

**CALLING ATTENTION TABLED BY SHRI MICHAEL LOBO MLA, TO
BE ANSWERED ON 10/02/2024**

“Fear and anxiety in the minds of the Traditional Dwellers / Fisherman / local inhabitants of the Goa Coastal belt of Goa. Since they have received various. Inspections Notices / Show Cause Notice / Demolition Orders from Goa Coastal Zone Management Authority for their Residential Houses / Restaurants / Guest Houses / Shop etc. The livelihood of the Traditional Dwellers / Fisherman / Local inhabitants are at stake. The steps Government intends to take to help the local people staying within 500 meter of the High Tide Line within the State of Goa”

Speaker Sir, I rise up to answer to the calling attention motion tabled by my colleague, Mr. Michael Lobo, MLA of Calangute Constituency.

- At the outset I have to submit that the CRZ Notification 2011 has been issued in terms of sub-section (1) of clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 which is a Central Act with a view to ensure the livelihood security to the Fisherman Communities and other local communities, with a view to ensure livelihood security to the Fisherman Communities and other local communities living in the coastal areas, to conserve and protect coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise; due to global warming.
- The Areas covered under the CRZ Notification is a land area from High Tide Line (hereinafter referred to as the HTL) from, 0 to 500 mts. on the landward side along the sea front and it shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand.
- The CRZ Notification provides for permissible and prohibited activities. The CRZ Notification is classified into four categories i.e CRZ-I which comprises of areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast such as Mangroves, Corals and coral reefs, Sand Dunes, Mudflats which are biologically active, National parks, marine parks, Salt Marshes, Turtle nesting grounds and areas or structures of archaeological importance and heritage sites.
- The next classification is CRZ –II the areas that have been developed area's upto or close to the shoreline which will be basically the areas within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and other such as water supply and sewerage mains.
- The third classification is the CRZ-III areas which forms the areas that are

relatively undisturbed and those which do not belong to either CRZ-I or II which are CRZ III areas and which by far and large is applicable to rural areas and finally the CRZ IV area from the Low Tide Line to twelve nautical miles towards water side.

- The CRZ Notification II provides for constructions to be permitted on the landward side of the existing road or on the landward side of the existing road or on the landward side of authorized existing structure in areas which are notified as Municipal areas or legally designate urban areas, Floor Space Index in urban areas, re-construction is also permitted in such areas without change of floor space index or floor area ratio norms and without change in present use.
- In areas classified under CRZ-III no new construction is permitted within the NDZ area i.e 0-200/500 from High Tide Line on the landward side except for repairs or re-construction of existing structures not exceeding FSI, existing plinth and existing density. Construction/re-construction of dwelling units of traditional coastal communities specially - the fisher folk communities may be permitted between 100 to 200 mts from the HTL (high tide line) along the sea front in accordance with the comprehensive plan prepared which is in the pipeline to be prepared by State Government in consultation with Traditional Coastal Communities.
- Speaker Sir, I take this privilege to place on record before this august house that on account of my personal intervention special provision were provided for the State of Goa when the CRZ Notification 2011 was prepared and one such provision was re-construction, repair works of the structure of local communities including fisherman communities shall be permissible in CRZ and purely temporary and seasonal structures, customarily put up between months of September to May are permitted only for our State which structures need not be removed and dismantled during the month of June to August provided that the facilities available shall remain non-operational during the month of June to August.
- The Provision of Section 6(d) also provides that the dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely- (i) these are not used for any commercial activity (ii) these are not sold or transferred to non- traditional coastal community.
- Speaker Sir, the Entire CRZ Notification which is centered towards ONE APPOINTED i.e 19/02/1991 then all structures existing prior to 19/2/1991 and the on-going constructions at that relevant point of time, which had the stamp of approval of the Goa State Council for Coastal Environment will stand to get insulated from rigors of stringent provisions contained in the CRZ Notification of 2011.

- Speaker Sir, in the recent past, the GCZMA is flooded with various complaints which are both i.e as against local inhabitants as well as against the new settlers within this fragile area which are required to be protected to preserve coastal ecology.
- The GCZMA has been constituted vide Notification bearing No: S.O.6071(E) dated 27/12/2022 issued by Ministry of Environment, Forest and Climate Change and it has been given a mandate to be responsible and to regulate all developmental activities in the Coastal Regulation Zone areas as specified in the said notification; (i) responsible for enforcing and monitoring the provisions of the said notification; (II) issue directions under section 5 of the said Act and to take such action/s as may be required under section 10 of the said Act (iii) to verify the facts of the cases before it; (iv) to file complaint/s under section 19 of the said Act; (v) to examine the proposals received from the State Government of Goa for changes or modifications in the classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan and make specific recommendations thereon, to the National Coastal Zone Management Authority (vi) to inquire into cases of alleged violation of the provisions of the said Act or the rules made thereunder, and review the cases involving violations or contraventions of the provisions of the said Act and the rules made thereunder; and (vii) to inquire or review cases of violations or contraventions of the said notification suo-moto, or on the basis of a complaint made by any individual or body or organisation. It is in this context that the GCZMA had issued notices for inspection and thereafter have issued Show Cause Notice if any violations have been observed at the time of inspection's and upon following the principle of Natural Justice and after verifying the documents of proof have passed orders either of discharge or demolition as the case may be.
- In the recent past the GCZMA has acted as per the directions given by the Courts of Law whereby commercial establishments have been ordered to be sealed if they have failed to prove their existence prior to 19.2.1991 or that they had any permissions from the GCZMA. My Government is sympathetic towards these traditional coastal communities and hence it has endeavored to prepare a comprehensive plan in consultation with the stake holder.
- The survey for identifying the fishermen houses under way. Care will be taken to ensure that unscrupulous persons who are not traditional dwellers are not finding a mention in the comprehensive plan for traditional Coastal Communities will not be figuring in the protective list and this will be placed in public domain.