



# DAKSHINBANGA MATSYAJIBI FORUM (DMF)

Trade Union Regn. No.20474/92. Affiliated to National Fishworkers' Forum (NFF)

Head Office: 20/4, Sil Lane, Kolkata – 70015. Phone & FAX: 033-23283989 e-mail: dmfwestbengal@gmail.com

## Scrap Draft Coastal Regulation Zone (CRZ) Notification 2018

Date 13.06.2018

Sri Arvind Nautiyal,  
Director,  
Ministry of Environment, Forest and Climate Change (IA-III Division)  
J-615, Jal Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110003

Sub: Objections to the Draft Coastal Regulation Zone (CRZ) Notification 2018

Sir,

We have come to know that the MoEFCC, under memo no. F.No. 19-112/2013-1A-III dt.18.04.2018 has published Draft Coastal Regulation Zone (CRZ) Notification 2018 and has placed the same in the public domain for comments. We are shocked by both the contents of the instant Notification and the manner of its publication. 250 protest letters from the fishing communities are being forwarded with this letter. Our objections are as in the following:

1. The MoEFCC, in publication of the instant Draft Notification has misused the power conferred on it by the law of the country. The Environment Protection Act of 1986, under section 3, provides the Central Government with the provision to take measures "*for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution*". But the Central Government in the MoEFCC has used it to relax restrictions on activities detrimental to coastal environment and to further open up the coast for exploitation and plunder by business and corporate houses;
2. The MoEFCC, in preparation of the draft CRZ Notification, has not consulted the small and traditional coastal fishing communities. The draft CRZ Notification 2018 also fails to recognise major role of small and traditional fishing communities in implementation and monitoring of CRZ regulations. Though the small and traditional coastal fishing communities are by far the largest primary stakeholders and natural custodians of our coastal resources;
3. The MoEFCC, in opening up the coast for further exploitation and plunder through this draft notification has, in effect, opened the floodgate for destruction of coastal environment or ecology and sounded the death knell of the small and traditional fishing communities. **Some of the main proposals** made under the draft notification in the above context are cited below –
  - a. It has sought to reduce the CRZ area related to tide influenced water bodies (rivers, creeks, backwaters etc.) from 100 meters from high tide line or width of the water body whichever is less to **50 meters from high tide line or width of the water body whichever is less.**



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- b. It has sought to include even vacant areas falling within a municipal or notified urban area in CRZ-II if 50% of plots there are built up. **Thus increasing the area under CRZ-II for further constructions and activities.**
- c. It has sought to reduce **No Development Zone (NDZ)** in CRZ-III areas with more than 2161 population per square kilometres from 200 metres from HTL to 50 metres from HTL. **Thus opening up more area under CRZ-III for further constructions and activities.**
- d. It proposes to allow facilities for waste and effluent disposal within CRZ area. **Thus increasing the pollution load and encroachment within it.**
- e. It proposes to put land reclamation for commercial purposes (shop, housing complex, hotel, entertainment) outside prohibition. **Thus it paves the way for widespread encroachment of coastal waters.**
- f. It proposes to permit tourism activities even in mangrove areas, CRZ-IA (mangrove walk, tree houses and nature trails. **Section 5.1.1**). Thus opening the way for encroachments even on mangroves.
- g. It proposes to withdraw all CRZ protection from mangroves notified as forests and put these areas under Forest Conservation Act 1980. **Thus making mangrove forests liable for conversion.**
- h. It proposes to allow heavy industries including oil & natural gas extraction, nuclear plants, **manual mining of radioactive minerals**, even multi-nodal railway links with cooling facilities for thermal power plants etc. even in the inter tidal zone (CRZ-IB).
- i. While proposing to allow all activities proposed to be permitted in CRZ-I in CRZ-II as well, the draft notification proposes that construction and reconstruction of buildings and management of waste in CRZ-II and CRZ-III will be directed by provisions of local Town and Country Planning (T&CP) Act and looked after by the T&CP authority. **Thus it puts all building construction and reconstruction in CRZ-II and CRZ-III outside the ambit of CRZ regulations and precludes booking of all related violations under CRZ.**
- j. The draft notification proposes to allow in CRZ-IV (that is coastal waters upto 12 nautical miles) potentially highly dangerous activities like transfer of hazardous substances by ships, facilities for discharging treated water, projects of defence and atomic energy, exploration and extraction of oil and natural gas and all associated activities and facilities thereto, foreshore facilities for intake of cooling water, transport of raw materials and for discharging treated waste from thermal plants, work on pipelines and transmission lines etc. **Thus it proposes to destroy the fishing grounds of the small and traditional fishing communities, near shore waters most potential for fish resources.**
- k. The guidelines for preparation of Coastal Zone Management Plans **does not include assessment of existing stress on the coast vis-à-vis its carrying capacity and allows unlimited numbers or volumes of 'permissible' activities.**
- l. The 'single window' clearance proposed for projects in CRZ area makes it easier for polluting and encroaching activities to get official sanction. **It will facilitate projects without actual assessment of various facets of pollution, impact on coastal & marine life, fisher people's livelihood etc.**



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4. The MoEFCC, by publication of the instant Draft CRZ Notification only in English, has displayed its **cynicism towards the fishing communities at large**, who do not know English. As such it is a dereliction of democratic and constitutional responsibility on the part of the MoEFCC.
5. The MoEFCC by failing to mention that the violations of the regulations contained in CRZ 1991 and CRZ 2011 notifications will continue to be booked under the proposed CRZ 2018, has betrayed its **intention to condone all such violators and inspire them for further violations.**
6. The MoEFCC has also betrayed its intention to make a **travesty of environmental governance** by publishing the instant draft notification when it and concerned State Governments have been put under Judicial monitoring by the apex Green Tribunal of the country to prepare and submit CZMPs and Maps in accordance with the CRZ Notification of 2011 within July 2018.
7. The MoEFCC, by publication of another Draft CRZ Notification has also betrayed its intention to keep open the scope of changing and/or replacing this all important statutory instrument by the will of the bureaucrats, without the knowledge and sanction of the country's parliament. **An exercise that has become very convenient to satisfy the greed of the business and corporate houses at the cost of the environment and livelihoods dependent on natural resources.**

In view of the above, we request the Government of India in the Ministry of Environment, Forest and Climate Change to rescind the instant draft CRZ Notification 2018 and take immediate steps towards enactment of a comprehensive Coastal Regulation Zone Act, as promised by the then Environment Minister Sri Jairam Ramesh in January, 2011. The Act is to be prepared through open and appropriate consultation with the coastal fishing communities and concerned citizens and should be based on sound scientific, environmental and social principles with the aim to protect both coastal natural resources and sustainable livelihood practices dependent on those resources.

Yours faithfully,

Sd/-

Milan Das,  
General Secretary.  
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