/objections / suggestions of stakeholders have been submitted to NCSCM for placing the same before the TSC on 23/11/2023. The Administration is awaiting the placement of draft ICRZ before the TSC	
		12. Car Nicobar		The comments of administration on claims/objections/ suggestions of stakeholders have been submitted to NCSCM for placing the same before the TSC on 23/11/2023. The Administration is awaiting the placement of draft ICRZ before the TSC	
		13. Shaheed Dweep (Neil)		The preparation of draft comments of the Administration on the comments / claims / objection suggestion of the stakeholders and general public is finalized.	The comments of the Administration on the comments/suggestions/claims/objections of stakeholder shall be submitted to the NCSCM shortly.
		14. South Andaman		The draft comments of the Administration on the comments /claims/ suggestions / objections of the stakeholder have been submitted to the Competent authority for approval and will be forwarded to NCSCM shortly.	On receipt of approval, the comments of the Administarion shall be submitted to the NCSCM for placing the same before the TSC.

		15. Ayes		The comments of the A&N Administration on the IIMP of Avis Island have not yet been finalized due to SLP No.25445/2019 filed in the Hon'ble Supreme Court. The Administration is in the process of seeking relief from the Apex court to allow the finalization of the IIMP.	On receipt of relief from the Hon'ble Court, the comments of the Administration shall be submitted to the NCSCM for placing the same before TSC within 01 month.
		16. North Passage, Stewart, East Narcondum and Curlew Island, Interview & Tillong Chong Island.		The draft CZMPs are awaited.	On the receipt of draft, further course of action, as per EIA Notification, 2006 shall be carried out, and Administration comments on public hearings and allied issues will be sent to NCSCM within 3 months for placement before the TSC.
		17. Teressa, Strait, Nancourie, Pillomillow, Little Nicobar Katchal Island & Chowra		The public/stakeholder consultation and the collection of field data by NCSCM are awaited to prepare the draft IIMP plan.	On the receipt of draft, further course of action, as per EIA Notification, 2006 shall be carried out, and Administration comments on public hearings and allied issues will be sent to NCSCM within 3 months for placement before the TSC.
		18. Netaji Subash Chandra Bose Dweep		The draft IIMP is awaited from NCSCM.	On the receipt of draft, further course of action, as per EIA Notification, 2006 shall be carried out, and Administration comments on public hearings and allied issues will be sent to NCSCM within 3 months for placement before the TSC.
3.	Daman & Diu		NCSCM	Under process	
4.	Goa	1. North Goa	NCESS	Under process	May, 2024

		2. South Goa		Under process	
5	Gujrat	1. Ahmedabad	NCSCM	Public hearings have been completed in the month of January- February, 2024 in 13 coastal districts. Public hearing has been scheduled for remaining 03 districts- Bhavnagar, Amreli & Kutch on 05/03/2024, 01/03/2024 & 03/03/2024 respectively	Public hearing will be completed by first week of March, 2024 for all the coastal districts. Suggestions/ recommendation of public consultation process will be submitted for all the coastal districts by 15/03/ 2024. NCSCM will finalize CZMP for submission to GCZMA for which NCSCM will be consulted
		2. Bharuch			
		3. Gir Somnath			
		4. Surat Naysari			
		5. Junagarh			
		6. Valsad			
		7. Amreli			
		8. Porbandar			
		9. Devbhumi			
		10. Dwarka			
		11. Anand			
		12. Vadodara			
		13. Bhavnagar			
		14. Jamnagar			
		15. Kutch			
		16. Morbi			
6.	Karnataka	1. Uttara Kannada	NCSCM	Approved on 02/09/2022.	
		2. Udupj			
		3. Dakshina Kannada			
7.	Kerala	1. Kasargod	NCESS	Draft CZMP 2019 pertaining to Kerala	To be placed before the TSC in the next

		2. <i>Kannur</i> 3. <i>Kozhikode</i> 4. <i>Malappuram</i> 5. <i>Thrissur</i> 6. <i>Ernakulam</i> 7. <i>Kottayam</i>		has been forwarded to National Centre for Sustainable Coastal Management for placing before the Technical Scrutiny Committee.	meeting i.e. March, 2024
		8. <i>Alappuzha</i> 9. <i>Kollam</i> 10. <i>Thiruvananthapuram</i>			
8.	Lakshadweep (UT)	1. <i>Bangaram</i> 2. <i>Suheli</i> 3. <i>Cheriam</i> 4. <i>Tinnakara</i> 5. <i>Minicoy</i> 6. <i>Kadmat</i> 7. <i>Kavaratti</i> 8. <i>Agatti</i> 9. <i>Androth</i> 10. <i>Amini</i> 11. <i>Kalpeni</i> 12. <i>Chetlat</i> 13. <i>Kiltan</i> 14. <i>Bitra</i>	NCSCM	Draft report of IIMPs of Suheli, Kadamat and Minicoy is completed and the preparation of IIMPs of other Islands is under progress.	Public Hearing to be completed by March, 2024
9.	Maharashtra	1. <i>Mumbai City</i> 2. <i>Mumbai Sub-Urban</i> 3. <i>Raigad</i> 4. <i>Ratnagiri</i> 5. <i>Sindhudurg</i>	NCSCM	Approved on 29/09/2021 Approved on 25/08/2023.	

		6. Thane			
		7. Palghar			
10.	Odisha	1. Balasore	ORSAC/ SAC	Approved on 01/06/2021.	
		2. Puri			
		3. Bhadrak			
		4. Ganjam			
		5. Jagatsinghapur			
		6. Kendrapara			
		7. Khorda			
11.	Puducherry (UT)	1. Puducherry	NCSCM	Public Hearings for the Draft CZMP of Mahe and Yanam regions were completed on 24/03/2023 and 12/04/2023 respectively. The Public Hearings For Puducherry and Karaikalregions are schedule on 20/03/2024 and 22/03/2024.	For all the districts, the public hearing will be completed by March, 2024
		2. Karaikal			
		3: Yanam			
		4. Mahe			
12.	Tamil Nadu	1. Tiruvallur	NCSCM	The NCSCM has requested all Coastal District administrations to depute two representatives from the Fisheries and Revenue department. The representatives is beingpresented at NCSCM and making corrections in the draft CZMP from 18/01/2024 to 12/03/2024. The work is under progress.	By October, 2024, the CZMP will be submitted to the TSC.
		2. Chennai			
		3. Chengalpattu			
		4. Villupuram			
		5. Cuddalore			
		6. Mayiladuthurai			
		7. Nagapattinam			
		8. Thiruvarur			
		9. Thanjavur			
		10. Pudukottai			
		11. Ramanathapuram			
		12. Thoothukudi			

		13. Tirunvelveli			
		14. Kanyakumari			
13.	West Bengal	Purba Medinipur	IESWM	Draft is complete Clarification is sought from NCSCM regarding integration of shoreline data.	Clarifications from NCSCM.
		North 24 Parganas		Draft is complete Clarification is sought from NCSCM regarding integration of shoreline data.	Clarifications from NCSCM.
		South 24Parganas		Work is under progress.	It will be completed by June 2024

3. From the above chart, we gather that for many of the Coastal States/Union Territories even the outer time limit for formulating the CZMP-ICRZP as per the 2019 Notification have not been disclosed and the prompt and expeditious steps have not been taken. For some of the States, the outer time limit of March or May, 2024 have been disclosed. It is utmost essential and pre-requisite to have CZMPs-ICRZPs in place prior to granting permissions to undertake developmental works/projects.

4. In these circumstances, we direct the Chief Secretaries/LGs of Coastal States/Union Territories under consideration to file the affidavit before the Tribunal within six weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF disclosing the outer time limit within which the CZMP-ICRZP as per the 2019 Notification will be finally formulated/revised and submitted to the MoEF&CC, failing which the concerned Chief Secretary will appear virtually on the next date of hearing and explain the reason for non-submission of such an affidavit.

5. List on 24.05.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 13, 2024
Original Application No. 749/2023
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