

**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: 24.05.2024

**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 (Through VC)Mr. Nalin Kohli, Mr. Abhay Anil Anturkar, Mr. Dhruv Tank, Mr. Anshul Malik, Ms. Shruti Agrawal & Mr. Kartikeya Sen, Advs. for the State of Goa Ms. Madhumita Bhattacharjee, Adv. for the State of West Bengal (Through VC)Mr. Gigi. C. George, Adv. Andaman & Nicobar Islands (Through VC)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. Prabhu G, 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 with Dr. Jayentra Kumar Ray, Chairman, PCZMA (Through VC) , Dr. N. Ramesh, Member Secretary, PPCC (Through VC) , Dr. R. Sagaya Alfred, SSO, PCZMA (Through VC) & Mr. P. Vipin Babu, Scientist, PCZMA (Through VC)

ORDER

1. In these Original Applications, issue involved relates to dangers of sea level rise and submergence of low lying islands. At this stage, Tribunal is considering preparation/finalization of CZMP-ICRZP-IIMP by Coastal States/Union Territories as per CRZ-ICRZ Notification-2019.
2. Tribunal in the proceedings dated 08.01.2024, had observed that respondent-14-Secretary, Ministry of Environment, Forest and Climate

Change was required to ensure that plan is prepared by each Coastal Management Authority and Union Territory Coastal Management Authority expeditiously within time-bound period. All the State and Union Territory Coastal Zone Management Authorities were issued notice and were directed to file their response.

3. Responses have been received from all the concerned States/Union Territories except from UT of Daman and Diu. It has been noticed that the States/Union Territories have found difficulty on account of discrepancy in ground truthing and the map prepared by MoEF & CC.

4. On examination of the response filed by concerned States/Union Territories, it is observed as under:-

i. With regard to State of Andhra Pradesh:-

The State Government is seeking assistance of National Centre for Coastal Research (NCCR) Ministry of Earth Sciences for preparing shoreline change map to device shoreline protection measures. Further the State has approached National Center for Sustainable Coastal Management, Chennai for CZMP. The State has indicated that CZMP will be completed by October, 2024 and submitted to MoEF.

ii. With regard to UT of Andaman and Nicobar:-

Only two island Great Nicobar and Little Andaman have approved ICRZ plan, for rest of the islands ICRZ/IIMP are under process. No final details with regard to the completion of these plans have been indicated. Though it is mentioned that the A & N Administration has entered into contract with

NCSCM for 30 islands. NCSCM is yet to complete these Plans.
The Administration is constantly pursuing with NCSCM.

iii. With regard to State of Goa:-

There have been issues with regard to mapping and the State has engaged NCSCM and NCESS Trivandrum also. Further other institutes such as NIO Goa have also been engaged by the State to study beach nourishment. There is no clarity as to how the different studies undertaken by the various institutes would be incorporated in the CZMP.

iv. With regard to UT of Lakshadweep:-

The IIMP for 11 islands are under process. The draft final plans for three islands will be submitted to MoEF for approval by 31.12.2024.

v. With regard to UT of Puducherry:

Draft CZMP have been received from NCSCM and public hearing will be held in May 2024. After incorporating the comments the draft CZMP will be submitted to MoEF & CC by 31.07.2024.

vi. With regard to State of Gujarat:

The draft CZMP for 13 Districts has been received and three are in process. The public comments are being addressed. No final date has been given for completion of the CZMP.

vii. With regard to State of Kerala:

The public comments have been obtained on the draft CZMP. Shoreline management plan is being incorporated in the draft

CZMP and the final draft of CZMP will be submitted to MoEF by June, 2024.

viii. With regard to State of Tamil Nadu:

NCSCM and NCCR have been engaged. There are several issues raised by the stakeholders on the CZMP. The State has indicated that the final draft will be sent to MoEF & CC by October, 2024.

ix. With regard to State of West Bengal:

Institute of Environmental Studies and Wetland Management has been assigned the work. Further NCSCM is also being approached for preparing the CZMP. The State has indicated that the draft final CZMPs will be submitted to MoEF & CC by first week of October, 2024.

5. No response has been received from Daman & Diu and Dadar Nagar Haveli.

6. The Counsel for MoEF & CC has stated that CZMPs have been approved by MoEF & CC for the State of Maharashtra and Karnataka so far and MoEF has taken up with coastal States & UTs to submit the CZMPs.

7. However it is observed that coastal States/UTs are facing various problems especially with regard to scale of mapping, incorporation of the comments received from the stakeholders in the final draft CZMP, issues with regard to the classification of CRZ area, incorporation of the shoreline management plans & ecological sensitive areas in the draft final CZMPs etc, therefore, the coastal States & UTs are unable to complete the exercise and comply with the provisions of CRZ Notification, 2019. It is also observed that the Island UTs of Andaman & Nicobar and

Lakshadweep Islands where IPZ 2011 notification is applicable, are yet to prepare the ICRZ/IIMPS for the entire islands though more than a decade has passed. These islands lack technical expertise and institutions to assist them. MoEF has done very little to assist these Coastal States & UTs in finalizing CZMP especially the islands. MoEF has NCSCM as an Expert Body which has been specifically established to assist the Coastal States & UTs. The response filed by the States & UTs shows that there is lack of coordination between Coastal State/UTs Governments with NCSCM and MoEF. It is not denied that the coastal environment plays an import role in Countries economy. Hence, it is imperative that the coastal environment is protected and conserved keeping in view the developmental activities and the adverse impact of climate change. Preparation of Coastal Zone Management Plans which provide for scientific development and addresses the issues of climate change is a crucial step.

8. We are of the view that MoEF&CC should issue suitable clarification/directions and provide assistance to all the Coastal States/UTs for completing the CZMPs in time.

9. Learned Counsel appearing for MoEF & CC has submitted that stand of the respective States/Union Territories reflected in the reply will be tabulated and summarized tabulated information by MoEF & CC will be filed at least one week before the next date of hearing. The above observation be also considered by the MoEF&CC while filing the response.

10. Let response by UT of Daman and Diu be also filed at least one week before the next date of hearing.

11. A copy of this order be forwarded to Secretary, MoEF & CC by email for compliance.

12. List on 11.09.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 24, 2024
Original Application No. 249/2023
& Original Application No. 795/2023
JG