

**Public Consultation with fishers and local community on Coastal Regulation Zone (CRZ)
25 February, 2010 ; Bhadreshwar , Kutch District**

A public consultation on CRZ was organized by Centre for Environment Education (CEE) with support from SETU – Bhadreshwar at Bhadreshwar village in Kutch District, on 25 February, 2010. About 80 participants, mostly the local fishermen and fisherwomen and some of the corporate representatives attended the meeting.

The major concerns and viewpoints to strengthen CRZ shared by the participants are listed below;

I. Strengthening CRZ

1. Consider CRZ 1991 (without the amendments) as the base document to further strengthen the CRZ.
2. All CRZ violations must be identified and CRZ violators punished.
3. Pending CRZ violation cases must be speeded up and violators punished so that it would become a precedence and future violations are controlled.
4. Instead of a notification on CRZ an Act is required to protect the fishers and prevent violations.
5. A clause must be introduced in the CRZ 91 so that any new and future amendments to CRZ an only happen after undergoing a public consultation process with the local fishers and coastal community.
6. No permissions for further industrial construction activities must be granted for areas within 500m. from HTL.
7. Existing dwelling units of the fishers must be protected. Land rights use must first be prioritized for fishers and coastal community, especially for their housing and traditional livelihood activities.
8. Atomic power plants must not be allowed.
9. New ports must not be allowed and neither permission given for further expansion of existing ports.



10. Non-Conventional Energy should be promoted instead of thermal power plants and atomic power plants. Ministry of Renewable and Non Conventional Energy Resources must concentrate on coastal areas to promote the huge potential of tapping solar and wind energy in order to meet the power requirements. This would also benefit the local community in terms of their clean energy requirements. The Gulf of Kachchh has huge land space available for this. Therefore, promoting clean energy must be a priority.



11. The seaward side boundary (at least till 12 nm) must be covered under a special category like CRZ V. The seaward space must be managed for protection and conservation of the marine ecosystem and livelihood activities of traditional fishers.



12. The new notification must be available in the local language and must be widely disseminated in order to seek the opinion of the fishers, coastal community and grassroot organizations, CBOs.

13. Public consultations to seek the view points at least from each coastal district or at the Gram Sabha level must be organized and initiated by the local administration or State authorities or concerned departments.



14. Land use pattern in the coastal areas of Kachchh must be available on public domain. Future projects earmarked must be highlighted.

15. Original and updated versions of the CRZ map and CZMP (coastal zone management plans) must be made available publicly and local community must know about the land use pattern and proposed projects.
16. Methodology of preparing CRZ map must be disclosed. Scientific research to identify critically vulnerable areas must be made.
17. Preparation of CRZ and CZMP plans should have involvement of the local fishers and community. The Panchayats should be involved.
18. Update the HTL continuously and modify maps to reflect the current situation.

II. Environmental and ecological concerns

1. Consider environmental conservation as top priority activity of the Gulf of Kachchh, considering its biodiversity and unique features like presence of creeks, mudflats, beaches, corals, mangroves etc. A unique and special status must be given to the Gulf of Kachchh to promote conservation measures.
2. ICMAM report on “Geographical Information System (GIS) for Gulf of Kachchh” must be made public and in local language. This report gives scientific evidence of the risk of damaging the sensitive marine ecology and livelihood of the fishers due to unplanned port and other industrial activities. They have properly demarcated and suggested industrial development zones etc. which may be followed to arrive at locations for industrial developmental activities.

III. Mangrove protection

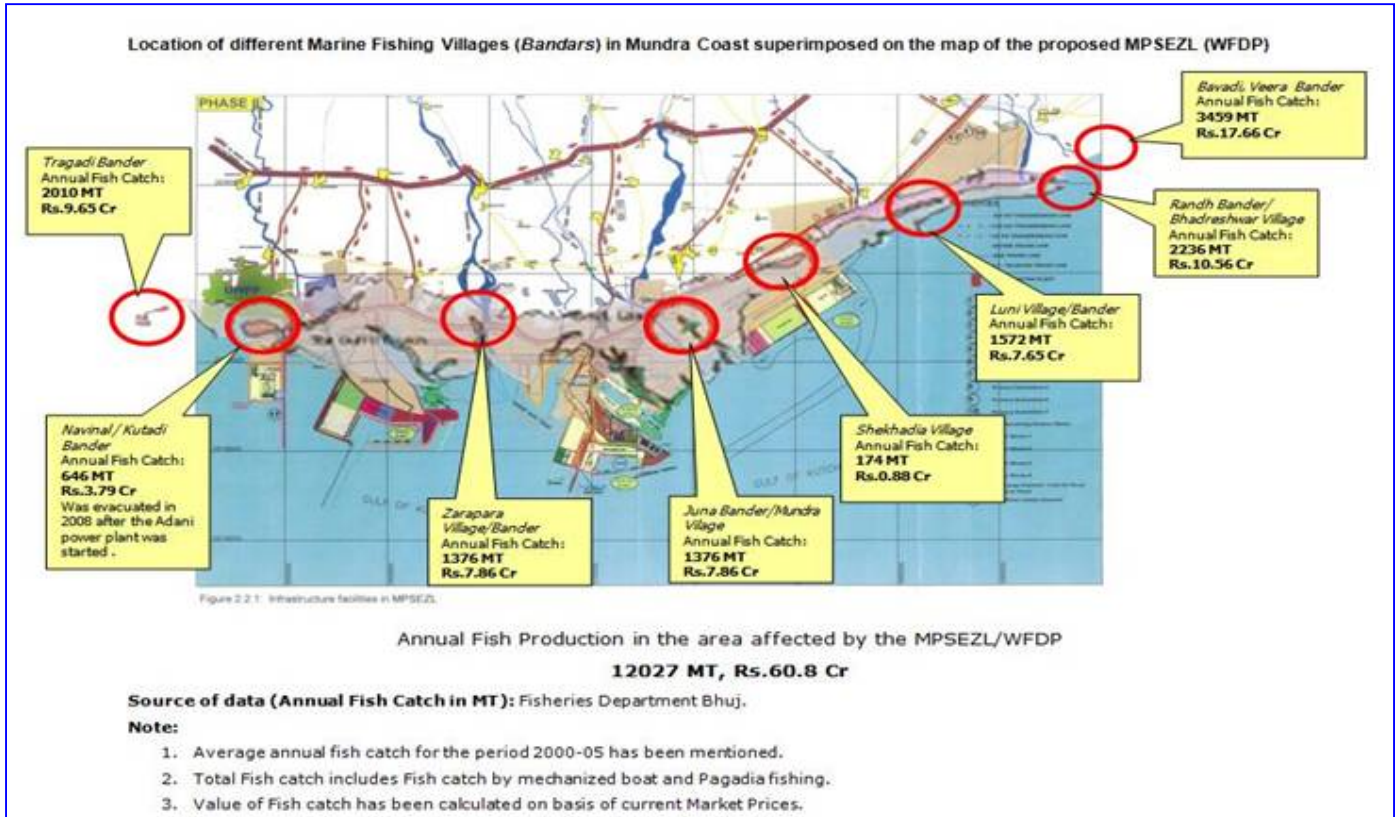
1. An example of Gujarat Adani Port Limited (GAPL) company destroying the mangroves was highlighted. Fishers recommended to demarcate mangrove patch areas and consider them as “reserved areas for conservation”. New mangrove plantations must also be promoted.
2. Local community must be involved to protect mangroves and promote mangrove plantations. Companies that damaged mangroves must be punished.
3. During the Mumbai CRZ Public Consultation, Union Minister, Shri Jairam Ramesh, had agreed to send an empowered committee to study the violations of CRZ and destruction of mangroves in the Mundra coast due to the port activities. However, no committee has visited the site till date. The local community looked forward to a visit by such a committee to get first hand information about the local issues and rampant CRZ and Forest law violations.



IV. Pollution, health hazards and ecological degradation; impact of industrial activities and expansion

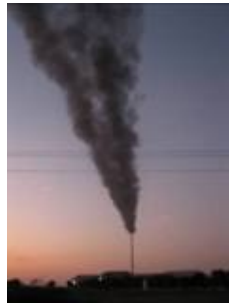
1. An empowered committee to study the Mundra region must be sent from the MoEF and check the impact of large scale SEZ projects and overall cumulative impact of the industries on the socio-ecological aspects of the Gulf of Kachchh as well as the livelihood of the fishers.
2. Health Ministry should study the impacts of the industries / pollution on the public health in Kachchh. Study to analyze the contamination of marine waters and fish (biomagnifications studies) should also be initiated. Health hazards in the Gulf of Kachchh should be identified, especially due to the emergence of ports, power plants and chemical industries. This should also cover the health impacts on livestock.
3. Fishers made several presentations about the pollution from chemical industries and oil tankers and ships plying in the Gulf of Kachchh. Explaining the unique ecological features of the Gulf of Kachchh, they pointed out that given that the Gulf had creeks and was a closed system, any pollutant load would not be easily flushed out into the open sea. This would finally effect the marine biodiversity and subsequently affect the fish catch.
4. Oil spills from ship coming to the port is a major issue. Specific instance of oil tanker offloading tons oil into the sea during routine operations was cited. This leads to heavy pollution affecting water quality, biological productivity, and fish catch. Because the region is a Gulf, adequate flushing does not happen and leads to multiplier effect on the marine ecology and coast. Pollution from power plant (like used coal, fly ash) and high temperature waters are released into the sea, causing further affect on the fish resources.
5. Navy and Coast Guard must play an active role in monitoring the pollution occurring in sea. These could be from the inland industries, ports or ships.
6. Effluents are not treated properly before being discharged through pipelines into the sea. There is no mechanism to monitor the water quality of the sea on a periodic basis. Most of the companies discharge their effluents into the creeks. They time the effluent discharge with the tidal fluctuations in order to escape detection. Pollution is largely responsible for decreasing fish stock rather than overfishing. Also, there are increasing incidences of stunted fish growth due to pollution effect. Most of the fish stock are not found in the nearshore waters due to the effect of pollution.
7. Desalination plants are causing high salinity levels by discharging the waste brine waters into the sea. This also affects the fish growth and availability.

8. Land use pattern needs to be continuously monitored. Any land area allotted for commercial purpose in the name of “development” or “wasteland development” must first have the consent of the local community. The case of Adani Group Company having procured grazing land for commercial purpose was highlighted. The reclamation of intertidal zones and destruction of mangroves to expand the port area was also highlighted. Fishers voiced that SEZs must not be located in areas that have existing and thriving fisheries activities and settlements. Women also stated about loss of grazing land and salinity ingress due to industrial development pressures. Livestock and their livelihood activity of coastal community like farmers have also suffered because of unplanned establishment and expansion of ports and power plants.



9. The affected people of a particular industrial or conservation project must be given the priority in the representation of their concerns. Resettlement and rehabilitation package must be provided to project affected.

10. Fly ash and coal dust coming from the industries damage the cropland and standing crop in the nearby fields of the farmers. Hence such industries must not be allowed in the CRZ zone.



11. Cumulative carrying capacity of the project on the coast must be studied. Currently, companies do EIA only for their projects, but the cumulative impact of all the projects is not known.

V. Defence and security issues

1. In terms of security issue, presence of major power plants, proposed nuclear power plants is dangerous in case war like situation coming up in the future. Kachchh is a border place and therefore is to be treated sensitively. Local fishers should be involved or recruited in the coast guard and navy team so that they can give the local and traditional knowledge. Jakhau to Okha coastal stretch should be monitored thoroughly under security issues.
2. Defence Minister to make certain reservations or priority to recruit qualified local fishers in the coastal security team.
3. A sea safety program for the fishers must be put in place. Adequate early warning and dissemination mechanisms must be established.

VI. Concerns on the increasing conflicts between ships and traditional fishers boats

1. The ships entering the Gulf of Kachchh often damages the nets and boat of the fishers, since ships are unable to detect the presence of fishing boats. Such damage to fishing boats has to be prevented. Dedicated 'channels' should be available for ships to navigate in the Gulf. Traffic from ships plying in the Gulf should be moderated in order not to disturb the fishing activities of the local fishers.

VII. Tourism

1. The number of tourists to the beaches in Kachchh is decreasing because of the pollution problems from industries. Air pollution leading to bad smell in tourist locations have decreased tourists inflow. Health hazard is also another risk due to pollution from industries.

VIII. Risk of inundation of coastal areas

1. Reclamation of sea and intertidal zone by the ports and power plants is leading to increased physical pressure on the coastal areas, especially resulting in inundation of fishers settlement areas. Change in hydrological profile and increased salinity ingress.
2. Given the creek/Gulf conditions of Kachchh, there is more likely incidence of coastal inundation due to natural disasters like floods or cyclone. Further, the current construction activities, ports etc. Lead to increase pressures and therefore larger chances of inundation.
3. Vulnerability Mapping should be undertaken and traditional knowledge incorporated in risk reduction plans by involving local community in mapping and planning exercise. Participatory GIS may be explored.
4. Salinity ingress due to reclamation effects; groundwater exploitation and change in hydrological profile is also a concern. Local fishers and community are most affected due to unavailability of potable water. Salinity ingress is also causing degradation of grazing and farm land.

IX. Special status for Gulf of Kachchh

1. Considering the multitude of specific issues ranging from geomorphic and marine profile; rich biodiversity and unique Gulf ecosystem; presence of large scale industrial units and ports; pollution aspects; rapid land use change patterns; defence and security issues; marine oil spills; disaster prone area (for earthquake and cyclones); cultural heritage; livelihood of fishing communities etc.; the Gulf of Kachchh needs a “special status” and overall considered as a critical and vulnerable ecosystem. The ‘Gulf’ has unique features like geomorphological and marine profile; presence of creeks; vast intertidal stretches; rich marine biodiversity; presence of corals, mangroves, mudflats, migratory birds, nesting grounds; rich fish catch zone. In case of any oil spill or increase in the pollutant load in the Gulf, it would be extremely difficult to revive the entire Gulf of Kachchh ecology – especially since the Gulf is an enclosed system and flushing of pollutants outside the Gulf area is very slow. The Gulf of Kachchh is ecologically sensitive and must be considered as a Critically Vulnerable Coastal Area. Policy decisions based on the Gulf of Kachchh should prioritize fisheries and conservation issues rather than commercial interests.

X. Strengthening capacity of government bodies / SCZMAs; Ensuring better governance

1. Government must have their own database about the socio-economic and ecological aspects of the coastal area and not rely on the reports submitted by the companies. A method to cross verify and interact with the local community find out ground realities must be put in place.
2. Government must continuously monitor the existing cumulative impact of all the ports, industries, power plants etc. In the Gulf of Kachchh.
3. Each state or concerned departments must hold public consultation with the fishers and local community at least at the District level. The Gram Sabhas must be consulted before arriving at policy issues and the Panchayati Raj system must be strengthened.
4. All reports pertaining to the Gulf of Kachchh – including research findings, project reports, policies, rules and regulations etc. Must be available in the local language and concerned Government departments must make such information available publicly so that the citizen are

better informed and strengthen the governance system. Public consultation at the Gram Sabha or at least at the District level should be made compulsory. Capacity of local administration in decision making and planning process must be strengthened.

5. Policies, reports, studies etc. Should be accessible to grassroot organizations and local community. These should be available in the local language. Government and NGOs should promote awareness about the policies, rules, regulations amongst the public.
6. Commercial project objectives must be explained to the people and communicated in local language. Public consultations should be made at Gram Sabha level and by the Government to discuss the advantages and disadvantages for their area.
7. Integrated Coastal Zone Management Project (ICZMP) funded by the World Bank (about 1200 crore) is not know by the community members. Government departments must ensure effective extension education or awareness component in order to appraise and involve local community in such projects.

XI. Protection of the traditional rights of the fishing community

1. Fishers contention was to protect their traditional rights and have a Fisher Rights Act on the lines of the Tribal Act. This should enable them to have access to basic education, health, water and protection of livelihood activities.



2. Draft Fishers Rights bill and draft Marine Fisheries Regulation bill which is currently under the Ministry of Agriculture should have a public consultation. Consultations must be initiated at Gram Sabha level. State level consultations must atleast have the Minister present in the meeting.
3. A Ministry of Fisheries should be formed. Fisheries as a subject must be separated from Ministry of Agriculture. MLAs and MP representation of fishing community required in the political

system. Fisher representative must be present in committees that draft coastal and marine policies that affect fishers and their livelihoods.

4. “Fishers Court” on the lines of “Consumer Court” where the objective is to give justice to the fishing community, should be established. This would ensure legal protection and faster appraisal of the concerns of the fishing community. Fishers problems and issues pertaining to the marine and coastal areas could be completed on a fast track mode if such a “fishers court” were established.



5. Marine policies should consider fishers as protectors and not levy heavy fine. State and Central Government should implement the NCDC scheme.
6. The right of the future generation to healthy coastal and marine ecosystem services must be remembered and hence conservation efforts must take precedence than unplanned developmental activities.
7. It is difficult for fishers to produce legal proof of their land / “patta land” records, since most of the land space and sea space has been inherited traditionally from their forefathers.
8. Fishers pointed out that they do not have any legal documents to show their land rights or housing ownership. These were traditionally handed over to them by their forefathers. However, in the present times, there land were being categorized as ‘government’ land and handed over to the companies.
9. All fishers should be covered under insurance, including boat and net insurance. Just as companies are given “tax holiday”.
10. Fisher women said that there are no facilities like basic transportation, water accessibility, health, education for their children. Commercial projects were also influencing their accessibility to land space – especially for grazing grounds, fuelwood collection, water. There was also the issue of having to be displaced because of the project activities. Therefore, resettlement and rehabilitation of project affected people must be implemented before sanctioning industrial and commercial projects.
11. Migration of fishers and local community from their current settlement areas is increasing. Resettlement package must be available to such migratory population. State government should support this initiative.



Overall concern:

With the tax holiday in Kachchh and various other sops offered to industries; indiscriminate industrialisation is taking place along the Gulf of Kachchh. The first few years of this “development” have witnessed:

- Adhoc displacement of fisherfolk
- Destruction of mangroves of over 3000 Ha of mangroves
- Illegal exploitation of ground water leading to salinity in villages
- Hazardous wastes affecting marine ecology
- Decline in fish production experienced by fisherfolk
- Complaints of Air pollution affecting salt production – Gujarat accounts for nearly 70% salt production in the country.
- Reduction in availability of grazing land, which comes under CRZ in many places in Kutch coast.
- Industrial pollution affecting agriculture production/animal husbandry/Fish production/ Salt production, thus affecting local livelihoods and food security.

All the above have occurred with less than 30% of industrial expansion that is proposed in the next 10 years or so. Clearly, unless timely measures are taken, Gulf of Kachchh is going towards becoming another mega-Ankleshwar in the next 10 years and probably featuring as “hot spot” region in the world for man-made and pollution related disasters.