

F. No. IA3-2/11/2021-IA.III
Government of India
Ministry of Environment, Forest & Climate Change
IA-III Section (CRZ)

Indira Paryavaran Bhavan,
Jor Bagh Road,
New Delhi-110003
Dated: 31st January, 2022

Subject: Directions under Section 5 of Environment (Protection) Act, 1986 for violation of the provisions of the Coastal Regulation Zone Notification, 2011 – regarding.

WHEREAS the Government of India issued the Coastal Regulation Zone (CRZ) Notification, 2011 vide S.O. No. 19(E) dated 6th January, 2011 under the Environment (Protection) Act, 1986 for protecting and conserving the coastal environment and to regulate development in the CRZ area; and

2. WHEREAS, the Ministry received several representations on illegal construction of resort and road in CRZ –III [No Development Zone (NDZ)] area at Survey No. 446, Sea Shore of Murud, Tehsil Dapoli, District Ratnagiri, Maharashtra, and

3. WHEREAS, based on the information provided in the representation, National Centre for Sustainable Coastal Management (NCSCM), an institute under this Ministry has concluded that”*...From the approved CZMP, it is seen that the site and survey No. 446 fall within the NDZ in CRZ-III. The said Sai Resort, including the buildings, roads and other structures have been constructed within 200 metres in the landward side of High Tide Line i.e., in the No Development Zone (NDZ) in CRZ-III. This is a violation of the conditions stipulated in the CRZ Notification, 2011 for construction of beach resorts or hotels in the designated areas of CRZ-III....*”, and

4. WHEREAS, based on the representations and report of NCSCM, the Integrated Regional Office of this Ministry at Nagpur carried out a site inspection on 12/06/2021 along with Sub Divisional Officer & SDM, Dapoli and Tehsildar, Dapoli and made the following conclusions:

- *Sai Resort NX (G+2 Floors), Sea Conch Resort (G+1+ Covered structure in 2nd Floor) existing in Gat No.446 and approach road to the resorts are located in No Development Zone in CRZ-III as per CRZ Notification 2011. The constructions are in violation of CRZ Notification 2011 (Section 8 III (ii) of the Notification).*
- *One more road nearby to the resort connecting to the approach road is also in the No Development Zone in CRZ III, and*

5. WHEREAS, Maharashtra Coastal Zone Management Authority vide its letter No. Complaint 2021/CR43/TC-4, dated 29/06/2021 has also stated that the construction of resort at Gat No. 446 is in violation of extant CRZ norms, and

6. WHEREAS, as per extant provisions of the CRZ Notification, 2011, para 8 (I) III.CRZ-III A(ii), no construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure, thus the resorts in Gat No.446, falling within CRZ-III (NDZ) area is a prohibited activity, and

7. WHEREAS, on the basis of detailed examination by the Ministry, it is observed that construction activities, as stated in para 3, 4 & 5 above, have been carried out in complete disregard of the provisions of the CRZ Notification, 2011, and

8. WHEREAS, on the basis of detailed examination by the Ministry, you were directed vide Ministry's letter dated 17th December, 2021 to Show Cause and to submit your response within 15 (fifteen) days, as to why this Ministry shall not order demolition of all the constructions and removal of roads which is a prohibited activity as per the extant CRZ regulations, and

9. WHEREAS, the Ministry had given 15 (fifteen) days' time to respond to the Show Cause notice and submit response, and

10. WHEREAS, the Ministry has not received any response from you till date, and

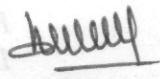
11. NOW, THEREFORE, on the basis of **facts mentioned in Para 1 to 10 above** and on the basis of detailed examination, the Ministry, in accordance with the provisions of Section 5 of the Environment (Protection) Act, 1986 hereby directs M/s Sai Resorts NX and M/s Sea Conch Resort that:

"The unauthorized structure built at Survey No. 446, Sea Shore of Murud, Tehsil Dapoli, District Ratnagiri, Maharashtra should be removed in its entirety and the area shall be restored to its original condition"

Further, project proponent is also directed to ensure compliance to the applicable provisions of Construction and Demolition Waste Management Rules, 2016 while carrying out the demolition activity.

12. In case the above directions are not complied within three (3) months from the date of receipt of this order, the Ministry will be constrained to enforce this direction, and undertake necessary action under the relevant provisions of the Environment (Protection) Act, 1986.

13. This issues with approval of the Competent Authority.


(Dr. H. Kharkwal)
Additional Director /
Scientist 'E'(CRZ)

To

1. M/s Sai Resorts NX,
Gat No. 446, Murud, Tehsil Dapoli,
Ratnagiri-415713, Maharashtra
2. M/s Sea Conch Resort,
Gat No. 446, Murud, Tehsil Dapoli,
Ratnagiri-415713, Maharashtra

Copy to:

1. The Secretary, Environment Department, Government of Maharashtra, 5th Floor, New Administrative Building, Mantralaya, Mumbai - 400032, Maharashtra – *It is requested to ensure compliance to the aforesaid direction of MoEF&CC and action taken report shall be furnished to the Ministry at the earliest.*

2. The Chairman, (Environment) & Additional Secretary, Environment Department, Maharashtra Coastal Zone Management Authority, Government of Maharashtra, 5th Floor, New Administrative Building, Mantralaya, Mumbai - 400032, Maharashtra – *It is requested to ensure compliance to the aforesaid direction of MoEF&CC and action taken report shall be furnished to the Ministry at the earliest.*
3. The Member Secretary, Maharashtra Coastal Zone Management Authority, Government of Maharashtra, Environment Department, 5th Floor, New Administrative Building, Mantralaya, Mumbai - 400032, Maharashtra. – *It is requested to ensure compliance to the aforesaid direction of MoEF&CC and action taken report shall be furnished to the Ministry at the earliest.*
4. The Member Secretary, Maharashtra Pollution Control Board, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Opp. PVR Cinema, Sion Circle, Mumbai-400022, Maharashtra – *It is requested to ensure compliance to the aforesaid direction of MoEF&CC and action taken report shall be furnished to the Ministry at the earliest.*
5. The Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur-440001, Maharashtra.
6. The Director (IA Policy), MoEF&CC, New Delhi.
7. The Director (IA Monitoring), MoEF&CC, New Delhi.
8. Guard File / Website of MoEF&CC.



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Additional Director /
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