

Indian Council for Enviro-Legal Action

Vs

U.O.I & Ors.

W.P. (c) No. 664/1993 A/N with W.P. (c) No. 561/1994 A/N

(Kuldip Singh, S. C. Sen JJ)

12.12.1994

ORDER

1. Ministry of Environment and forests, Govt. of India, issued a Notification dated February 19, 1991, under Clause (d) Of sub-rule (3) of rule 5 of the environment (protection) rules, 1986 wherein it was declared that the coastal stretches of seas, bays, estuaries, creeks, rivers and backwater which are influenced by the tidal action (in the landward side) upto 500 meters from the High tide Line (HTL) and the HTL are Coastal Regulation Zone. The Central Govt. has imposed various restrictions in the said Notification. Mr. Mehta, learned advocate, appearing for the petitioners states that despite the issue of the Notification un-authorized industries and other construction is being permitted by various states within the area which has been declared as coastal Regulation Zone. The respondent States are in the process of filing the replies to the writ petition. Meanwhile we direct all the respondent States not to permit the setting up of any Industry or the construction of any type on the area atleast upto 500 meters from the sea water at the maximum High Tide. The above said area i.e. from the High Tide level up to 500 metres shall be kept free from all construction of any type.

2. The respondents may if they so wish file their replies within six weeks from today. A copy of this order be sent to all the States within one week. We issue notice to the State of State of Goa and other States impleaded in I.A. No. 1. The interim order shall be operative in respect of these State also.

3. The Writ Petitions be posted after six weeks.