

Draft Coastal Management Zone Notification 2008

A Critique and Pointers towards an Alternative Approach

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Audacity

The Ministry of Environment and Forests has published the Draft Coastal Management Zone Notification 2008 in the *Gazette of India* on 1st May 2008 under S.O. No.1070 (E) and has uploaded the same in its website for public information, inviting objections and suggestions within 60 days from its publication.

How can the MoEF expect that the millions of coastal fisherpeople of India, residing in more than 3,000 coastal villages situated along some 8,000 kilometers of coastal stretch spread over 10 coastal states of our country, will be able to access the MoEF website or the *Gazette of India*, where the Draft CMZ Notification has been published in English, read it and submit their comments on the same?

This shameful disregard of the rights and dignity of citizens of our country, who are the largest stakeholders of the coastal land and waters, deserves the strongest public criticism. The bureaucracy involved in this should be subjected to public reprimand.

We demand:

- **immediate translation of the draft CMZ Notification in all the languages of the coastal people**
- **distribution of the same through all the coastal panchayats and fisherpeoples' organizations**
- **collection of peoples' objections, suggestions and opinions through a democratic mechanism that reaches out to the stakeholders**

The adoption of CMZ Notification should be put on hold by the Government of India pending the above process.

IN LIEU OF AN PREFACE

Oceans and the Vital Importance of the Coast

Modern science has established the astonishingly crucial role played by the world's oceans in the earth's ecological processes and the biosphere as a whole. Five things have become clear to us:

- That life on earth originated in the sea.
- That the sea is not only a large body of saline water but that it houses the most astonishing variety of life forms which not only intermesh and interact with land based life but provides food and nutrition to humans and other organisms. It has been estimated that overall, seafood provides more than 2.6 billion people with at least 20 per cent of their average per capita animal protein intake.
- That it works as the largest sink of atmospheric carbon.
- And that its phytoplanktons provide half of our planetary oxygen.
- And that, in recent times, when the amount of noxious waste produced by humans has exceeded all known precedents, it has acted as the great sink for such waste.

Therefore, it is becoming increasingly clear that damage to marine ecology and resources is going to have, and is indeed having, tremendous adverse impact on our land dwelling existence.

And that is exactly what is happening.

Two documents published by the UNEP, *Global Environment Outlook 4* in 2007 and *In Dead Water* in 2008, have highlighted how anthropogenic stressors are killing our oceans – with unimaginably adverse impacts on our planetary ecological processes, lives, livelihoods, food and nutrition security.

The problem is compounded by the fact that during the last two hundred years there has been a slow but steady shift in human populations towards the coast, a shift that has become extremely prominent during the recent decades.

In 1994, an estimated 37 per cent of the then global population lived within 60 km of the coast — which, in actual numbers, is more people than inhabited the planet in 1950. Coastal populations alone are expected to reach 6 billion by 2025, which is roughly the whole of the earth's population around 2000 and almost 75% of the projected world population for that year. And this massive increase in pressure on the coast has inevitable adverse impact on marine health. Another development that heightens the impact of increasing coastal populations is the major demographic shift to urbanisation. Even as we write, the world population is undergoing an urban transition – in the year 2007-08, for the first time in history, half the world's population has started residing in urban areas, and the proportion is projected to increase rapidly in the decades to come. Therefore, given that bulk of human populations is shifting towards the coast and also that the world population is undergoing an urban transition, it transpires that large chunks of the population in the coastal areas will be living in urban areas, areas that tend to promote developmental processes spewing immense amounts of noxious effluents. As the UNEP document *In Dead Water* summarises:

Coastal development is increasing rapidly and is projected to impact 91% of all inhabited coasts by 2050 and will contribute to more than 80% of all marine pollution

Marine pollution, more than 80% of which originates from land-based sources, is projected to increase...due to rising population and coastal development. Increased loads of sediments and nutrients from deforestation, sewage and river run-off will greatly diminish the resilience of coral reefs. The effects of pollution are exacerbated by the destruction of mangroves and other habitats due to the rapid construction taking place on coastlines. As much as 91% of all temperate and tropical coasts will be heavily impacted by development by 2050. These impacts will be further compounded by sea level rise and the increased frequency and intensity of storms that easily break down weakened or dead corals and are likely to severely damage beaches and coast lines.

The consequences of increased coastal urbanisation are indicated by *Global Environment Outlook 4*:

Urbanization in particular can exert significant pressure on the environment. Coastal urban areas often cause offshore water pollution. Coastal populations alone are expected to reach 6 billion by 2025. In these areas, large-scale development results in excessive nutrient inputs from municipal and industrial waste... eutrophication contributes to the creation of dead zones, areas of water with low or no dissolved oxygen. Fish cannot survive, and aquatic ecosystems are destroyed. Dead zones are an emerging problem in Asia, Africa and South America, but are present around the world.

What makes coastal ‘developmental’ pressures particularly alarming is the fact that the great bulk of the fish catch comes from the waters near the coast. As the *In Dead Water* describes it:

Half the World catch is caught in less than 10% of the ocean

Marine life and living resources are neither evenly nor randomly distributed across the oceans. The far largest share of marine biodiversity is associated with the sea bed, especially on the continental shelves and slopes. Seamounts, often rising several thousand meters above their surroundings, provide unique underwater oases that teem with life. Environmental parameters and conditions that determine the productivity of the oceans vary greatly at temporal and spatial scales. The primary and most important fishing grounds in the World are found on and along continental shelves within less than 200 nautical miles of the shores. The distribution of these fishing grounds is patchy and very localized. Indeed more than half of the 2004 marine landings are caught within 100 km of the coast with depths generally less than 200m covering an area of less than 7.5% of the world’s oceans, and 92% in less than half of the total ocean area. These treasure vaults of marine food play a crucial role for coastal populations, livelihoods and the economy.

It is in the context of the above that the international community has woken up to the protection and management of coasts as the interface between land and sea, and comprehensive legal instruments are being designed to take care of the same. India with some 8000 Km of coastline needs an appropriate legislation for the same purpose. Unfortunately, as we shall see, the authorities are keener to promote ‘development’ than in actually protecting coastal and marine environments.

CRZ and Thereafter – the Politics of Notification

The Backdrop to Coastal Management Zone Notification 2008

Coastal regulation measures had been in demand by fishworkers organizations, environmental and civil society groups since the 1980s. Finally the government of India issued the Coastal Regulation Zone (CRZ) Notification in February 1991. Aimed mainly at imposing various restrictions on constructions in the coastal zone, the CRZ Notification was amended not less than 21 times over subsequent years. All the major amendments to the original CRZ Notification had one thing in common – they relaxed restrictions to the opening up of the coasts to big business. There have been innumerable violations of CRZ Notification by commercial interests and over 300 cases are still pending on these in different courts of the country. In July 2004 the government of India, pressurized by commercial interests and governments of coastal states, appointed the M. S. Swaminathan Committee to review CRZ Notification. **This Committee did not even care to consult organizations of fishworkers’ who are the largest stakeholders of the coastal land and waters.** Ever since the submission of the report of the M. S. Swaminathan Committee in February 2005 **there have been widespread protests against the intention of the Government of India to replace the CRZ Notification of 1991 by a new Coastal Management Zone (CMZ) Notification.** The protests were manifested through thousands of protest letters, hundreds of meetings, rallies and road blocks in the coastal regions and formation of a National Campaign for the Protection of Coasts (NCPC) by environmental, community based and civil society organizations, and other concerned people under the leadership of National Fishworkers’ Forum (NFF).

Demand for a Comprehensive Law (Act), not a substitute notification

These protests unanimously demanded that **there should be a Comprehensive Legislation (Act), prepared in consultation with all the stakeholders and specially the fishworkers, which would cover both conservation of coastal natural resources and the protection of sustainable livelihood practices dependent thereon.** These protests unambiguously urged the Government to continue with the original CRZ Notification of 1991 pending the introduction of the Comprehensive Legislation (Act).

But the government has again come up with only a Notification, not an Act, not even a set of Rules.

It may be noted that we have sets of Rules for even the management of Bio-Medical or Municipal Wastes. But for managing our some 8,000 Kilometer long coastal stretch with immense ecological, resource and livelihood significance, the government proposes a Notification, not even a set of Rules, let alone an Act. The status of a Notification is much weaker compared to that of a set of Rules or an Act, for a notification may be amended without consulting the Legislature, merely through administrative fiat. It may be recalled that the CRZ Notification was amended no less than 21 times simply by issuing government orders, mostly to serve commercial interests. It is evident that the issuance of a mere Notification is a deliberate attempt on the part of the government to keep the door open for amendments without consulting the legislature.

And now we have the CMZ notification, touted by the establishment as a solution to the problems of coastal environmental management. And what a notification! **This proposed notification, to put it briefly, regularizes the violations to CRZ and opens the way to further depredations of our coastal ecology and environment.** And as it is just another notification, it can easily be made still more permissive through a new set of administrative amendments.

Legal essentiality and essential elements of the Coastal Legislation that we are talking about –

A Notification is something wholly inadequate for dealing with multidisciplinary issues involving several statutes (in India we have dozens of legal instruments related to coastal and marine resources and livelihood practices dependent thereon).

If we look at the CMZ notification, as we shall be doing in some detail, we find that the Notification covers an area of some two hundred thousand square kilometers (including the territorial waters), some fifty million people, spread over ten coastal states and touching upon in various degrees a host of Central and State subjects. A notification, both in status and authority, simply does not have the competence to address subjects on this scale. What is required is a full fledged legislation.

An effective coastal zone management law needs to have multiple integration aspects e.g. integrated coastal zone planning, environmental impact assessment, hearings, advisory committees, etc. These measures, however, do not solve the fundamental problem – that the sphere of regulation is quite a jungle of overlapping concerns, as quite a number of different laws and authorities are involved. At the same time, a widened use of integrative measures can result in emergence of a fresh set of problems. The fundamental first step towards addressing the problems of clarity and complexity could be the passing of a **special coastal zone act**, which lays down the essential requirements and procedures for the different activities in the coastal zone. Elements in such a coastal zone act could be:

1. Clear delineation of the coastal zone, including both land and sea areas with resource, vulnerability and stress mapping
2. Stipulation of the fundamental principles for the management of the coastal zone
3. Requirements and guidelines for integrated coastal zone planning
4. Requirements and procedures for environmental impact assessment of all activities with significant impact on the coastal zone - both projects and plans
5. Requirements for the involvement (stewardship) of the public, especially fishworkers
6. Hearing requirements regarding authorities, organizations, etc.
7. Appointment of regional or inter-regional advisory coastal zone committees with sectoral and local representation
8. Appointment of an inter-ministerial and inter-state coastal zone committee with representations from all stakeholders, especially the fishworkers
9. Regulations on coordinated and participatory supervision and enforcement

The Act on the aforesaid lines must be prepared in consultation with all the stakeholders, especially the fishing community, and passed by the Indian Parliament.

Draft CMZ Notification 2008 – a Bad Statute with a False Purport

<p>The Preamble to the Draft CMZ Notification. False Statements and Unjust Claims</p>
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The Draft CMZ Notification starts with a reference to the CRZ Notification 1991 – “Whereas the Central Government in the Ministry of Environment and Forests issued the Coastal Regulation Zone Notification, vide No. S.O.114(E) dated the 19th February 1991, under which coastal stretches were declared Coastal Regulation Zones (CRZ) and restrictions were imposed on the setting up and expansion of industries, operations and processes in the said Zones for its protection...”

Though, in effect, its provisions contained elements for protection of coastal zone, the CRZ Notification itself did not state this as a *pronounced objective*. **The difference is doubly important because on one hand the CRZ Notification fell much short of providing a comprehensive framework for coastal protection and on the other it was frequently amended to provide space for further exploitation of coastal stretches by commercial interests.**

The preamble to the CMZ Notification further states

“And whereas the said notification has been amended from time to time based on recommendations of various committees, judicial pronouncements, representations from State Governments, Central Ministries, and the general public, etc., *consistent with the basic objective of the said Notification.*” (Emphasis ours)

This is grossly misleading. Yes, the CRZ Notification was amended not less than 21 times. And of these amendments all the major ones were brought in to further open up our coasts for big investment and commercial activities and not for protecting the coasts from these. The following are a few of the major amendments –

Major Amendments to Coastal Regulation Zone Notification 1991

Date	Purport
18.08.94	From 100 mtrs. to 50 mtrs. Reduction of CRZ for Rivers, Creeks & Backwaters
	Central Government may conditionally allow constructions within 200 mtrs. of HTL or even between LTL and HTL in CRZ-III.
09.07.97	Transfer of hazardous substances allowed in the port areas. Storage of petroleum products allowed in ports in CRZ-II & CRZ-III areas.
12.04.01	Exploration and extraction of Oil and Natural Gas allowed in CRZ. Some construction activities related to projects of Department of Atomic Energy allowed even in CRZ-I. Validates Environmental clearances accorded by the Ministry of Surface Transport from 9th July 1997 till date.
21.05.02	Requirements of SEZs and IT industries cleared in CRZ, even in ‘No Development Zone’.
24.07.03	Projects of Department of Atomic Energy permitted in ‘No Development Zone’ of CRZ-III.

Then the preamble goes on to state that “And whereas perceiving the continuing difficulties posed by the Notification in its effective implementation for the sustainable development of coastal regions as well as conservation of coastal resources,...” the MoEF constituted the Swaminathan Committee to comprehensively review CRZ Notification in the light of, among other things, “representations of various stakeholders” and “suggest suitable amendments, if necessary, to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management;”

This section makes a number of false declarations –

1. *Effective implementation of CRZ Notification faced continued difficulties posed by the notification itself (apparently meaning its contents)* – this is egregiously misleading. Vast areas of mangroves have been and are being destroyed, wide stretches of coastal land have been and are being encroached, and large expanses of the coastal waters have been and even as we write, are being, severely polluted. All these instances occurred in direct violation of CRZ prohibitions, through overt or implied complicity of the authorities. Time and again, here there and everywhere, the CRZ stipulations have been transgressed and the transgressors have not been penalized because of administrative lethargy, myopia and yielding to the pressures of lobbies having an unhealthy appetite for coastal land and resources.
2. *Review of CRZ Notification to be done in the light of, among other things, “representations of various stakeholders”* – another false claim. The committee did not care even to consult fishworkers’ organizations though the fishworkers are the largest stakeholders of coastal land and waters.
3. *The committee was to suggest amendments to CRZ Notification to make the coastal regulatory framework consistent with well established scientific principles of Coastal Zone Management* – another falsehood. The product – the Draft CMZ Notification – has miserably violated “well established scientific principles of Coastal Zone Management”.

After this the preamble claims that the report submitted by the Swaminathan Committee has improved upon the CRZ Notification by “containing specific recommendations to build on the strengths of existing regulations and institutional structures and fill gaps for conservation and improving the management of the coastal resources by enhancing the living and non-living resources of the coastal zone; by ensuring protection to coastal populations and structures from risk of inundation from extreme weather and geological events; and by ensuring that the livelihood security of coastal populations is strengthened;”

This claim is laughably untrue. The CMZ Notification does not build upon the strength of CRZ Notification, instead it paves the way (and yes, through “specific recommendations”) to regularize all violations of CRZ by suggesting that “The activities proposed on the seaward side of the setback line in the above administrative boundaries shall be regulated to ensure that *no further development* takes place” and “*The existing dwelling units and other infrastructure existing on the seaward side of the setback line shall not be disturbed / relocated.*” (See section 6 of the Draft CMZ notification). Please note the strings of words that we have placed in italics. The authors of the Notification are obviously aware of innumerable ‘developments’, ‘dwelling units’ and ‘other infrastructure’ that have cropped up since the introduction of the CRZ, and in flagrant violation thereof. So by saying ‘no further development’ and, more bluntly, saying that “existing units and other infrastructure” shall not be disturbed / relocated”, the authors of the new notification are unambiguously giving their approval to the CRZ violations. So, not satisfied with trying to kill CRZ through non-implementation, the government is now set upon its official decapitation. **The CMZ is the death certificate of the CRZ.**

It is amusing to note that amendments to CMZ (Notification No. S.O.1120 (E) dt. 9.5.2008) have begun even before publication of the draft notification. “Green Field Airports” are to be considered without, of course, compromising “environmental considerations”. But what is this “Green Field Airport”? Nowhere in the Draft Notification can one get a definition of it? But MoEF considers it and asks the citizens of the country to opine on their acceptability without caring to tell them what they are.

In short, the preamble to the draft notification is a perfect indicator of the basic characteristics of this fatal notification – vagueness and euphemisms consciously employed to conceal heinous intent.

The Draft Notification:

SECTION 2 spells out the objective of the Notification.

“Objective.- The Objective of this Notification is protection and sustainable development of the coastal stretches and marine environment through sustainable coastal zone management practices based on sound scientific principles taking into account the vulnerability of the coast to natural hazards, sustainable livelihood security for local communities, and conservation of ecologically and culturally significant coastal resources.”

Use of jargons without indicating their purport

The Draft Notification uses the words “sustainable development”, “sustainable coastal zone management practices” and “sound scientific principles”. But nowhere in the document does one find definition or elaboration of the terms. The citizens of India are kept in the dark regarding MoEF’s understanding of these word-strings and how these relate to the provisions of the Notification.

It appears that the MoEF uses these jargons to their advantage. So that the common people may be hoodwinked to accept that it has all the good intentions in the world, while its hands are kept free to do anything and everything. The road to hell, it is said, is paved with good intentions.

SECTION 3 spells out definitions of some key words used in the notification.

Definitions that teach how not to define

First comes ‘**Coastal Zone**’, the notification says - “**Coastal Zone**” means the area from the territorial waters limit (12 nautical miles measured from the appropriate baseline) including its sea bed, the adjacent land area along the coast, and inland water bodies influenced by tidal action including its bed, up to the landward boundary of the local self government or local authority abutting the sea coast, provided that in case of ecologically and culturally sensitive areas, the entire biological or physical boundary of the area may be included, as specified under the provisions of Environment Protection Act, 1986;”

What is the scientific definition of coastal zone?

There are several Definitions of the Coastal Zone

“The coastal zone may be defined as the area where land and sea interact with its landward boundary defined by the limits of ocean influence on the land and the seaward limit being the limit of influence of land and freshwater on the coastal ocean, or put another way ‘that part of the land affected by its proximity to the sea and that part of the ocean affected by its proximity to the land’ (US Commission on Marine Science, Engineering and Resources, 1986). The inland and ocean boundaries are not however spatially fixed...” – IUCN

“The coastal zone is the interface where the land meets the ocean, encompassing shoreline environments as well as adjacent coastal waters...The limits of the coastal zone are often arbitrarily defined, differing widely among nations, and are often based on jurisdictional limits or demarcated by reasons of administrative ease...For practical planning purposes, the coastal zone is a special area, endowed with special characteristics, of which the boundaries are often determined by the specific problems to be tackled.” - World Bank

"Coastal Zone (the subject of coastal zone management) is a geographically delineated area. It is distinctively characterized by the aggregation of interacting coastal environments and corresponding natural and man-made structural systems." - World Coast Conference

"... the coastal zone is defined as a strip of land and sea territory of varying width depending on the nature of the environment and management needs. It seldom corresponds to existing administrative or planning units. With regard to fisheries, it is common to limit the coastal zone to territorial waters as defined in the Convention on the Law of the Sea, although this limit does not correspond to any distinct biological or management unit. The natural coastal systems and the areas in which human activities involve the use of coastal resources may therefore extend well beyond the limit of territorial waters, and several kilometers inland." - European Commission

Scientifically, 'coastal zone' is a term used to define a transition zone between terrestrial and freshwater ecosystems on the one hand and the marine ecosystem on the other. However, it needs to be borne in mind that besides natural forces and agents, human presence and activities have an increasingly major role in coastal areas and should be included in any definition. Actually there is no rigid definition of the coastal zone, as boundaries determined in terms of actions and influences of agents/forces depend on the specific agent or force in question and how it interacts with others in the system.

As a general rule, coastal zone management should be based upon an *ecosystem approach*.

Coastal Zone: a political-administrative entity or an ecological entity?

It appears that the definition of the coastal zone presented in the draft CMZ Notification relies mainly on political-administrative boundary. 12 nautical miles or territorial water is the extent of coastal zone in the sea and on the land it is the landward boundary of the local self government or local authority abutting the sea coast. But as if to show its commitment to environment/ecology MoEF adds that "provided that in case of ecologically and culturally sensitive areas, the entire biological or physical boundary of the area may be included, as specified under the provisions of Environment Protection Act, 1986"

This muddles the definition. As the grand biospheric confluence of land and water embodying the interface between terrestrial and freshwater ecosystems on the one hand and marine ecosystem on the other, **the coastline as a whole is ecologically sensitive**. Doesn't the MoEF know this?

It appears that the MoEF intends to narrow the limits of ecologically sensitive areas with reference to our coast so that 'developmental' exploitation and destruction of our coastal resources by commercial interests may proceed unabated. This intention becomes all too evident where the draft Notification deals with categorization of the coastal zone and modalities of management.

It is also not clear from the draft what is meant by 'the entire biological or physical boundary of the (ecologically or culturally sensitive) area'. First, 'physical boundary' and 'biological boundary' are two different things. Therefore it is not clear from the above which of the two boundaries, and in which instance, is to be taken into consideration in demarcating CMZ. Moreover, because the 'biological boundary' and 'physical boundary' depend on particular biological and physical processes involving a host of factors, therefore unless the terms are unambiguously stated the whole thing becomes deeply confusing. Further, this vagueness provides opportunities for arbitrarily narrowing the boundary so as to make room for invasive 'developments'. It may be recalled that, although the CRZ did not elucidate the scientific issues leading to its restrictions, it took a more precautionary approach in stipulating that the entire 500 meter landward stretch from the HHTL (highest high tide line) in the case of ecologically sensitive areas would fall into CRZ-I. This stands to reason for in environmental and conservation matters the ***precautionary principle**** is widely invoked by scientists and environmentalists. By neither stating the exact meaning of 'biological or physical boundary' nor invoking the precautionary principle, the MoEF seems to leave the scope open for narrowing down the areas under CMZ-I.

One glaring omission from the definition is the land abutting inland water bodies influenced by tidal action. (Let us remind ourselves that the CRZ Notification of 1991 held that the Coastal Regulation Zone would extend to 100 meters along the banks of these water bodies.) The deregulation of these lands as coastal zone is scientifically wrong and environmentally disastrous and is being done in the interests of big business lobbies.

Second definition is of **Integrated Coastal Zone Management (ICZM)**. The draft notification says that it "means a process by which decisions are made for protection of coastal population and infrastructure, protection and conservation of coastal and marine areas and resources and sustainable development;"

***The Precautionary Principle**, as set out in Principle 15 of the 1992 *Rio Declaration on Environment and Development* has

emerged in response to the need for an effective method for dealing with risks and uncertainties in environmental management. At its core lies the intuitively simple idea that decision makers should act in advance of scientific certainty to protect the environment (and with it the well-being interests of future generations) from incurring serious / irreversible harm. An echo of the same is found in the declaration in the Conference of Parties-2 to the Convention of Biodiversity where it is stated that “The work should not be impeded by the lack of full scientific information and will incorporate explicitly the *precautionary approach* in addressing conservation and sustainable use issues”

ICZM: A bad definition and a deliberate misconception

But, can any management endeavour that merely involves “a process by which decisions are made for protection of coastal population and infrastructure, protection and conservation of coastal and marine areas and resources and sustainable development” be described as ICZM? Actually the value of a definition is not context or discourse independent. It has to be understood and assessed in terms of the subject matter under consideration and the prevailing discourse on the subject. Therefore in considering the definition of Integrated Coastal Zone Management one needs to attend to whether and how the international community of coastal administrators and scientists has approached this issue.

Once we look around we find that ‘Integrated Coastal Zone Management’ is not an invention of MoEF. There are indeed internationally accepted definitions of Integrated Management of Coastal Zone which lays down its principles / distinctive features.

ICZMP should have the following integration aspects –

- 1. Integration between land and sea**
- 2. Integration across sector interests comprising utilization and protection, commercial and recreational interests, etc. (horizontal integration)**
- 3. Integration between authorities at state, county and municipal levels and public participation (vertical integration) [Discussion paper – Danish Ministry of Environment and Energy]**

The European Union defines it in the following manner –

“Integrated Coastal Zone Management (ICZM) is a dynamic, multi-disciplinary and iterative process to promote sustainable management of coastal zones. It covers the full cycle of information collection, planning (in its broadest sense), decision making, management and monitoring of implementation. ICZM uses the informed participation and co-operation of all stakeholders to assess the societal goals in a given coastal area, and to take actions towards meeting these objectives. ICZM seeks, over the long-term, to balance environmental, economic, social, cultural and recreational objectives, all within the limits set by natural dynamics.

“Integrated” in ICZM refers to the integration of objectives and also to the integration of the many instruments needed to meet these objectives. It means integration of all relevant policy areas, sectors, and levels of administration. It means integration of the terrestrial and marine components of the target territory, in both time and space.”

And sets its terms of reference by elucidating each of the following principles –

- “1. A Broad "Holistic" Perspective (Thematic and Geographic)**
- 2. A Long Term Perspective**
- 3. Adaptive Management (responding to new information and conditions) during a Gradual Process**
- 4. Local Specificity**
- 5. Working with Natural Processes**
- 6. Participatory Planning**
- 7. Support & Involvement of all Relevant Administrative Bodies**
- 8. Use of a Combination of Instruments”**

“ICZM is a process that implies a new style of governance, a style that involves and is in partnership with all of the segments of civil society. ICZM solicits the collaboration of all coastal

zone stakeholders in the conception and implementation of a development model that is in their mutual interest.”

[*The Principles of Integrated Coastal Zone Management* – Communication from the Commission to the Council and the European Parliament]

It may be noted here that incorporating community stakeholders’ participation in

Yet our MoEF fails to draw up the basic principles for ICZMP on the lines indicated above. Well, if it felt that the international consensus is inadequate and needed correction / upgrading by a superior definition then it was free to share its views through the draft. But what we find is a statement that is too general to be of any value whatsoever. It only shows MoEF’s **incompetence and lack of bona fide** on issues of coastal management.

One point needs to be mentioned here. **Integrated Coastal Zone Management, in the real sense of the term, is possible only on the basis of a comprehensive legislation on coastal natural resources and their use by different sectors.** MoEF’s reluctance to go for comprehensive legislation pre-empts Integrated Coastal Zone Management.

The other two definitions in *Section 3* that holds crucial importance in the document under consideration are those of the “**Set Back Line**” and the “**Ecologically Sensitive Areas**”

Setback Line: A concept based on vulnerability not conservation

1. The **Set Back Line** is defined in the draft purely on considerations of vulnerability – May it be noted that *it does not contain anything related to natural resource conservation or protection of livelihoods dependent on that.*

2. **Ecologically Sensitive Areas** are defined as “those areas of the coastal zone that play an important role in maintaining the functional integrity of the coast, including acting as natural barriers to coastal

Ecologically Sensitive Areas : Is not the coast as a whole ecologically sensitive by definition?

hazards and, or harbouring a diverse biodiversity that provide valuable resources to local communities.” **In culling out certain areas as ‘ecologically sensitive’ the MoEF is in effect saying that other stretches of the coast are not important in maintaining the**

functional integrity of the coast, including acting as natural barriers to coastal hazards and harbouring a diverse biodiversity that provide valuable resources to local communities. And, please note that MoEF includes up to 12 nautical miles of the sea in the definition of coast. Can there be any stretch of the coast spreading 12 nautical miles into the sea that is not important either for coastal functional integrity, or for natural barrier to coastal hazards, or for biodiversity and livelihood resources? This once again betrays **MoEF’s total lack of understanding of the coast and its intention to narrow the limits of ecologically sensitive areas** so that ‘developmental’ exploitation and destruction of our coastal resources by commercial interests may go on unabated.

With this we enter into *SECTION 4: Categorization of the Coastal Zone* –

Ecologically sensitive areas shrunk. Categories concurrent in area - a management nightmare.

The draft CMZ Notification indicates 4 categories of coastal zone.

“**Coastal Management Zone-I (CMZ-I)** shall consist of areas designated as Ecologically Sensitive Areas (ESA), an indicative list is given in Appendix –II.”

And Appendix-II enlists the following indicators for Ecologically Sensitive Areas (ESA) –

“CMZ - I: INDICATIVE LIST OF ECOLOGICALLY SENSITIVE AREAS (ESA)

1. Mangroves
2. Coral reefs
3. Sand Beaches and Sand Dunes
4. Mudflats
5. Marine wildlife protected areas under the Wildlife (Protection) Act, 1972
6. Coastal freshwater bodies such as creeks, lakes etc
7. Salt Marshes
8. Turtle nesting grounds
9. Horse shoe crabs habitats
10. Sea grass beds
11. Sea weed beds
12. Nesting grounds of birds”

Now, what is the physical lay out of Indian coast line?

According to the naval hydrographic charts, the Indian mainland consists of nearly 43% sandy beaches, 11% rocky coast with cliffs and 46% mud flats and marshy coast. [*Coastal processes along the Indian coastline* – V. Sanil Kumar, K. C. Pathak, P. Pednekar, N. S. N. Raju and R. Gowthaman; Ocean Engineering Division, National Institute of Oceanography, Dona Paula, Goa 403 004 India]

So it appears that 89% of Indian mainland coast falls clearly in the CMZ-I category. Of the rest 11% under ‘rocky coast with cliffs’ some areas obviously belong to categories like coral reefs, marine wildlife protected areas, coastal freshwater bodies, nesting grounds of birds etc. Therefore, the overwhelming bulk of the Indian coast, by the logic of this categorization, falls under CMZ-I. This might lead one to assume that the MoEF actually intends to bring the overwhelming bulk of the Indian coast under CMZ-I. But, this impression is misleading, as we shall see in our examination of CMZ-II and III below.

“Coastal Management Zone-II (CMZ -II) shall consist of areas, other than CMZ - I and coastal waters, identified as “Areas of Particular Concern (APC)” such as economically important areas, high population density areas, and culturally and, or strategically important areas. The administrative boundaries of these “Areas of Particular Concern” would be boundaries of CMZ - II. A generic list of such areas is given in Appendix –III.”

And Appendix-III enlists –

“CMZ - II: THE INDICATIVE LIST OF AREAS OF PARTICULAR CONCERN

1. Coastal Municipalities/Corporations (the entire notified area)
2. Coastal Panchayats with population density more than 400 persons per sq km (the entire notified area) as per the latest Census of India.
3. Ports and Harbours
4. Notified Tourism Areas
5. Mining sites
6. Notified Industrial Estates
7. Foreshore facilities for Special Economic Zones
8. Heritage areas
9. Notified Archaeological sites under the Protected Monuments Act.
10. Defence areas/installations
11. Power Plants
12. *Green field airports and expansion and modernization of existing airports”

Coastal areas are the most preferred locations for human settlement. 25% of India's population lives within 50 km of the coastline. [National Institute of Oceanography, India] According to the 2001 Indian census, the country has a population density of 324 persons per square kilometer. Thus most coastal panchayats are expected to have a population density of more than 400 per square kilometer.

Now, suppose a coastal panchayat has a population density of more than 400 per square kilometer and also has (as is the case with most of them) a sandy beach and/or mudflat within its administrative boundary. The draft notification leaves out the CMZ-I areas (which contain the entire biological or physical boundary of the ecologically sensitive area) and coastal waters from CMZ-II. This will create tremendous management problems in every step starting with the very demarcation of CMZ areas.

A similar imbroglio ensues from the definition of **CMZ-III**. “Coastal Management Zone -III (CMZ - III) shall consist of all other open areas including coastal waters and tidal influenced inland water bodies, that is, all areas excluding those classified as CMZ - I, II and IV. ”

Thus we find that CMZ-III, by including the coastal waters (up to 12 nautical miles from the shore), is by far the largest ‘coastal area’ under CMZ.

The CMZ categorizations indicate that in practical terms, since the CRZ’s precautionary principle of including 500 meters from the highest high tide line has been done away with, the Ecologically Sensitive Areas under CMZ-I will be reduced to strips besieged by CMZ-II and CMZ-III areas.

WHO WILL MANAGE OUR COAST?

MoEF offers two arrangements.

SECTION 5: (i) National Board for Sustainable Coastal Zone Management, and (ii) National and State or Union Territory Coastal Zone Management Authorities

<p>National Board for Sustainable Coastal Zone Management and National and State or UT Coastal Zone Management Authorities: Bureaucratic and Non-Participatory Institutions</p>
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The first one, the ‘**National Board for Sustainable Coastal Zone Management**’ has only an advisory capacity. According to Appendix-IV, which tells us the composition of the board, is made of not more than 32 members of whom only two are to be from fishing community, though the fishing community is by far the largest stakeholder of our coastal land and waters. And

the *MoEF’s prescription of peoples’ participation in coastal zone management starts and ends right here.*

Another conspicuous omission is representation from the Ministry of Agriculture that deals with fishing, though fishing is the single largest activity on coastal land and waters.

The second ‘**National and State or UT Coastal Zone Management Authorities**’ (CZMAs) supposedly has some executive powers but –

The draft notification fails to provide any guideline for the composition of such authorities. Neither does it provide any guidelines for their mechanisms of monitoring and enforcement.

It may be mentioned in this context that the coastal zone management authorities at both state and central levels formed under CRZ had one thing in common – **they were not participatory**. Let alone other coastal communities, the fishing community, the largest stakeholders of our coasts, were shut off from management of the coasts. This thus **violates a vital principle of ICZM**.

And not only does it violate a vital principle of ICZM. It **violates the basic political and epistemic premise of democratic governance**. Democratic governance bases itself on the cardinal political assumption that citizens and communities must have a direct involvement in governance, which otherwise tends to ossify and become a tool of vested interests. And democracy is also based on the epistemic premise that knowledge is by no means the prerogative of ‘experts’ and administrators. Knowledge of life, living, livelihoods, environments, ecological processes of a locality and the threats to these is likely to reside more in the memories and experiences of the local people than in learned tomes or administrative manuals, and therefore no governance and management is meaningful or salubrious when the people concerned are left out of the decision making process. It is true that the local people need to be informed of the wider and the scientific issues involved, but that ‘informing’ is facilitated a thousand fold through the process of empowerment, their direct involvement in the decision making process. And it is equally true that ‘experts’ and administrators require to be made aware of the needs, ideas and experiences of the local people and the primary stakeholders.

Decision II/10 of the Conference of Parties on the *Convention on Biodiversity*, in its discussion on Conservation and Sustainable Use of Marine and Coastal Biodiversity clearly states that:

The scientific, technical, and technological knowledge of local and indigenous communities should be incorporated, as appropriate, as well as community and user-based approaches, in the conservation and sustainable use of marine and coastal biodiversity.

It appears that MoEF has learnt nothing from the sad fate of coastal governance under the CZMAs constituted under CRZ and from the recurrent protests of the fishworkers and concerned people. The same CZMAs are going to operate under the new CMZ notification.

SECTION 6: HOW SHALL THEY MANAGE?

This is concerning the last section of the draft notification that has to do with laying down the ‘management methodology and approach for the Coastal Management Zone’

Setback Line: Blind to manmade hazards, myopic to natural hazards

The first point (step?) is ‘**Notification of the Setback Line**’. The draft notification states “The Setback Line, for the entire coast, excluding CMZ-I and CMZ - IV areas, will be notified in one or more stretches at a time in a map on cadastral scale by the Central Government. For this purpose, the Central Government shall issue detailed technical guidelines, based on the approach set forth in Appendix - I. The notification shall be based on the delineation to be carried out by the competent and established scientific institutions specializing in earth surveys and mapping, among a set of such institutions to be notified by the Central Government. Till the Setback Line in respect of area under each local authority as per these technical guidelines is notified by the Central Government the provisions of the Coastal Regulation Zone Notification, 1991 shall prevail.”

And what does Appendix-I say? It tells us that

“The Setback Lines in the coastal management zones categorised as CMZ-I, II and III will be based on vulnerability of the coast to natural and manmade hazards. This procedure is followed in many countries where the coast has been mapped for vulnerability to coastal hazards.” Please note for the moment that in the main body of the draft notification it was for CMZ-II and CMZ-III only, now here in the appendix it is for CMZ-I, CMZ-II and CMZ-III.

Let us now turn to ‘the approach set forth in Appendix – I’.

It states that “The Setback Lines will be based on vulnerability of the coast to natural and manmade hazards.” Then it goes on to state that “For the purpose of mapping the vulnerability of the coast four parameters are taken into account: elevation, geomorphology, sea level trends, and horizontal shoreline displacement (erosion or accretion).” None of these four parameters have direct relation to ‘manmade hazards’ save and except ‘sea level trends’ – relatable to anthropogenic climate change, which has no exclusively coast specific cause. The UNEP document *In Dead Water* published in February this year indicates coastal pollution as one of the five major threats to marine environment. **Why is the MoEF silent regarding the well known anthropogenic stressors like pollution, encroachment and destruction of coastal natural resources and features that make our coasts vulnerable? Why is mapping of these stress factors excluded from vulnerability mapping? The answer that naturally suggests itself is that the MoEF prefers to manage our coasts without addressing these man made hazards.**

But most intriguing omission here is the methodology by which the four abovementioned factors are to be utilised in drawing the Set Back line. MoEF promises ‘detailed technical guidelines’ for this in future. But without such guidelines there is little point in mentioning the parameters. **This is like a recipe that gives the ingredients but not the procedure, which the MoEF chooses to keep in reserve.**

Incidentally, and as should be evident from the above, an entire complex of dynamic factors have to be considered in the drawing of the setback line. Therefore it becomes difficult to gauge how the MoEF visualizes the drawing of setback lines. In all such cases where uncertainties and unpredictabilities dominate it becomes indispensable to use the precautionary principle.

It is incomprehensible why CMZ-IV and CMZ-I (in the main body of the text) are excluded from the drawing of the setback line. Are the vulnerability parameters inoperative in these areas? Are not the people and infrastructure in these areas (e.g. Sundarban and Andaman-Nicobar) vulnerable? Should not management of these areas take into account the vulnerability factor?

In a country where the coasts are threatened by recurrent cyclones and tidal surges MoEF has failed to include cyclones, storm surges and Tsunamis within its list of ‘natural hazards’. This is of particular importance as regards management plans that include disaster management, bio-shielding etc. Such omissions raise serious questions about the sincerity of the authors of the document under consideration.

There is another point regarding the ‘Setback Line’. CRZ extended up to 500 meters to the landward side from the highest high tide line (HHTL). Our coastal custodians MoEF and Central Coastal Zone Management Authority together with the State Coastal Zone Management Authorities could not demarcate this area throughout the Indian coastal stretch in *seventeen* years. **And now it is being claimed, in Appendix-I, that they will draw up the Set Back line dependent on dynamic processes “within a period of two years from the date of issue of this notification”!!!**

However, the above discussion should not imply that hazard or vulnerability lines are without their uses. Such lines, which give local populations information about future trends and help plan future developments, can be useful.

Management methodology of areas under CMZ-I

Management Methodology for CMZ-I: Scope to open up eco-sensitive areas for plunder

The draft notification states –

“All activities in CMZ-I areas shall be regulated by the State or Union territory Coastal Zone Management Authority concerned on the basis of

an Integrated Coastal Zone Management Plan (ICZMP) to be prepared by the concerned State or Union territory Administration with the help of National Institute of Sustainable Coastal Zone Management or one or more competent and established scientific research institutions specializing in coastal resources management, and notified by the Central Government and notified under Environment (Protection) Act, 1986. The Integrated Coastal Zone Management Plans prepared for CMZ-I areas would be endorsed by the Central Government. The ICZMPs prepared shall ensure proper protection and conservation of all ecological entities within the notified ecologically sensitive areas keeping in view the safety and livelihood needs of the local communities and essential development. There shall be no restriction in the fishing and fisheries related activities of local communities living in the area. The implementation of the ICZMPs by the State Government or Union territory Administration shall be monitored by the concerned State or Union territory Coastal Zone Management Authority and by the National Coastal Zone Management Authority.”

The following reasons make the above statement terribly unsatisfactory –

1. General principles and guidelines for ICZMP have not been provided.
2. No participation of community stakeholders (Fishers) in preparation of ICZMPs.
3. The term ‘essential development’ has not been defined.
4. No community participation in implementation or monitoring, total dependence on bureaucracy.
5. No restriction on fishing and fisheries related activities of local communities.
6. No role of local self-government.

Actually it is a misnomer. This so called ICZMP prescribed violates internationally accepted norms of integrated coastal management.

It is to be noted that, in contrast to CMZ-I, CRZ-I imposed restrictions on all activities and constructions except a few specified ones in the CRZ-I areas extending up to 500 meters landward from the highest high tide line including the inter-tidal zone. This was based on precautionary principle. Deserting the precautionary principle and opting for non-specific terms with the delineation, formulation and management of future ICZMPs left on bureaucracy implies that the MoEF intends to keep options open for further plunder of these areas.

Management methodology of areas under CMZ-II

Management Methodology for CMZ-II: Contradictory and non-specific policies, regularization of past violations, bureaucratic management to enhance plunder

The draft notification states “In the administrative boundaries of areas of the Coastal Municipalities or Corporation and coastal Panchayat with population density of more than 400 persons per sq. km, activities shall be regulated based on an Integrated Coastal Zone Management Plan approved by the Central Government. The activities proposed on the seaward side of the setback line in the

above administrative boundaries shall be regulated to ensure that no further development takes place other than foreshore requiring facilities and basic infrastructure.

The development on the landward side of the setback line shall be as per the local town and country planning rules as existed on the day of this notification. The Integrated Coastal Zone Management Plan prepared for the above areas shall take into account the guidelines laid down in Appendix-V.

With regard to economically and culturally important areas as identified by the concerned State or Union territory Governments, the activities shall be regulated as per Integrated Coastal Zone Management Plan prepared. The Integrated Coastal Zone Management Plan will be implemented by the concerned State or Union territory Governments after the plans are approved by the Central Government.

With regard to strategically important areas, the Ministry of Defence would prepare an Integrated Coastal Zone Management Plan and submit to the Ministry of Environment and Forests. Such plans would be accorded clearance by a Special Committee constituted by the Central Government.”

This methodology is disastrous

1. In the first place the draft notification fails to mention who will draw the ICZMP for CMZ-II areas (as against what is the case for CMZ-I). This is again an instance of the casualness and insincerity of the authors.
2. It frees all activities on the landward side of the setback line from coastal zone related restrictions as if the conservation and upkeep of the coastal zone in this area is not a matter of concern. Yet, incongruously, in the guidelines (Appendix-V) for drawing ICZMPs for CMZ-II areas, which may extend beyond the setback line and up to the landward boundary of the local self government or local authority, it states that “ICZMPs shall be prepared for these areas indicating all present and future developments, conservation and preservation schemes.”
3. It states “The activities proposed on the seaward side of the setback line in the above administrative boundaries shall be regulated to ensure that no further development takes place other than foreshore requiring facilities and basic infrastructure.” But it does not care to specify the ‘foreshore requiring facilities’ and ‘basic infrastructure’. Thus it keeps options open for all industries and/or commercial activities that may ‘require’ access to shore. This, on one side will further coastal encroachment and destruction, and on the other, will stifle the traditional fishworkers’ access to the sea.
4. Note also the term ‘further’. What about ‘developments’ that has taken place till date in violation of CRZ norms? MoEF is going to accept and regularize these violations and open up further areas for exploitation.
5. The guidelines further state “4. No constructions shall be permitted on the seaward side of any existing (as on 2008) approved building or a tarred or surfaced road in the area”. – Once again, it indicates that the constructions that came up before 2008 violating the CRZ Notification of 1991 are to be regularized. (And, mind you, MoEF claims that CMZ Notification builds on the strength of CRZ). Also, this means, no construction of fishers’ dwelling huts and fish landing sheds. This infringes on the traditional and customary rights of the traditional fishing community.
6. As in the case of CMZ-I, the guidelines state “15. There shall be no regulation with regard to fishing and fishery related activities.” Perhaps MoEF is the only organization in the world which claims to conserve and manage coastal environment, ecology and resources without any ‘regulation on fishing and fishery related activities’. It should also be mentioned here that this does not come as a boon to traditional fishers. On the contrary this is going to be disastrous for them. For, the greatest offenders against marine resources are not the small-scale traditional fishers but rather those engaged in industrial fishing on a large scale and using harmful gears. To desist from regulation is to give the latter a free hand to destroy. The immediate victims of this destruction are both the coastal natural resources and traditional fishers whose boats cannot go far out into the sea and whose gears have smaller catch capacity.
7. Regarding enforcement and monitoring the draft notification has the same non-participatory, bureaucratic prescription – “16. The enforcement and monitoring will be the responsibility of the concerned State or Union territory Coastal Zone Management Authorities.”
8. As in the case of CMZ-I, ICZMP for CMZ-II is also a misnomer – no adherence to the internationally accepted general principles, no attempt to integrate the ecosystems operating in the land and sea, no attempt to integrate sectors of interests, no attempt of incorporating local self-government authorities, no scope for stakeholders’ participation.

Management methodology of areas under CMZ-III

**Management Methodology for CMZ-III:
Approval necessary for traditional fishing activities. Condone past violations, no ICZMP, no guideline for approval of activities. Surrender to big business.**

The draft notification has a short prescription for management of CMZ-III “The activities that may be permitted or prohibited on the seaward side of the setback line and agencies responsible are given in Appendix-VI. The existing dwelling units and other infrastructure existing on the seaward side of the setback line shall not be disturbed / relocated. No activities relating to fishing by traditional communities shall be disturbed.”

1. Once again, through the outrageously shameless statement, “The existing dwelling units and other infrastructure existing on the seaward side of the setback line shall not be disturbed / relocated”, the **MoEF proposes to regularize all violations of CRZ Notification. The connection of our environment policy makers with the moneyed violators of environmental statutes is as clear as day light.**
2. And what simply cries out from the text is that *no ICZMP has been proposed for CMZ-III areas.* It means that MoEF *does not want to have any drawn up policy reference for management of these areas.*
3. Instead, it gives a list of activities permissible on the seaward side of the setback line mentioning their respective approving authorities in Appendix-VI without caring to provide any guideline for such approvals. By leaving approval of the permissible activities on the discrimination of the respective authorities MoEF invites a free flow of influencing factors like money and political power and opens the flood gate for commercial investors.
4. By subjecting ‘Fisheries including traditional fish processing’ to the approval of local or concerned authorities and without recognising the traditional and customary rights of traditional fishworkers, is simply placing the latter at the mercy of public authorities. Attention may be drawn to general principle 7.6.6 of the FAO Code of Conduct for Responsible Fisheries, 1993:

“When deciding on the use, conservation and management of fisheries resources, due recognition should be given, as appropriate, in accordance with national laws and regulations, to the traditional practices, needs and interests of indigenous people and local fishing communities which are highly dependent on fishery resources for their livelihood.”

5. MoEF holds that –
 - i. **Boating, shipping, navigation, fisheries including traditional fish processing, ice plants and ice crushing facilities, mariculture and even reconstruction of buildings can be done with the approval of local or concerned authorities without CMZ clearance** – this means CMZ-III areas inclusive of the coastal waters up to 12 nautical miles are going to experience a readier onslaught of indiscriminate boating, shipping, navigation; industrial fishing and fish farming [The UNEP document *In Dead Water* identifies Overfishing and Habitat Destruction by Destructive Fishing as two major stressors on coastal and marine resources.]; ice plants; large coastal areas earmarked for mariculture (sea farming); real estate development in the name of reconstruction.
 - ii. **Jetties and harbours, saltpans, water sports, discharge of treated effluents, boat building and refueling can be done with the approval of state level coastal zone management authorities** – this means harbours spoiling coastal waters through oil spills and wastes, saltpans degrading huge coastal areas having mangroves and other important ecological features, water sports entailing encroachments of large chunks of coastal land and waters, discharge of so called treated effluents polluting the waters and causing large scale fish kills, refueling with discharge of spent oil etc. will increase in the CMZ-III areas now with official approval.
 - iii. **Larger ports, mining, dredging, bunding, construction of sea links, hydrocarbon exploration and extraction, mining etc. and all other activities requiring foreshore facilities can be done with the approval of MoEF with environmental impact assessment (EIA).** – this means that almost all, if not all, activities are permissible. There

is nothing special about EIA as, according to the law of the land, generally any large project requires EIA. And it is common experience that our lands, air and waters continue to be poisoned with EIA certification. But one thing is special in MoEF's management prescription for CMZ-III – the coastal zone is no longer special.

6. Nowhere in the list of permissible activities in CMZ-III areas given in Appendix-VI is there a mention of construction of fisherpeoples' dwellings and/or sheds for fish landing or processing (provided for in CRZ-III). This has ominous consequences for traditional fishers and violates their traditional and customary rights.
7. For the landward area from setback line the draft notification has nothing to say.

After all the illegal plunder of our coasts perpetrated by big business interests and presided over by the government it is evident from the policy discussed above that now the MoEF intends officially to provide legal stamp on this plunder. Just compare this change of policy with the original CRZ-III regulations, which held that up to 200 meters landward area from the highest HTL was 'no development zone'.

Only categories! Not the coast as a whole.

Before we end our analysis we need to focus attention to one crucial item. Our analysis has had to attend in detail to the different CMZ categories, for they constitute the substance of the CMZ notification. But after attending to the category wise formulations (or mis-formulations) on coastal zone the overarching question that emerges is – **“Is coastal management to be conceived entirely through categories and is there nothing to be said for the coast as a whole?”**

What is woefully lacking in the entire document is a vision of the coast as a whole and the peril which it faces. Nowhere in the draft CMZ notification one can find any reference to **the physical, ecological, social and economic carrying capacity of the coast taken as a whole.** The entire discussion centres on an almost mechanical division of the coast into several categories and prescribing management regimes for each. **The exercise leaves out questions of correlation and dynamic balance of different categories, indispensable for integrated management of our coast as a whole.**

For all these reasons the CMZ Notification is not only not a substitute for a comprehensive coastal legislation, it does not even begin to point in that direction.

Thus, the CMZ Notification 2008, as proposed by MoEF is far worse than the CRZ Notification 1991. It has made a travesty of internationally accepted principles and policies. It has used jargons like sustainable management or integrated coastal management to cover up its intention of opening up of our coasts to further plunder by big business and commercial interests.

Coastal communities including coastal fishers as well as environmental activists and concerned citizens of our country should reject this draft CMZ Notification with the contempt it deserves and call the government to account for their policies that destroy our natural resources and the livelihood options of millions of our countrymen.

- **Our Coast is not for sale.**
- **Scrap the draft CMZ Notification 2008.**
- **Prepare and enact, through democratic consultation with all stakeholders, especially fishworkers, a Comprehensive Legislation (Act) that will ensure conservation of coastal environment, ecology and natural resources and protect traditional livelihood options dependent thereon.**

- **Invoke the original CRZ Notification 1991 pending the enactment of the Comprehensive Legislation.**
- **Bring all violators of CRZ norms to book, and immediately**