



## NATIONAL PLATFORM FOR SMALL SCALE FISHWORKERS

---

**Date:** 29.12.2021

**To:**

The Secretary,  
Ministry of Environment, Forest and Climate Change,  
Indira Paryavaran Bhawan, Jorbagh Road, Aliganj,  
New Delhi - 110 003

**Sub:** Public Comments on proposed amendments in Coastal Regulation Zone Notification 2019

Sir/Madam,

Greetings from the **National Platform for Small Scale Fish Workers (NPSSFW)**, the largest organisation of small-scale fishworkers in the country that includes coastal fishers.

Attached please find our comments on the amendments to CRZ Notification 2019 proposed under S.O. 4547(E) dated 01-11-2021.

Sincerely,

Pradip Chatterjee  
National Convener  
National Platform for Small Scale Fish Workers (NPSSFW)  
Mb: +91 9874432773



## **NATIONAL PLATFORM FOR SMALL SCALE FISHWORKERS**

---

### **COMMENTS ON PROPOSED AMENDMENTS TO CRZ 2019 NOTIFICATION by THE NATIONAL PLATFORM FOR SMALL SCALE FISHWORKERS (NPSSF)**

**Re: S.O. 4547(E) dated 01-11-2021 uploaded on the website of MoEF&CC on 03-11-2021**

#### **OVERVIEW**

1. We would like to state at the outset, that the process of amending CRZ Notification 2019 should have been democratic. The small scale coastal fishworkers, the largest primary stakeholders of our coastal ecosystems cannot use internet, nor do they know English language. The proposed amendments should have been translated in all coastal languages and efforts should have been taken to facilitate coastal fishing communities' consultations on the proposed amendments.
2. It is a matter of great concern and despair that MoEF&CC, whose mandate is to protect environment and address climate change issues for the citizens of the country, is bent on relaxing environment restrictions imposed upon activities and processes detrimental to conservation of environment and natural resources for the corporate and the business houses. The Ministry has turned itself into an authority to provide clearance to more and more potentially harmful activities. On the contrary in view of the deteriorating environmental conditions and deepening climate crisis, it should have made the restrictions wider and more stringent.
3. It is quite evident from the history of amendments and replacements of CRZ notifications right from the first CRZ 1991 through CRZ 2011 and CRZ 2019 till date, MoEF&CC is continuously opening up our coastal land and water to destructive exploitation in the name of development, favouring corporate and business houses. It is also to be noted that whatever restrictions are still there, are not implemented. Most of the violations are not booked.
4. It is also a matter of great concern for the citizens of our country that till date there is no legislation for conservation of coastal land and water resources and the livelihood of millions of small-scale fishing communities dependent on those resources. In 2011, the then Minister-in-charge of Environment, Sri Jairam Ramesh committed to introduce a Coastal Regulation Zone Act in place of the CRZ notification. However, till date no legislation has been introduced on this and instead this important subject continues to be governed by a mere notification. This denies our parliament its right to legislate on the management of this great natural resource and the habitat of majority population in our country and leaves it upon the bureaucrats to decide upon the matter. It is derogatory to the Republic.



# NATIONAL PLATFORM FOR SMALL SCALE FISHWORKERS

---

## SPECIFIC COMMENTS

The proposed amendments to the CRZ Notification 2019 can be summarised in 4 major changes, to which our replies are the following:

1. **Exempting development and production of oil and natural gas and all associated facilities thereto from the scope of CRZ regulations in CRZ IB (Inter-tidal areas) as well as in CRZ IV areas.**
  - a. The proposed amendment will now allow for a blanket exemption to Development and Production of Oil and Natural Gas from CRZ clearance procedure in this reduced CRZ area. This dilution is further violative of the powers granted to the Central Government under section 3 of the Environment Protection Act of 1986, for taking measures; *"for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution"*.
  - b. The proposed blanket exemption allowing for development and production of Oil and Natural Gas in CRZ-IV (that is coastal waters up to 12 nautical miles) will destroy the fishing grounds of the small and traditional fishing communities in and around near shore waters which is most potential in fish resources.
  - c. The proposed blanket exemption would mean withdrawal of the provisions provided in CRZ notification for protection of fishing community's habitat and fishing related activities on the coast from natural oil and gas development projects.
  - d. It also removes the right of the coastal fishing communities from raising their concerns regarding relief and rehabilitation in a public hearing to the Coastal Zone Management Authority as provided in CRZ notification.
  - e. Already fishing grounds and fishing nets and gears have been destroyed because of oil and natural gas exploration in many coastal areas in the country. This proposed amendment is detrimental to fisher community and their right to livelihood. The proposed amendment would give a free hand to further violations of the rights of fisher community.



## **NATIONAL PLATFORM FOR SMALL SCALE FISHWORKERS**

---

2. **Inclusion of the new provision of having temporary beach shacks even during monsoon season in CRZ IB (Inter-tidal areas) and expanding these provisions to all coastal states, additionally providing for retaining such temporary shacks, albeit non-operational, even during the months of June to August in the states of Goa and Maharashtra.**
  - a. The proposed amendment would amount to regularization of temporary structures on the beach and turning them into permanent installations which will be operational throughout the year except for the State of Goa and Maharashtra. This is detrimental to the coastal/beach environment and will cause obstructions to the fishing community's access to beach and coastal water.
  - b. In the case of the State of Goa and Maharashtra, the direction for beach shacks to be non-operational during the months of June to August, but retaining the installations will continue to impact the eco-sensitive CRZ IB area.
  - c. This proposed amendment if carried out would enable proliferation of tourism infrastructure development, not only increasing encroachments on the beach but also pollution of coastal environment.
  - d. During the monsoon season retention of the structures in CRZ IB (inter-tidal) area will bear the additional hazard of damages and spillage of construction material in the eco-sensitive zone. The arbitrariness of this policy decision is patently manifested in allowing temporary shacks to bear the monsoon weather and cause damage to beach or utilities of the fisher community.

The proposed amendment is staunchly objected to as it amounts to regularization of temporary structures and making them permanent, resulting in encroaching of beach environment and violation of the rights of fishworkers.

3. **Delegating the powers of granting CRZ clearance to the State Coastal Zone Management Authorities or SEIAA [in case the project attracts EIA Notification] and state governments for small infrastructure projects located in CRZ-I and CRZ-IV areas; Projects such as: Constructing Stand-alone jetties, Breakwaters, Groynes, Salt Works, Slipways and manual Erosion control bunds**
  - a. The proposed amendment concerns delegation of powers for giving clearance to activities without prescribing how such delegated powers have to be exercised. The activities listed include constructing stand-alone jetty, groynes, etc. which may intercept coastal sand movement and cause erosion. This may have severe destructive effect on fishing community's habitat and coastal land areas used for activities related to fishing like; fish drying, net and boat repairing, etc., it is already evident in many coastal areas, like Pondicherry.



## NATIONAL PLATFORM FOR SMALL SCALE FISHWORKERS

---

- b. The Environment Protection Act has empowered the Central Government to make necessary rules, notification and guidelines to ensure that necessary safeguards and parameters are set so as to ensure environmental protection, the proposed amendment if carried out without any such safeguard or parameters would be in violation of the law.
- 4. Allowing the removal of sand bars in intertidal areas by traditional coastal communities only by manual method subject to state government giving permit to registered local community persons for specified time and quantity in particular areas.**
- a. Sand bars are created as a part of the natural ecosystem which balances creation of land masses and protection of the same from waves by acting as waver breakers. There may be a need of the small-scale traditional fisher community to remove parts of sand bars for navigation. However, the same cannot be without environmental safeguards.
- b. Coastal sand is an integral part of coastal geology. Under no circumstances coastal sand mining should be allowed for commercial purposes.
- c. There ought to be prescribed scientific procedures on removable sand assessment, well defined parameters for state governments to take into account before exercising its power to allow sand removal, otherwise this may cause adverse impact on the coastal environment as well as endanger the livelihood and habitat of the fisher community.

In light of the reasons set forth in the previous paragraphs, we demand an immediate publication of this proposed amendment in all languages spoken in the coastal states of India and to have meaningful dialogue with the small-scale fisher community across the coastal stretch of this country giving prior notice and adequate time for comments and public consultations.

We further demand that the reasons and arguments presented here be taken into consideration and the proposed amendments be rescinded.

*Pradip Chatterjee*

Pradip Chatterjee

Convener,

National Platform for Small Scale Fish Workers (NPSSF)

Mb: +91 9874432773