

GOVERNMENT OF MAHARASHTRA

Environment Department

Resolution No. MCZMA 2011/ CR-6/MCZMA

Mantralaya, Mumbai – 400032

Dated: 23rd March, 2011.

Government Resolution :

Whereas, the Ministry of Environment and Forests, (MoEF), Government of India, New Delhi in exercise of powers conferred by sub-section (1) and clause (V) of sub-section (2) of section 3 of Environment (Protection) Act, 1986 (29 of 1986) has declared coastal stretches as Coastal Regulation Zone and imposed restrictions on industries, operations and processes in the coastal areas, published vide S.O.19(E) dated 6-1-2011.

And Whereas, the MoEF published the Coastal Regulation Zone Notification with a view to ensure livelihood security to the fishermen communities and other local communities living in the coastal areas to conserve and protect coastal areas, its unique environment and its marine area and to promote development through sustainable manner.

And Whereas, the land area from High Tide Level (HTL) to 500 meters on landward side along the sea front and the land area between HTL to 100 meters or width of the creek whichever is less on the landward side under the tidal influenced water bodies that are connected to sea are declared as a Coastal Regulation Zone areas to be regulated under Coastal Regulation Zone Notification, 2011.

And Whereas, the coastal areas which are ecologically sensitive and the geomorphologic features such as mangroves, salt marshes, turtle nesting ground, Mudflats etc. are also covered in the coastal regulation zone.

And Whereas, the coastal areas that have been developed upto or close to shoreline are designated as CRZ II

And Whereas the coastal areas that are relatively undisturbed and do not belong to CRZ I or CRZ II which include rural and urban areas have designated as CRZ III.

And Whereas, the MoEF vide Rule (8) of CRZ Notification 2011 has prescribed norms for regulation of activities in CRZ I, CRZ II, CRZ III and CRZ IV

And Whereas as per the provision (6) (c) of CRZ Notification 2011, the State Government or the Union Territory Coastal Zone Management Authority shall be primarily responsible for enforcing and monitoring of the CRZ Notification 2011 and to assist in this task, the State Government and union territory shall constitute a District Level Monitoring Committee under the Chairmanship of the District Magistrate concerned consisting of three representatives of local traditional coastal communities including fisher folk.

And Whereas it was under consideration of the State Government to constitute District Level Coastal Monitoring Committees in the coastal districts of the Maharashtra, to comply with the provisions of the CRZ Notification, 2011 and to enforce for the purpose of implementation and enforcement of provisions of CRZ Notification in the State.

Therefore, in exercise of the powers conferred under provision 6(c) of CRZ Notification, 2011, the State Government hereby constitute the District Level Coastal Monitoring Committees in the Coastal Districts of Maharashtra as follows:-

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| 1) District Collector of the concerned District | ... | Chairman |
| 2) Superintendent of Police/Dy. Commissioner of Police | ... | Member |
| 3) District Forest Officer of the concerned district | ... | Member |
| 4) Representative from Divisional Commissioner, Konkan Division | ... | Member |
| 5) Sub Divisional Officer of the Coastal Sub Divisions of the Districts. | ... | Member |
| 6) District Superintendent of Land Records. | ... | Member |
| 7) Commissioner or his representative Coastal Municipal Corporation. | ... | Member |
| 8) District Town Planning Officer (Deputy Director/Assistant Director of Town Planning) | ... | Member |
| 9) District Assistant Commissioner of Fisheries | ... | Member |
| 10) Chief Officers of Coastal Municipal Councils | ... | Member |

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| 11) Representative of Traditional Coastal Communities or fisher folk (minimum 3)
To be nominated by District Collector | ... | Member |
| 12) Regional Officer/Sub Regional Officer of Maharashtra Pollution Control Board | ... | Member |
| 13) Two eminent experts in the Coastal issues
(to be nominated by Collector) | ... | Member |
| 14) Resident Deputy Collector | ... | Member Secretary |

Powers and functions of the District Committees :

- 1) The Committee shall have the powers to take measures for protecting and improving the quality of the coastal environment and for preventing, abating and controlling environmental pollution in the coastal areas of the State of Maharashtra.
- 2) The Committee shall take time bound steps for identification of violations of the provisions of CRZ Notification and the approved CZMP there under, for initiation of action under the Environment Protection Act, 1986.
- 3) The Committee shall identify violation in CRZ-I areas (i.e. encroachment on Mangroves, Choupaty, Beach area, etc.), CRZ-II areas and CRZ-III areas, within their respective jurisdiction and initiate action under Section 19 of the Environment Protection Act 1986, under the powers delegated to District Collector and Sub Divisional Officer under Environment (Protection) Act, 1986 in their respective jurisdiction.
- 4) The Committee shall send the details of the identified violations including action taken to the Environment Department and the Maharashtra Coastal Zone Management Authority.
- 5) The Committee shall send its monthly report to the Divisional Commissioner, Konkan Division, the Secretary, Environment Department, Govt. of Maharashtra and the Chief Secretary, Government of Maharashtra.
- 6) The Committee shall be responsible for removal of encroachments and unauthorized structures in coastal areas of CRZ-I, CRZ-II and CRZ-III, if necessary, the District Collector being the Chairman of the Committee is directed to use powers as vested in him to levy penalty or to recover cost from unauthorized constructions.
- 7) The Committee shall also identify the areas which need special conservation and protection measures under its jurisdiction and recommend it to the Maharashtra Coastal Zone Management Authority and the State Environment Department for

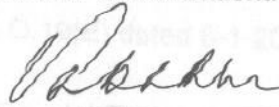
further necessary action. If required the Committee may consult or obtain opinion of Expert agencies, Institutes, Universities etc. in the field in this regard.

- 8) The Committee shall also monitor compliance of the conditions stipulated in the Coastal Regulation Zone Notification, 2011 and Environment Clearance accorded to the Project and submit its quarterly report to the Environment Department and Maharashtra Coastal Zone Management Authority.
- 9) The Member Secretary of the Committee will be responsible for maintaining all records of the Committee.
- 10) The Committee will also take on priority the issues/complaints of coastal communities including fishermen and if desires so, may recommend the matter to the concerned department in the State Government for appropriate action.
- 11) The Committee shall undertake review of cases involving violation of the provisions of the said Act and the rules made there under or under any other law which are related to the project of the said Act, and if found necessary may refer such cases, with comments, for review to the Environment Department / State Coastal Zone Management Authority.
- 12) The Committee shall take up cases suo motu or on the basis of complaints made by an individual or representative body or through news paper report or through MCZMA or an organization or any member of the Committee. The Committee may refer cases to the concerned authorities/departments in the district for appropriate legal action, if needed. Committee shall submit its action taken report on complaints to Department of Environment and Divisional Commissioner, Konkan on every month.
- 13) The Committee shall identify ecological sensitive areas in the CRZ and formulatē area specific management plan for such identified areas for onward recommendation to State Government.
- 14) The foregoing powers and functions of the Committee shall be subject to the supervision and control of the State Government.
- 15) Any matter specifically not falling within the scope and jurisdiction of the Committee as so constituted shall be dealt with by the statutory authorities concerned at the district level.
- 16) District Police authorities will assist this Committee to help in removing encroachment, unauthorized and illegal structures from coastal regulation zone areas.
- 17) The materials and assets forfeited and conspicated from the site of violation can be kept in custody of forest department or police department as concerned in the matter.

- 18) Any appeal against the decision of the District Committee shall be reviewed by the Secretary Environment and Chairman of the MCZMA.
- 19) The Collector shall present the report of DCZMC in the every meeting of DPDC Committee.
- 20) Committee will provide all assistance and will co-ordinate in preparing Coastal Zone Management Plan of the district and mapping of hazard line in the coastal areas as per the directions of the State and Central Government.

This Committee shall meet monthly to review the compliance of the complaints and other tasks entrusted to the Committee. Minutes of the meeting shall be sent to State Government immediately. Environment Department will publish all the minutes, reports, complaints and upload recommendations etc. submitted by DCZMC on its Website on monthly basis.

By order and in the name of the Governor of Maharashtra,



(Valsa R. Nair Singh)
Secretary (Environment)

To

The Prin. Secretary to Chief Minister, Mantralaya,
The Private Secretary to Deputy Chief Minister, Mantralaya,
The Private Secretary to Minister (Environment), Mantralaya,
The Private Secretary to State Minister (Environment), Mantralaya,
The Chief Secretary, Mantralaya,
The Special Secretary, Ministry of Environment & Forest, New Delhi.
The Director, Coastal Regulation Zone, MoEF, New Delhi.
All Addl. Chief Secretary/Prin. Secretary/Secretary of all Departments, Mantralaya,
The Commissioner, Konkan Division, Konkan Bhavan, Navi Mumbai
The Member Secretary, Maharashtra Pollution Control Board,
The Collectors of the Coastal Districts,
The Superintendent of Police/Dy. Commissioner of Police of concerned Districts
The Distt. Forest Officers of the concerned Districts,
The Sub Divisional Officer of the concerned Districts,
The District Superintendent of Land Records,
The Tahsildars of Coastal Talukas in the District.
The Commissioner of Coastal Municipal Corporations,
The Deputy Director/Assistant Director of Town Planning,
The Chief Officers of Coastal Municipal Councils,
The Sub Regional Officer of Maharashtra Pollution Control Board,
The Deputy Collectors of the Coastal Districts,
The Deputy Secretaries of Environment Department.
The Select File of Environment Deptt. (TC-3/MCZMA)