



June 4 2010

Shri Jairam Ramesh

Minister of State for Environment and Forests
Paryavaran Bhavan,
CGO Complex,
Lodhi Road
New Delhi 110 003

Dear Shri Ramesh,

Subject: Comments on the Pre-Draft Coastal Regulation Zone Notification 2010

At the outset, we appreciate your effort to engage with us on the subject of coastal protection through the 'pre-draft CRZ 2010. We would like to record also an appreciation of your involvement with the various campaign groups and fisherfolk constituencies on this problematic issue legislating for coastal management.

However the content of the pre draft and accompanying discussion note seems to have picked up little from the public discussions that you so enthusiastically organized and attended. The pre-draft CRZ Notification does not reflect in spirit or in letter any of the concerns raised and recommendations made during the public consultations and in the CEE records of the same (Consultation Report submitted by the CEE on March 25th, 2010).

Our frustration with the content of this pre draft is also due to the repetitive blunders the Ministry has committed every time it has decided to redraft or amend certain clauses of the CRZ notification. As researchers engaged in the study of the CRZ notification clauses and its implementation across the coastal states over the last decade, we find the Ministry's unwillingness to return to the original premise of the notification, a great loss to the cause of coastal conservation and fisher community rights.

There are many problems with the current pre-draft, some being very old and persistent. Our broad concerns are listed here with the specifics and details in an attached note as an annexure. Many important social, political and ecological issues pertaining to legislating on coastal areas, which were raised at the consultations and in public petitions, have simply not been covered in the pre-draft.

- The clear demands to strengthen the CRZ Notification while recognising and guaranteeing rights of fisher communities to resources and its management are not part of the pre-draft.
- Serious flaws and omissions in the enforcement and implementation design such as the blind grafting of the clauses of the EIA notification into this pre draft when the problems of the former are well known and accepted even by the Ministry.
- Vagueness and arbitrariness of the new categorization, their definitions, objectives and regulation

The spirit of the original uncut CRZ Notification 1991 exemplified two simple objectives – protection of coastal areas from haphazard development and the protection of coastal community rights. Undoubtedly, these objectives are not easy to achieve and the CRZ Notification failed to do so, but the 2010 pre-draft reads like an unconvincing affectation of doing so. In light of the above observations, the present pre-draft is not only unsuitable; it is antithetical to our earlier demands and we strongly reject the provisions of the pre-draft and request that you direct the Ministry to withdraw the same immediately.

As an appropriate step towards strengthening the CRZ Notification and its implementation, we urge that a meeting be organised with representatives of the National Coastal Protection Campaign – a collective of fishworker organisations, fishworker support groups and civil society members to discuss the way forward in meeting the objectives of coastal protection and guaranteeing the rights of fishing communities.

Sincerely,



Aarthi Sridhar
Dakshin Foundation



Manju Menon
Kalpavriksh



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Copy to:

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- Dr. Nalini Bhat, Advisor, MoEF
- Dr. Senthil Vel, Additional Director, MoEF