

Kolkata, 24 December 2007

To
The Secretary
Ministry of Environment and Forests
Government of India

Subject: Protest against alleged recommendation of the Coastal Zone Management Authority of West Bengal to declassify Nayachar island from CRZ-I to CRZ-III.

Sir,

We are appalled by the news in media (Times of India, Kolkata, 30.11.2007 - copy enclosed) that the Coastal Zone Management Authority of West Bengal has recommended declassification of Nayachar island from CRZ-I to CRZ-III.

This alleged recommendation is, in the first place, *ultra vires*.

Undoubtedly, the Coastal Zone Management Authority of West Bengal is entitled, under Sec.II (i) of Order No. S.O.25(E) dated 04.01.2002, to an exercise of "Examination of proposals for changes or modifications in classification of Coastal Regulation Zone areas and in the Coastal Zone Management Plan (CZMP) received from the West Bengal State Government and making specific recommendations to the National Coastal Zone Management Authority therefor."

But Sec.II of the same Order No. S.O.25(E) dated 04.01.2002 specifies that the Coastal Zone Management Authority of West Bengal is entitled to this exercise only "for protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of West Bengal"

It is quite evident from the aforesaid newspaper report that the alleged recommendation has not been made with the purpose of "protecting and improving the quality of the coastal environment and preventing, abating and controlling environmental pollution in the coastal areas of the State of West Bengal". On the contrary it has been made to pave the way for establishment of chemical industries in the Nayachar island as contemplated by the Government of West Bengal. As such the Coastal Zone Management Authority of West Bengal has gone beyond the statutory power conferred on it in allegedly recommending the declassification of Nayachar island from CRZ-I to CRZ-III.

The Government of West Bengal has acted in a totally unlawful and anti-environment manner in declaring its intention to set up chemical industries in Nayachar, because, as per the Coastal Regulation Zone Notification of 1991, industries are prohibited on the island.

Next Page

The act of the Government of West Bengal is doubly deplorable because the responsibility of implementation of this prohibition in the state falls primarily on the State Government. This is a classic example of *protector turning into violator*.

It pains us to witness that the Coastal Zone Management Authority of West Bengal displays abject procrastination and lack of will in dealing with blatant violations of CRZ norms in the coastal areas of West Bengal (example Mandarmani) on the one hand and wastes no time in recommending anti-environment measures in line with the wishes of the State Government on the other. The Coastal Zone Management Authority of West Bengal has betrayed the purpose for which it was created.

Nayachar is an island near the mouth of the river Haldi. The island as a whole is influenced by tidal action. The highest high tide line extends deep into the island and creeks crisscross almost its whole stretch. Nayachar has substantial mangrove cover as well. The area is directly in the vicinity of one of the richest fisheries and fish breeding grounds of our country. Thousands of fishers depend on this area for their livelihood.

All these have made Nayachar an ecologically sensitive area which has been duly recognized by MoEF in notifying it under CRZ-I category. There is no environmentally reasonable cause to declassify the island from CRZ-I to CRZ-III.

Establishment of chemical industries on this island destroying mangroves and polluting the estuarine environment will be an ecological disaster. The industries in Haldia have already alarmingly increased the pollution load in the zone.

We take this opportunity to remind MoEF that acceptance of the alleged recommendation of the Coastal Zone Management Authority of West Bengal will mean that *the highest office in our country entrusted to protect our environment and implement the legal instruments for the purpose miserably fails to discharge its constitutional obligations*.

We call upon MoEF to summarily reject the alleged recommendation of the Coastal Zone Management Authority of West Bengal and firmly prevent any violation and/or dilution of CRZ norms and intents.

Yours faithfully,

Pradip Chatterjee
Chief Coordinator
DISHA.