



NATIONAL PLATFORM FOR SMALL SCALE FISHWORKERS

July 14, 2023

NPSSF STATEMENT

National Platform for Small Scale Fish Workers

REJECTS

Coastal Regulation Zone Amendment Notification

[S.O. 2903(E). Dt. 3rd July, 2023]

In yet another instance of flouting all democratic norms and legal proprieties to promote interests of the corporate sector against conservation of coastal natural resources and the livelihood of small-scale fishing communities dependent on those resources, the Ministry of Environment, Forest and Climate Change (MOEF&CC) has issued an **Amendment Notification (No. S.O. 2903(E). Dt. 3rd July, 2023) to Coastal Regulation Zone (CRZ) Notification 2011 four years and six months after it was superseded by the Coastal Regulation Zone (CRZ) Notification 2019.**

Most conspicuously **no draft for the amendments was placed in the public domain for comments.** The purports of the amendments have been to **provide extension for CRZ clearances** to projects approved under CRZ 2011 Notification and to **accord facilities of splitting and transfer to them with eased out clearance conditions.**

The **National Platform for Small Scale Fish Workers (NPSSF)** rejects the **Amendment Notification (No. S.O. 2903(E). Dt. 3rd July, 2023) to Coastal Regulation Zone (CRZ) Notification 2011** for the following reasons -

A. It is undemocratic in procedure:

The MoEF & CC has issued the instant CRZ amendment notification without providing the citizens of the country including the fishing communities who are by far the largest primary stake holders of the coastal natural resources any scope to comment on the amendments contained in it. This not only grossly violates democratic norms, but also is unprecedented in the history of amendments to the CRZ Notification.

B. It is legally untenable:

- i. The Coastal Regulation Zone Notification 2019, number G.S.R.37(E) dated 18th January 2019 was issued "...in supersession of the Coastal Regulation Zone Notification 2011, number S.O. 19(E), dated the 6th January, 2011, except as respects things done or omitted to be done before such supersession,".

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- ii. It is obvious from the above that after supersession the relevance of CRZ 2011 rests only with 'things done or omitted to be done before such supersession' with reference to the superseded notification. New omissions and commissions of provisions cannot be made to a superseded statutory notification.
- iii. The instant amendments do not concern 'things done or omitted to be done before such supersession' with reference to the superseded CRZ Notification 2011, on the contrary their purpose is to place some new provisions to the already superseded CRZ 2011 Notification. This is **ultravires**.

C. It is both arbitrary and malafide:

- i. Whereas the clause (iv) of sub-paragraph 4.2 of CRZ Notification 2011 states "The clearance accorded to the projects under the CRZ notification shall be valid for the **period of five years** from the date of issue of the clearance for commencement of construction and operation." The instant amendment states that "The clearance accorded to the projects under this notification shall be valid for a **period of ten years**" and "...the period of validity of the CRZ clearance may be **extended by a maximum period of one year...**"
- ii. As we know, seas and sea coasts are extremely dynamic in nature and undergo continuous change in terms of tidal and wave behavior, cyclones, storm surges, erosion and accretion. These changes accentuate especially in an era of climate change. According clearance to coastal projects for ten plus years is **imprudent and may be disastrous**. Vulnerability of coasts calls for regular and short-term review of clearance accorded to coastal projects/activities.
- iii. Even CRZ 2019 Notification does not provide for a ten-year clearance. It states that "The clearance accorded to the projects under this notification shall be valid for a **period of seven years**, provided that the construction activities are completed and the operations commence within seven years from the date of issue of such clearance". Why the MoEF&CC is bent on according **special favour** to projects approved under CRZ 2011 Notification?
- iv. Further, in substituting clause (v) of the sub-paragraph 4.2 of CRZ 2011 Notification the amendment strikes off the provision for '**Post-Clearance Monitoring**' which has been retained in the CRZ 2019 Notification. The most ominous fallout is that the projects/activities having clearance under CRZ 2011 Notification may enjoy exemption from complying to the conditions stipulated in clearance certificates accorded to them.
- v. Not only that, the amendment states "The project which require both EC and CRZ clearance, the validity of such clearances shall be in accordance with the EIA Notification, as amended from time to time: Provided that the extension of period of validity of such clearance shall be after obtaining recommendation from the Coastal Zone Management Authority concerned and the Expert Appraisal Committee concerned." This means that though CRZ and EC both clearances are required, the validity will depend **only on EC clearance. CRZ clearance is thus rendered infructuous in running a coastal project**. The MoEF&CC has conveniently missed the fact that CRZ clearance has been called for precisely because EC clearance is considered to be inadequate with reference to the environmentally sensitive CRZ area.

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- vi. The amendment goes on to **add two new provisions to CRZ 2011 Notification**, those of **transferring and splitting of CRZ Clearance**.
- a) It states “A CRZ clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written “no objection” by the transferor, to, and by the authority concerned, on the same terms and conditions under which the CRZ clearance was initially granted, and for the same period of validity of the clearance.” And then it states “Notwithstanding anything contained above, the projects requiring both EC and CRZ clearance, **the transfer of clearance shall be in accordance with the provisions of the EIA Notification**, as amended from time to time, after obtaining recommendation of the concerned Coastal Zone Management Authority.” It means that provisions of CRZ clearance, including its violations and/or non-compliances, will not be considered while transferring CRZ Clearance from one person to another.
- b) It also states that “A CRZ clearance granted for a specific project, may be **split amongst two or more legal persons**, entitled to undertake the project and transferred during the validity to another legal person on application made by the transferor along with requisite documents and the Central Government or the Coastal Zone Management Authority concerned shall split and transfer the CRZ clearance to the other legal persons for the respective projects, after obtaining recommendation by the Coastal Zone Management Authority concerned and if required the recommendation of the Expert Appraisal Committee concerned”. CRZ and Environment Clearances to projects and/or activities relate to **spatial extent of potential impacts on human health and natural and manmade resources and are based on ‘threshold limit’**. While CRZ clearance refers to special features of Coastal Regulation Zone, Environment Clearance refers to general environmental factors.

Splitting a clearance among two or more legal persons is going to provide huge relaxation in terms of CRZ or Environment Clearance to any project or activity if its potential impact is also split into two or more parts. CRZ or Environment Clearances are provided by project and not by persons. If a project or activity has two or more proprietors then why should the clearance be split? It can easily be issued in favour of the proprietors jointly. **The malafide design is evident.**

Last but not the least, it is quite revealing to note that CRZ 2019 Notification has no such provision for transfer or splitting of clearance. **If transferring or splitting of CRZ clearance appears to be so important to the Government in MoEF&CC, then why didn't they move an amendment to the same effect for CRZ 2019 Notification? Is it to provide some special favour to those projects that got clearances under CRZ 2011 Notification?**

The specter of crony capitalism looms large.

NPSSF Calls –

REJECT – CRZ Amendment Notification No. S.O. 2903(E). Dt. 3rd July, 2023.

SAVE WATER, SAVE COAST, SAVE COASTAL FISHING COMMUNITIES.

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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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अधिसूचना

नई दिल्ली, 3 जुलाई, 2023

का.आ. 2903(अ).—केन्द्रीय सरकार ने पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों के प्रयोग में, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में जारी भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्या का.आ. 19(अ), तारीख 6 जनवरी, 2011 (जिसे इसमें इसके पश्चात् सीआरजेड अधिसूचना, 2011 कहा गया है) द्वारा कतिपय तटीय विस्तारों को तटीय विनियमन क्षेत्र के रूप में घोषित किया था और उक्त क्षेत्र में उद्योगों को स्थापित करने और विस्तार करने, प्रचालन और प्रसंस्करण पर निर्बंधन अधिरोपित किये गए थे ;

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 उपधारा (1) और उपधारा (2) के खंड (v) के अधीन जारी भारत सरकार के तत्कालीन पर्यावरण एवं वन मंत्रालय की अधिसूचना संख्या का.आ. 1533 (अ) तारीख 14 सितम्बर, 2006 (जिसे इसमें इसके पश्चात् ईआईए अधिसूचना कहा गया है) द्वारा केन्द्रीय सरकार ने निदेश दिया कि प्रक्रिया या प्रौद्योगिकी या उत्पाद में परिवर्तन के साथ क्षमता जोड़ने को अपरिहार्य करने वाली ईआईए अधिसूचना की अनुसूची में सूचीबद्ध नई परियोजनाएं या क्रियाकलाप या विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार या आधुनिकीकरण, यथास्थिति, केन्द्रीय सरकार से या राज्यस्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण से पूर्व पर्यावरणीय मंजूरी (ईसी) प्राप्त करने के पश्चात् ही भारत के किसी भाग में किया जाएगा ;

और, सीआरजेड अधिसूचना, 2011 के अधीन अनुदत्त मंजूरी (जिसे इसमें इसके पश्चात् तटीय विनियमन क्षेत्र मंजूरी कहा गया है) नई परियोजनाएं या क्रियाकलाप या विद्यमान परियोजनाओं या क्रियाकलापों का विस्तार या आधुनिकीकरण को भी लागू है, जो सीआरजेड अधिसूचना, 2011 के अधीन विनियमित तटीय विनियमन क्षेत्र में प्रस्तावित हैं तथा ईआईए अधिसूचना की अनुसूची में भी सूचीबद्ध हैं, जिसके लिए पर्यावरण मंजूरी अनुदत्त की जाती है ;

और, ईआईए अधिसूचना में कतिपय उपबंध जैसे मंजूरी के अंतरण के लिए उपबंध तटीय विनियमन क्षेत्र अधिसूचना में उपलब्ध नहीं है तथा तटीय विनियमन क्षेत्र अधिसूचना में मंजूरी की वैधता ईआईए अधिसूचना के अनुरूप नहीं है। इस संबंध में केंद्रीय सरकार की यह राय है कि इसे ईआईए अधिसूचना, 2006 के अनुरूप बनाने के लिए सीआरजेड अधिसूचना, 2011 का संशोधन करना अनिवार्य है ;

और, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 का उपनियम (4) उपबंध करता है कि जब कभी केन्द्रीय सरकार को ऐसा प्रतीत होता है कि ऐसा करना लोकहित में है, तो वह उक्त नियमों के उपनियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा से छूट दे सकेगी ;

और, केन्द्रीय सरकार की यह राय है कि इस अधिसूचना को जारी करने के लिए उक्त नियमों के नियम 5 के उपनियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा से छूट लोकहित में है ;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) के अधीन, भारत सरकार के तत्कालीन पर्यावरण एवं वन मंत्रालय की अधिसूचना संख्या का.आ. 19 (अ) तारीख 6 जनवरी, 2011 में निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त अधिसूचना के पैरा 4 के उपपैरा (4.2) में,--

(अ) खंड (v) के स्थान पर, निम्नलिखित खंड रखे जाएंगे, अर्थात् :--

“(v) इस अधिसूचना के अधीन परियोजनाओं को दी गई मंजूरी दस वर्ष की अवधि के लिए वैध होगी। परंतु सीआरजेड मंजूरी की वैधता की अवधि को अधिकतम एक वर्ष की अवधि तक बढ़ाया जा सकेगा, यदि सीआरजेड मंजूरी की वैधता की अवधि के भीतर आवेदक द्वारा संबंधित तटीय क्षेत्र प्रबंधन प्राधिकरण की सिफारिशों के साथ आवेदन किया जाता है :

परंतु जहां आवेदक द्वारा इस अधिसूचना के अधीन वैधता की अवधि के विस्तार के लिए आवेदन,--

(क) ऐसी वैधता की अवधि की समाप्ति के पश्चात् तीस दिनों के भीतर फाइल किया जाता है, तो यथास्थिति, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय में संबंधित प्रभाग के प्रमुख या तटीय क्षेत्र प्रबंधन प्राधिकरण के सचिव द्वारा विलंब को क्षमा किया जा सकेगा और तत्पश्चात् मंजूरी की वैधता की अवधि के विस्तार के लिए आवेदन पर विचार हेतु आवेदन समुचित प्राधिकारी को निर्दिष्ट किया जाएगा ;

(ख) ऐसी वैधता की अवधि की समाप्ति के तीस दिनों के पश्चात्, किंतु ऐसी वैधता की अवधि की समाप्ति के नब्बे दिनों के भीतर फाइल किया जाता है, तो, यथास्थिति, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के भारसाधक मंत्री या तटीय क्षेत्र प्रबंधन प्राधिकरण के अध्यक्ष द्वारा विलंब को क्षमा किया जा सकेगा और तत्पश्चात् मंजूरी की वैधता की अवधि के विस्तार के लिए आवेदन पर विचार हेतु आवेदन समुचित प्राधिकारी को निर्दिष्ट किया जाएगा :

परंतु यह भी कि सीआरजेड मंजूरी की वैधता की अवधि की समाप्ति के पश्चात् नब्बे दिनों से आगे विस्तार के लिए किसी भी आवेदन पर विचार नहीं किया जाएगा।

स्पष्टीकरण—इस खंड में, मंजूरी की वैधता से आशय ऐसी अवधि से है, जो आवेदक को सीआरजेड मंजूरी अनुदत्त करने से आरंभ होकर, परियोजना या क्रियाकलाप द्वारा उत्पादन प्रचालनों के आरंभ तक है ; या सन्निर्माण परियोजनाओं के मामले में सभी सन्निर्माण प्रचालनों के पूर्ण हो तक, जिससे सीआरजेड मंजूरी के लिए आवेदन निर्दिष्ट है।

(vक) वे परियोजनाएं, जिनके लिए ईसी और सीआरजेड दोनों मंजूरी अपेक्षित हैं, ऐसी मंजूरीयों की वैधता समय-समय पर यथासंशोधित ईआईए अधिसूचना के अनुसार होगी :

परंतु ऐसी मंजूरी की वैधता की अवधि का विस्तार संबंधित तटीय क्षेत्र प्रबंधन प्राधिकरण और संबंधित विशेषज्ञ मूल्यांकन समिति से सिफारिश प्राप्त करने के पश्चात् होगा।

(वख) खंड (v) में अंतर्विष्ट किसी बात के होते हुए भी, इस अधिसूचना के अधीन अनुदत्त सीआरजेड मंजूरी की वैधता की अवधि की संगणना के प्रयोजन के लिए, कोरोना वायरस (कोविड-19) के प्रसार को दृष्टिगत रखते हुए, 1 अप्रैल, 2020 से 31 मार्च, 2021 की अवधि को विचार में नहीं लिया जाएगा।”;

(आ) खंड (vii) के पश्चात्, निम्नलिखित खंड अंतःस्थापित किए जाएंगे, अर्थात् :--

(viii) किसी आवेदक को किसी विनिर्दिष्ट परियोजना या क्रियाकलाप के लिए अनुदत्त सीआरजेड मंजूरी इसकी वैधता के दौरान, उन्हीं शर्तों और निबंधनों पर, जिनके अधीन सीआरजेड मंजूरी आरंभ में अनुदत्त की गई थी तथा मंजूरी की वैधता की उसी अवधि के लिए अंतरक द्वारा और संबंधित प्राधिकारी द्वारा लिखित “अनापत्ति” के साथ अंतरक द्वारा या अंतरिती द्वारा आवेदन पर, परियोजना या क्रियाकलाप करने के हकदार किसी अन्य विधिक व्यक्ति को अंतरित की जा सकेगी।

(ix) विनिर्दिष्ट परियोजना या क्रियाकलाप के लिए सीआरजेड मंजूरी वैधता के दौरान, परियोजना चलाने और अंतरित करने के हकदार दो या अधिक व्यक्तियों के मध्य अपेक्षित दस्तावेजों के साथ अंतरक द्वारा किए गए आवेदन पर, विभाजित की जा सकेगी तथा केंद्रीय सरकार या संबंधित तटीय क्षेत्र प्रबंधन प्राधिकरण संबंधित परियोजनाओं के लिए संबंधित तटीय क्षेत्र प्रबंधन प्राधिकरण द्वारा सिफारिश और यदि अपेक्षित हो तो संबंधित विशेषज्ञ मूल्यांकन समिति से सिफारिश प्राप्त करने के पश्चात् किन्हीं अन्य विधिक व्यक्तियों को सीआरजेड मंजूरी विभाजित और अंतरित कर सकेंगे।

(x) ऊपर अंतर्विष्ट किसी बात के होते हुए भी, इसी और सीआरजेड दोनों मंजूरी की अपेक्षा वाली परियोजनाओं में मंजूरी का अंतरण संबंधित तटीय क्षेत्र प्रबंधन प्राधिकरण की सिफारिश प्राप्त करने के पश्चात् समय-समय पर यथासंशोधित ईआईए अधिसूचना के अनुसार किया जाएगा।”

[फा.सं. 19-112/2013-आईए.3(पार्ट-3)]

डॉ. सुजीत कुमार बाजपेयी, संयुक्त सचिव

टिप्पण— मूल अधिसूचना, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उप-खंड (ii) में संख्या का.आ. 19(अ), तारीख 6 जनवरी, 2011 द्वारा प्रकाशित की गई थी और संख्या का.आ. 1422(अ), तारीख 1 मई, 2020 द्वारा अंतिम बार संशोधित की गई थी।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 3rd July, 2023

S.O. 2903(E).—WHEREAS, the Central Government in the erstwhile Ministry of Environment and Forests, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) has issued a notification in the Gazette of India, Extraordinary, Part II, Section-3, Sub-section (ii), vide number S.O. 19(E), dated the 6th January, 2011 hereinafter referred to as the CRZ Notification, 2011, for declaring certain coastal stretches as Coastal Regulation Zone wherein restrictions were imposed on the setting up and expansion of industries, operations and processes in the said zone;

AND WHEREAS, by notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.1533 (E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of the sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the EIA Notification), the Central Government directed that new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the EIA notification entailing capacity addition with change in process or technology or product shall be undertaken in any part of India only after obtaining prior environmental clearance (EC) from the Central Government or by the State Level Environment Impact Assessment Authority, as the case may be;

AND WHEREAS, the clearance granted under CRZ Notification, 2011 (hereinafter referred to as the CRZ clearance) are also applicable to the new projects or activities or the expansion or modernisation of existing projects or activities which are proposed in the Coastal Regulation Zones regulated under the CRZ Notification, 2011 and are also listed in the Schedule to the EIA Notification, for which EC is granted;

AND WHEREAS, certain provision in the EIA Notification such as, provision for transfer of clearance is not available in CRZ Notification and provision such as validity of clearance in the CRZ Notification, is not in

consonance with EIA Notification. In this regard, the Central Government is of the opinion that it is imperative to amend the CRZ Notification 2011 to make it in consonance with EIA Notification 2006;

AND WHEREAS, sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that whenever it appears to the Central Government that it is in public interest so to do, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of the said rules;

AND WHEREAS, the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules to issue this notification;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby, makes the following further amendments in 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, namely:-

In the said notification, in paragraph 4, in sub-paragraph 4.2,-

(A) for clause (v), the following clauses shall be substituted, namely:-

“(v) The clearance accorded to the projects under this notification shall be valid for a period of ten years. Provided that the period of validity of the CRZ clearance may be extended by a maximum period of one year, if an application is made by the applicant within the period of validity of the CRZ Clearance along with the recommendations of the Coastal Zone Management Authority concerned:

Provided that where the application for extension of period of validity of clearance under this notification is filed by the applicant-

(a) within thirty days after expiry of the period of such validity, the delay may be condoned by the head of the division concerned in the Ministry of Environment, Forests and Climate Change or the member-secretary of the Coastal Zone Management Authority, as the case may be, and thereafter the application shall be referred to the appropriate authority for consideration of the application for extension of period of validity of the clearance;

(b) thirty days after expiry of the period of such validity but within ninety days after expiry of such validity, the delay may be condoned by the Minister in charge of the Ministry of Environment, Forests and Climate Change or the chairperson of the Coastal Zone Management Authority, as the case may be; and thereafter the application shall be referred to the appropriate authority for consideration of the application for extension of period of validity of the clearance:

Provided also that no application for extension filed beyond ninety days after the expiry of the period of validity of CRZ clearance shall be entertained.

Explanation.- In this clause, the validity of clearance is meant the period from which a CRZ clearance is granted to the applicant, to the start of production operations by the project or activity; or the completion of all construction operations in case of construction projects, to which the application for CRZ clearance refers to.

(va) The project which require both EC and CRZ clearance, the validity of such clearances shall be in accordance with the EIA Notification, as amended from time to time:

Provided that the extension of period of validity of such clearance shall be after obtaining recommendation from the Coastal Zone Management Authority concerned and the Expert Appraisal Committee concerned.

(vb) Notwithstanding anything contained in clause (v), the period from the 1st April, 2020 to the 31st March, 2021 shall not be considered for the purpose of calculation of the period of validity of CRZ clearance granted under this notification in view of outbreak of Corona Virus (COVID-19).”;

(B) after clause (vii), the following clauses shall be inserted, namely:-

“(viii) A CRZ clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written “no objection” by the transferor, to, and by the authority concerned, on the same terms and conditions under which the CRZ clearance was initially granted, and for the same period of validity of the clearance.

(ix) A CRZ clearance granted for a specific project, may be split amongst two or more legal persons, entitled to undertake the project and transferred during the validity to another legal person on application made by the transferor along with requisite documents and the Central Government or the Coastal Zone Management Authority concerned shall split and transfer the CRZ clearance to the other legal persons for the respective projects, after

obtaining recommendation by the Coastal Zone Management Authority concerned and if required the recommendation of the Expert Appraisal Committee concerned.

(x) Notwithstanding anything contained above, the projects requiring both EC and CRZ clearance, the transfer of clearance shall be in accordance with the provisions of the EIA Notification, as amended from time to time, after obtaining recommendation of the concerned Coastal Zone Management Authority. '

[F. No. 19-112/2013-IA.III(Part-3)]

DR. SUJIT KUMAR BAJPAYEE, Jt. Secy.

Note.- The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 19 (E), dated the 6th January, 2011 and last amended vide number S.O. 1422(E), dated the 1st May, 2020.