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New CRZ rules may spell doom for our coasts



Kalyan Ray, DH News Service, New Delhi, MAR 31 2019, 00:52AM IST | UPDATED: MAR 31 2019, 22:23PM



A businessman has cordoned off the entire stretch of Heaven Beach near his resort in Kumta taluk of Uttara Kannada district. The fence prevents fisherfolk and other local communities from accessing the sea. dh photo/Govindaraj Javali

Twenty-two days after Narendra Modi took over as India's 14th Prime Minister, his government formed a committee under the chairmanship of scientist Shailesh Nayak to review a set of rules that are meant to protect the country's 7,516-km shoreline. Its task was to examine the Coastal Regulation Zone 2011 (CRZ-2011) Notification on the basis of the representations received from Maharashtra, Karnataka and Kerala and suggest how old rules can be modified to address the states' concerns besides promoting development near the coast.

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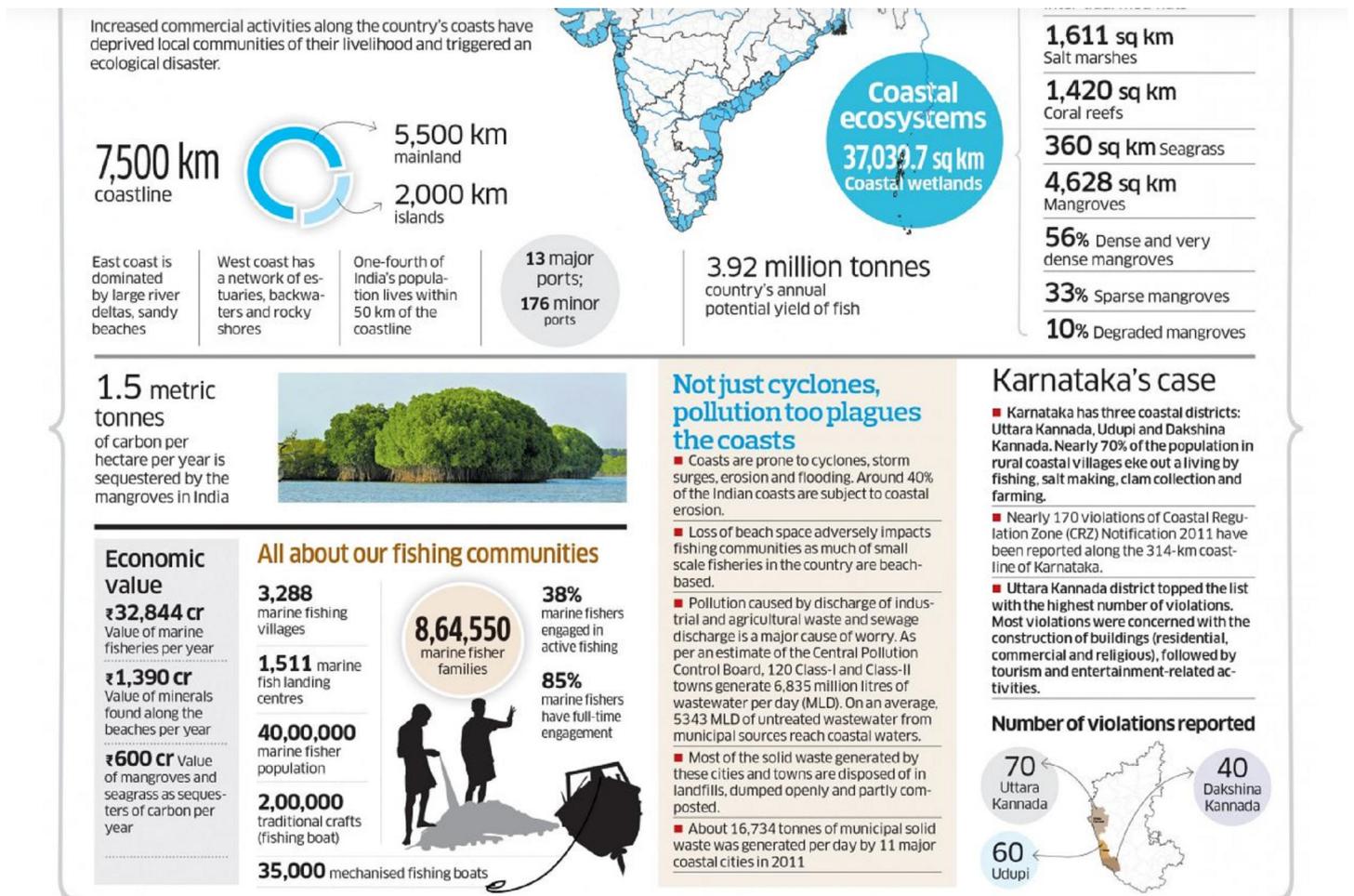
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of rules — CRZ-2010 — that came under attack from environmentalists and fishermen, who claim the new rules would destroy the shoreline by allowing unbridled commercialisation.

The Nayak panel operated in a super-secretive fashion. The panel only met government officials from the states and the Centre without lending its ears to the non-governmental outfits, fisherfolk and people living along the coast. The report was kept under wraps for two years and released in the public domain only after explicit orders from the Central Information Commission. But by then the contours of the modified CRZ regulations were ready and the process to change the CRZ-2011 was set in motion.





“The Nayak committee report is one-sided as it reflects the demands for relaxation of CRZ-2011 Notification, but does not include the demands of fisherfolk or local communities,” said Claude Alvares, executive secretary and director of Goa Foundation.

The notification has many controversial clauses. For instance, terms like “strategic purposes”, “public utilities” and “eco-tourism” are not clearly defined. These broad and open-ended phrases may permit harmful activities near the coast. The 2011 Notification had specifically defined strategic and defence projects that were exempted for CRZ rules, but the new rules remove such certainties. It has been left to the government of the day to declare a particular project as “strategic” and opening up even the CRZ-1 (the most vulnerable part of the coast) areas for construction.

Another contentious decision is to create a new category for populated rural areas near the coast, paving the way for more tourism and development activities.

For rural areas, the previous notification had only one category named CRZ-III. In the new rule, it has been sub-divided into CRZ-IIIA and CRZ-IIIB based on the population. In CRZ-IIIA areas with a population density of 2,161 per sq km, the no development zone (NDZ) has been restricted to 50

at 200 mt.

“Tourism industry would benefit hugely from the relaxation of such rules since resorts can come up very close to the beach as the 200 mt of NDZ has been done away with in many places,” said Pooja Kumar, a researcher at Coastal Resource Centre, Chennai.

Even with the existing regulations, luxury resorts that came up at Kovalam, 40 km from Chennai, adversely impacted fishing with many fisherfolk quitting their trade and being forced to get into other jobs. Further dilution in the CRZ rules will spell more trouble for those who still earn their traditional livelihood from the sea, she said.

Marginalising fisherfolk

Fisherfolk in Mumbai and Goa too are worried about the new regulations. “The way CRZ is diluted, it appears to be nothing but a ploy to take the land of fisherfolk and give it to builders. Relaxing the CRZ would open up land parcels and big buildings would come up in sea shores,” said Damodar Tandel, president, Akhil Maharashtra Machhimar Kriti Samiti.

The changes in the CRZ-III classifications were made on the plea from the states. Karnataka government, led by then Chief Minister Siddaramaiah, argued in favour of the relaxation to undertake construction of dwelling units in fisherfolk villages and to promote tourism with the southern state identifying 41 beaches and 11 islands having good tourism potential but poor infrastructure.

Similar were the arguments from Kerala, where the Oommen Chandy government too sought relaxations in the CRZ rule to expand tourism in backwaters and beaches (10% of Kerala GDP comes from tourism) as well as construction of buildings in coastal villages. Nine of the 14 districts in Kerala are coastal districts and as many as 246 panchayats are affected by CRZ restrictions.

Two months after the notification, Kerala government is gearing up to implement the new rules. “The state just got the draft map based on the 2011 notification approved by the Centre. But that map now has to be redrawn as per the fresh norms and again the Centre’s nod is required. It will take at least seven to eight months to implement the new norms and give some relief to the stalled projects,” said sources at the Kerala Coastal Zone Management Authority.

The tourism sector in Kerala, however, is in a jubilant mood anticipating more beachside and waterfront properties. Kerala has a narrow landscape and in many parts the highways are close to the sea. Hence the number of tourist projects with direct access to the beach is low compared to the long coast of close to 600 km.

“Many tourists, especially Europeans, prefer beachside properties. But owing to the CRZ restrictions, it was quite impossible to set up seaside properties in Kerala. The new norms could be

National Tourism Advisory Council member.

Tamil Nadu too was pushing for a change as the state wanted to open up coastal areas further for tourism and real estate development. Doing away with the apprehension of the fisherfolk about harmful impacts of tourism, Najeeb said tourism projects would not flourish without local support.

But others don't share such enthusiasm. "The provisions permitting temporary tourism facilities on the seaward side wherever there is a national or state highway in CRZ-III is detrimental, with no definition of what constitutes temporary, and with many of these being in reality quasi-permanent structures," said an environmentalist in Bengaluru.

Waste disposal

Moreover, the increased tourism pressure on the coast is likely to drive up groundwater intake from fragile coastal aquifers. Increased waste and sewage disposal would pose additional problems along the coasts which at present have barely any capacity and capability to handle even the current levels of solid waste and sewage.

Another controversial provision in the new amendment relates to the Floor Space Index (FSI) or the Floor Area Ratio (FAR) for CRZ-II (Urban) areas.

As per the CRZ-2011 Notification, the FSI or FAR had been frozen as per 1991 Development Control Regulation levels. In the CRZ-2018 Notification, it has been decided to de-freeze the same and permit FSI for construction projects, as prevailing on the date of the new notification. This will enable redevelopment of these areas to meet the emerging needs.

"For almost three to four years, builders were lobbying with the Union Environment Ministry for a change. One of the main reasons is the big coastline in Mumbai and Maharashtra where there is a rising demand for seaside properties. The new rules would free land parcels for development, get into redevelopment along the coast with extra FSI and serve the cause of affordable housing," said an executive, who worked with associations of real estate developers.

According to an estimate in Mumbai City district, the FSI would go up to 3 from the existing level of 1.33 and up to 2.7 from the earlier level of 1 in Mumbai Suburban district. Redevelopment would be allowed near bays, creeks and rivers in the Mumbai Metropolitan Region. A clear beneficiary would be the Mumbai Port Trust, which owns 966 ha of land available between Colaba and Wadala out of which 719 hectares fell under CRZ-II areas.

Changes in the FSI were suggested by agencies like City and Industrial Development Corporation of Maharashtra and Municipal Corporation of Greater Mumbai before the Nayak committee. Areas like Thane, Palghar and Raigad as well as twin districts of Ratnagiri and Sindhudurg will benefit from the new amendments. "We need to get the exact maps and details so that we can plan accordingly.

will come up, besides a boosting affordable housing, a real estate developer said. On the other hand, mangroves and salt pans would be stressed,” said Shardul Bajikar a veteran naturalist and conservationist.

The last word on the new CRZ norms, however, is yet to be heard as environmentalists petitioned the Goa bench of the Bombay High Court against the regulations. “Irreparable and incalculable harm will be caused to public and to the environment if this notification is implemented,” said Alvares.

(With inputs from Mrityunjay Bose in Mumbai, Arjun Raghunath in Thiruvananthapuram, ETB Sivapriyan in Chennai, Soumya Basu in Kolkata and Harsha in Mangaluru)

Narendra Modi

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