

## ***ONLINE PETITION***\*

To:

The Prime Minister of India, and

To:

The Secretary, Ministry of Environment and Forests, Government of India

### **WE REJECT THE PROPOSED CMZ NOTIFICATION**

On 1 May 2008 the Government of India has published the draft Coastal Management Zone (CMZ) Notification, with the ostensible purpose of seeking from the public objections or suggestions, to be sent in within 60 days of the aforementioned date.

The CMZ notification, in terms of its character and contents, in the nature and course of its preparation and in the way it is being thrust upon us, is the perfect embodiment of callousness, injustice and assault on environment and livelihood.

### **THE BACKDROP TO CMZ**

With some 8000 Km of coastline, India possesses an unbelievable wealth of coastal biodiversity, important for its own sake and for ensuring the livelihood security of tens of millions of fishworkers and nutrition security of hundreds of millions of India's citizens.

One would have expected the Government to take the greatest pains to protect this incredible asset. But the most it did was to promulgate, in February 1991, the Coastal Regulation Zone (CRZ) Notification. Please note, not an Act, nor even a set of Rules, but only a Notification; something that by its nature is not sufficient for dealing with a multi-disciplinary matter involving multiple existing statutes and something that may be amended without consulting the Legislature. But notwithstanding this and other important limitations, the original CRZ notification, had it been properly implemented, would have been considerably effective in protecting coastal environments and resources from depredations.

But that was not to be. Amendments came in droves, the great bulk of them directed towards diluting the intent and scope of the CRZ. And the tragedy is that the CRZ today, even in its grossly diluted form, remains unimplemented along long stretches of the Indian coastline.

What is the reason for this non-implementation? It is administrative lethargy, myopia and yielding to the pressures of lobbies having an unhealthy appetite for coastal land and resources.

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\* **More than 700 signatures were registered with DISHA initiated online petition in the website <http://www.petitiononline.com/d4c3b2a1/>**

But with astonishing temerity, the same governmental setup that is guilty of not implementing CRZ has proclaimed this non-implementation as the reason for a new and atrociously permissive notification, the CMZ!

And what is this CMZ? Notwithstanding repeated demands from coastal fishworkers, environmental activists and the civil society, the government has not come up with a comprehensive legislation (Act). What it has proposed instead is another Notification to replace the CRZ Notification. This proposed Notification, to put it in brief, 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.

## **WHY WE REJECT THE CMZ NOTIFICATION**

I. Conservation of coastal resources and protection of lives and livelihood options of communities dependent thereon is a multidisciplinary exercise involving multiple existing statutes. Therefore only a comprehensive Act and not a Notification can provide the legal framework for the same.

II. The contents of the draft CMZ notification were decided without consultation with fishworkers (the main stakeholders) organisations or with citizens groups directly involved with coastal environmental issues.

III. The publication of this draft, inviting objections or suggestions, was confined to the Gazette of India and to a site on the Net, and is in English, so as to keep the bulk of concerned citizens unaware of its contents.

IV. The CMZ condones and regularizes all violations of CRZ Notification 1991.

V. Its implementation has been left on the same CZMAs (Coastal Zone Management Authorities) that have so shamefully failed in implementing CRZ norms.

VI. It replaces clearly delineated restrictions with yet to be prepared ICZMPs (Integrated Coastal Zone Management Plans) having vague and inappropriate guidelines, thus removing the restrictions on damaging activities.

VII. Moreover, the aforesaid guidelines, as opposed to the far clearer CRZ restrictions, are incomprehensible to common coastal and fisher people (largest stakeholders and custodians of our coastal resources) making it more difficult for them to intervene.

VIII. While for CMZ-I areas the main concern appears to be conservation, for areas under other categories (CMZ II to IV) the only concern appears to be vulnerability. Thus the 'set back line' has no conservation parameter attached to it. This is dangerous for large tracts of the coast.

IX. The area indicators of CMZ categories are confusing and contradictory; this will make implementation and enforcement impossible.

X. The CMZ Notification fails to indicate basic parameters of integration in the suggested ICZMPs, thus divesting it of any significance and turning it into a misnomer that can be used by powerful interest groups.

XI. It indicates no regulation with regard to fishing and fishery related activities and this is ominous for both coastal ecology and traditional fishers. It welcomes unbridled exploitation of coastal water life through use of aggressive and destructive gears.

XII. The Management Methodology given in the draft CMZ Notification confines itself exclusively to technical criteria of management. There is not even a word regarding the human resources of management. It describes (inadequately) how to manage without indicating who is to manage.

XIII. It has continued with the main negative aspect of CRZ, shutting out the main stakeholders, the traditional fishworkers, from management and monitoring.

## **OUR DEMANDS**

*In view of the above we demand the following:*

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

Sincerely,

[The Undersigned](#)