



**KERALA SWATHANTHRA  
MATSYATHOZHILALI FEDERATION (KSMTF)**  
(Kerala Independent Fishworkers Federation)

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To

**Shri. Jairam Remesh**  
The Hon'ble Minister for MoEF  
New Delhi

**Rejects Draft Coastal Regulation Zone  
Notification, 2010**

Kerala Swathanthra Matsyathozhilaly Federation totally rejects the Draft Coastal Regulation Zone Notification, 2010 for two main reasons.

- (i) It does not recognise the inalienable rights of fishing communities to their habitats.
- (ii) It does not offer adequate protection to the coastal ecosystem.

1. **Housing needs of Fishing communities**

While the fishing communities have sought for their rights to the coast, the draft notification only gives some concessions. In the case of housing, it allows reconstruction of houses of existing 'authorised' structure not exceeding floor space index in the 0-200m zone of CRZ III and allows doubling of houses in the 200-500m zone of CRZ III; with restrictions on housing continuing to operate in the rest of CRZ. Fishing communities are seeking their rights to have their settlements on the coast and not some concessions.

Hence we may propose the following.

- (i) 0-50m zone of all CRZ areas may be kept free of all non-fishery activities.
- (ii) The existing fishermen houses of 0-50 m area may be suitably rehabilitated within the 50-500m zone and the non-fishing community houses may be relocated beyond the CRZ areas.
- (iii) 0-50 m zone of all CRZ may only be made available exclusively to the fishing communities for their livelihood activities.
- (iv) The existing restrictions on housing in the CRZ areas other than CRZ III may be continued.
- (v) The concept of Non Development Zone (NDZ) upto 200m zone of CRZ III may be continued except for housing of fishing communities. The fishing communities may be permitted for repairs/construction/reconstruction of dwelling units without restrictions, such as floor space index, density of houses etc. The restrictions now imposed on house construction in the draft notification be made applicable to the non fishing communities.

(vi) All the existing fishing community dwelling units within 50-500m zone of all CRZ areas may be regularised.

2. **Draft CRZ, 2010 notification violates fundamental principles of coastal protection and legitimises all past dilutions**

One of the foundation of CRZ regime is the principle that only activities that require water front and foreshore facilities should be permitted. Since 1991, as many as 25 amendments have been made to the original notification. The present notification legitimises these dilutions and to mention some of these are:

- (i) Large housing projects.
- (ii) Exception to tourism projects in CRZ II and CRZ III areas.
- (iii) SEZ and other designated projects (project areas)
- (iv) Green field airports
- (v) Power plants
- (vi) Storage of petroleum products fertilisers and chemicals in non CRZ I areas.

Very clearly there is no logic why these activities should necessarily come up in the narrow 500 in CRZ area. The provision for large housing projects suddenly appears in CRZ 2010 causes great concern.

3. **Eliminating fishing communities from the coast**

The draft notification will only end up eliminating the fishing communities from the CRZ areas ignoring their rights in that zone, by allowing activities in the coast which do not warrant foreshore facilities. The failure to limit development to these activities based on cumulative impacts will lead to opening up of the coast in stages by CRZ 2010. While this adversely affect the coastal environment, it will have an equally negative impact on fishing communities who will be disposed of their lands and lose their livelihoods.

4. **Aquatic areas added to CRZ without any meaningful regulatory framework**

The aquatic areas including the sea upto 12 nautical miles has been included in the CRZ as CRZ IV. But the notification makes no additional regulations governing the aquatic areas. Major concerns on declaring aquatic areas also under CRZ are the following.

- (i) The CRZ notification stipulates regulations on CRZ I, CRZ II, CRZ III areas; but nothing for CRZ IV. This is meaningless. Then why to include these areas under CRZ. This would mean the exceptions given under general provision of CRZ may become applicable to CRZ IV and there by heavy construction, mining of rare minerals, sand mining may become possible through the exemption or sanctions from MoEF.
- (ii) Surprisingly, aquatic areas are included but sea bed is excluded from CRZ regime. The sea beds would be subjected to any type of exploitations.
- (iii) GOI has taken over the areas up to 12 nautical miles which had been under the jurisdiction of State Government. The action seems to be unconstitutional violating the federal structure of the nation. We fear the regulations on fishing imposed by State Government at the interest of traditional fishermen may become void in stages and the sea would be opened up for multinational fishing companies.

5. **Special dispensation given to Kerala**

The special dispensation for Kerala is essentially is to reduce the CRZ from 100m to 50m for back water islands. The provision is for dwelling units for all 'local communities' is confusing. This would lead to the Kerala coast getting completely built up and the squeezing out of the fishing communities who will have to compete with other local communities for the coastal space. We demand the special dispensation may be limited to the local fishing communities.

6. **Ecologically important areas**

Vembanad lake (including the area beyond Thanneermukkom bund) is mentioned as ecologically important area. It is proposed that this area be labelled 'critically vulnerable coastal area' and be governed by 'integrated management plans'. The concept of management plans had already been rejected by fishworkers. The idea of governing ecologically vulnerable areas through management plans is likely to open the door for industries and other users rather than benefit to local communities. We reject the concept of management plans as suggested in the CRZ 2010.

7. **Some permitted activities have cumulative impact and need to be limited**

Given high pressure on the coast, even activities that require water front and foreshore facilities can destroy the coast over time through cumulative impacts. The notification fails to recognise this problem by allowing ports, harbours etc without setting limits. It only prohibits port development in high 'eroding coasts' and makes some hurdles in 'medium eroding' coasts. Since ports and harbours can cause erosion, the future developmental efforts on these items need be considered only after proper integrated cumulative environmental impact assessments.

8. In this context we completely reject the draft CRZ 2010 and request GOI to come forward with a draft comprehensive bill on CRZ aiming to protect the traditional rights and interests of fishing community and the coastal environment. The draft bill may be opened up for discussion among stakeholders particularly fishworkers, fishermen organisations, elected representatives and environmentalists.

Hoping GOI may favourably consider the above points and protect the livelihood of poor fishing community.

Thanking you,

**T.Peter, President, KSMTF**

Copy to :

- 1) The Prime Minister of India
- 2) Convenor, UPA