

Vandalising Our Coast

Environmental Violence and Violation of CRZ Regulations at Mandarmoni



Morning Breaks at Mandarmoni

Mandarmoni is the new destination of coastal land sharks in West Bengal. Situated in the Ramnagar II Block of the Contai Sub-Division of the District of East-Medinipur in West Bengal the area had all the natural wealth of a wide beach inhabited by millions of red crabs, landscaped by sand dunes and screw pines and seasonally visited by thousands of local traditional fishers. The symbiosis evolved through ages witnessed the traditional fishers protecting the beach by conserving and planting screw pines along the beach, which in its turn protected the sand dunes and stalled erosion. The fishers protected the red crabs and never destroyed other coastal life forms. The beach in its turn provided suitable access to the sea and a wonderful platform for fish drying, thereby providing livelihood to thousands of fishworkers.



Serene Beauty that is Mandarmoni

The pristine natural beauty of Mandarmoni made it irresistibly attractive to beach lovers. No concrete jungle, no wastewater, no garbage, no urban glare or din. Only the sea, surf, fishers with their boats and nets, a wide beach dotted with red crabs, sand dunes with runners and screw pines. Small fisher villages with thatched huts, kitchen gardens, cattle and poultry. Everything so serene and tranquil yet so full of activity and variation.



Sand Mining for Construction

No wonder business interests cashed in

First, these moneyed people lured the small fishers and farmers who were the rayati owners and/or putta holders of lands adjacent to the coast to transfer their holdings in their favour.

Second, portions of beach with sand dunes and beach vegetation (such as runners and screw pines) were encroached.

Third, the local panchayet was managed (presumably by money power and political pressure) to issue approvals for building plans.



Then started the macabre vandalism of this splendid gift of nature. Sand dunes were flattened, screw pines destroyed and shifted, beach sand was mined to construct huge hotels / resorts right on the beach.

Cutting and Shifting Screw Pines

All sorts of construction materials – boulders, stone chips etc. were piled up on the beach. The beach was turned into a thoroughfare with transport carrying construction materials as well as the tourists.

The result is for all to see. Natural landscape – sand dunes and screw pines – gave way to concrete constructions. The red crabs, their habitats crushed under the wheels of traffic, fled to safer destinations. Robbed of its natural constituents, the beach is already showing signs of narrowing down and erosion. Already garbage is piling up on the beach. Leave alone the daily poisonous dose of thousands of litres of sewage and wastewater – bearing detergents, disinfectants and pesticides used in these hotels – that finds its way to the sea.



Construction on Sand Dune, Clearing Casuarinas



Construction Right On The Beach

These miscreants continued this for years in a civil society that has not only statutory restrictions on coastal activities but supposedly also a national and a state body constituted under the law of the land with power and responsibility to monitor and oversee.

The **Coastal Regulation Zone Notification (hereafter referred to as CRZ)** dated 19 February 1991, under the Environment Protection Act 1986, directs that no such construction may be carried out in:

- A. The area falling between the Low Tide Line (LTL) and the Highest High Tide Line (HTL)
- B. The area falling within 500 meters of the landward side of the Highest High Tide Line.



Construction On Beach Flattening Sand Dunes

Besides, the aforesaid notification prohibits altering natural features of the beach – flattening of sand dunes, sand mining and destruction of beach vegetation.



Fenced Off to be Gobbled Up

All the coastal states of the country were to have statutory bodies (Coastal Zone Management Authorities) with power and responsibility to monitor and oversee the strict implementation of CRZ regulations. Accordingly, West Bengal supposedly also has one Coastal Zone Management Authority.



Tractor Carrying Construction Materials Plying On Beach

The Question that makes us extremely worried is how could a bunch of coastal land sharks manage to vandalise the natural wealth of our nation, day in and day out, for years right before the eyes of the civil society with its myriad of laws, layers of judiciary, elaborate executive with a host of enforcing authorities.

Mandarmani - A belated order to dismantle: Is It Sufficient? Will It Be Effective??

A Diary of (Mis) Governance

- ❑ The Mandarmani episode *first came to the knowledge of the board through an application dated 21.02.2006, made by one of the already functioning hotel units, seeking the ' consent to operate'*. This is evident from a recent order, dated 20.02.2007, passed by the West Bengal Pollution Control Appellate Authority. (Yet evidence of the existence of the hotels were widely available from the advertisements put up by the said hotels in newspapers.)
- ❑ The board rejected the application on the ground that it might be 'considered only after receiving necessary clearance certificate from the Coastal Regulation Zone Authority'.
- ❑ Subsequently, on inspection, the state pollution control board found that several hotel units have raised constructions in the area, violating environmental norms. They had obtained neither the 'consent to operate' nor indeed the 'consent to establish'.
- ❑ On 07.08.2006 WBPCB imposed closure order on five units and directed the West Bengal State Electricity Board to take steps for immediate disconnection of electricity to those units and the Officer-in-Charge of the Ramnagar Police Station was also directed to execute the closure order and also submit the compliance report to the State Pollution Control Board within seven days.
- ❑ Reacting to an appeal made by one of the concerned hotel units against the above order, the West Bengal Pollution Control Appellate Authority directed a more detailed inspection to be carried out by an expert committee constituted for the purpose. But no stay was issued on the earlier order. Yet neither the State Electricity Board nor the Ramnagar Police Station appears to have complied with the said earlier order. The expert committee found gross violation of CRZ and other environmental norms and recommended shifting of units. It further advised that the local Panchayet should not give any permission to constructions

in the CRZ area and should withdraw the permissions already given. It also advised the Government of West Bengal to prepare Coastal Management Plan for the Mandarmani beach within the shortest possible time and hand it over to the local authority for implementation.

- Thereafter, on 20.02.2007, the Appellate Authority passed an order directing the concerned hotel units to dismantle within two months, failing which they will have to pay a cost of Rs. 1000/- per day to WBPCB as environmental degradation cost. It also constituted an implementation committee to implement the order.

Taking stock of reality

A commentary on the above course of events

- A. The hoteliers established and operated their hotels without proper permission right under the nose of enforcing authorities for years and with permission from the local Panchayets.
- B. They had the local authorities act in their favour through money power and political connections.
- C. It is deplorable that the State Pollution Control Board came to know of the hotels at Mandarmani *only when* one of the (already functioning) hotel units sought 'Consent to Establish' from the WBPCB (although there have been regular advertisements in the media inviting tourists to these hotels).
- D. It is ironical that the Appellate Authority of WBPCB merely imposes a cost of Rs. 1000/- per day for every day, beyond the two months granted to the hoteliers as the period within which they must dismantle their hotels, when these units have already inflicted terrible damage on the environment, whose environmental costs remain to be assessed.
- E. The hoteliers, without caring for the closure order of 07.08.2006, continued to construct and operate their hotels.
- F. Collusion on the part of state organs is indicated by the non-compliance of the WBPCB order by WBSEB and Ramnagar police station.

- G.** Even after the order of the appellate authority dated 20.02.2007 Mandarmani witnesses continued construction and operation of hotels. A new hotel was inaugurated on 22nd February in presence of Panchayet leaders and the rest of the hotels are merrily carrying on their trade. And the hotels continue to advertise in newspapers in the regular manner.
- H.** The unbridled recklessness of these miscreants shows that they are not only violating the law of the land but also they have enough money power and political connections to do that.



If the moneyed miscreants can get away with this do we need the law at all?

Issues at Stake:

Will the civil society allow these moneyed miscreants to get away?

Will the Law of the Country continue to be at the mercy of money and political power?

Will the natural wealth of our country continue to be an object of reckless trade of these faceless profiteers?



✚ A Violated, Chained and Anguished Mandarmoni needs your support.

✚ Raise your voice.

✚ It is a time to act.

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