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The Coast is Unclear: On the 2018 CRZ Notification

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(This editorial is based on the article “The coast is unclear: on the 2018 CRZ notification” which appeared in The Hindu on 17th January 2019.)

The Central Government has allowed India’s coasts to be made more accessible to tourism and industrial infrastructure and have given individual States considerable leeway to decide how they should plan such development.

Recently, the Union Cabinet chaired by Prime Minister has approved the Coastal Regulation Zone (CRZ) Notification, 2018 which was last reviewed and issued in 2011, with periodic amendments to some clauses.

What Areas are Designated as CRZ?

- **Land area from High Tide Line (HTL) to 500 mts on the landward side along the seafont.**
- Land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies.
- Land area falling between the hazard line and 500 mts from HTL on the landward side, in case of seafont and between the hazard line and 100 mts in case of tidal influenced water body.
- **The land area between HTL and Low Tide Line (LTL).**
- The water and bed area between LTL to the territorial water limit in case of the sea and water and the bed area between LTL at the bank to the LTL in the opposite side of the bank, of tidal influenced water bodies.

High Tide Line (HTL): HTL means the line on the land up to which the highest water line reaches during the spring tide.

Low Tide Line (LTL): similarly, LTL means the line on the land up to which the lowest water line reaches during the spring tide.

Concerns Related with Coastal Regions

- **Successive governments have created the impression that India's coastline is a vast, empty space that economic actors can take over. Industrialists and real estate developers share this view because coastal lands are for the most part outside the regime of individual property rights.**
- **Land grabbing by private and government actors** has been the norm. These actors forget that this space is the common property of coastal villages, towns and cities, and public beaches.
- Over 3,000 fishing hamlets reside along India's coast, park and repair their nets and boats and organize their economic and social activities here. The self-reliant fisher communities generate ₹48,000-₹75,000 crore for the economy, with almost **no support from governments in the form of subsidies.**
- Even though at least 75 MPs are elected from coastal constituencies, as stated by the South Indian Federation of Fishermen Societies, fisher people are not a vote bank as they are spread across the coast. **This may be why they are the targets of hostile government policies.**
- With rapid urbanization and industrialization, coasts have become convenient dumping grounds. **Sewage, garbage and sludge from industrial processes land up on the coastline and makes life for coastal dwellers a living hell.**
- Such sewage projects have made the coastal people of Saurashtra and south Gujarat more vulnerable to toxicity in their food, water and air. Since India's systems to reduce waste generation and comply with pollution standards are poor, the law now makes the coasts legitimate receptacles for all waste.
- At the same time, India's coasts are already facing climate change events such as intensive, frequent and unpredictable cyclones and erosion.
- **The combined effects of harmful coastal development and climate change are apparent in the form of mass migrations from coastal areas like Odisha and the Sundarbans in West Bengal.**

Notification by Government



- **Allowing Floor Space Index (FSI) as per current norms in CRZ areas:** It has been decided to de-freeze the same and permits FSI for construction projects. This will enable redevelopment of these areas to meet the emerging needs.
- **Densely populated rural areas to be afforded greater opportunity for development:** For CRZ-III (Rural) areas, two separate categories have now been stipulated as below:
 - **CRZ-III A** - These are densely populated rural areas with a population density of 2161 per square kilometer as per 2011 Census. Such areas shall have a No Development Zone (NDZ) of 50 meters from the HTL as against 200 meters from the High Tide Line stipulated in the CRZ Notification, 2011 since such areas have similar characteristics as urban areas.
 - **CRZ-III B** - Rural areas with the population density of below 2161 per square kilometer as per 2011 Census. Such areas shall continue to have an NDZ of 200 meters from the HTL.
- **Tourism infrastructure for basic amenities to be promoted:** Temporary tourism facilities such as shacks, toilet blocks, change rooms, drinking water facilities etc. have now been permitted in Beaches. Such temporary tourism facilities are also now permissible in the "No Development Zone" (NDZ) of the CRZ-III areas as per the Notification. However, a minimum distance of 10 m from HTL should be maintained for setting up of such facilities.
- **CRZ Clearances streamlined:** The procedure for CRZ clearances has been streamlined. Only such projects/activities, which are located in the CRZ-I (Ecologically Sensitive Areas) and CRZ IV (area covered between Low Tide Line and 12 Nautical Miles seaward) shall be dealt with for CRZ clearance by the Ministry of Environment, Forest and Climate Change. The powers for clearances with respect to CRZ-II and III have been delegated at the State level with necessary guidance.

- **A No Development Zone (NDZ)** of 20 meters has been stipulated for all Islands: For islands close to the mainland coast and for all Backwater Islands in the mainland, in wake of space limitations and unique geography of such regions, bringing uniformity in treatment of such regions, NDZ of 20 m has been stipulated.
- **All Ecologically Sensitive Areas** have been accorded special importance: Specific guidelines related to their conservation and management plans have been drawn up as a part of the CRZ Notification.
- **Pollution abatement has been accorded special focus:** In order to address pollution in Coastal areas treatment facilities have been made permissible activities in CRZ-I B area subject to necessary safeguards.
- **Defense and strategic projects** have been accorded necessary dispensation.

Criticisms

- **Environmentalists argue that the new regulations have been framed without a transparent public consultation** process. And, the report wasn't made public by the Environment Ministry. "It was only after several Right to Information requests that the policy was made available and that too, after pressure from the Central Information Commissioner".
- **The National Fishworkers Forum (NFF), has opposed these new amendments.** It has carried out protests demanding fishery rights to the coastal commons and legal action against corporate and government violators of coastal laws.
- **The notification now exposes more people to the unassessed impacts of climate change-related coastal damages.**
- The indifference of the government to coastal and marine regions has even led the forum to demand a separate Fisheries Ministry.
- Instead of using the NFF's knowledge to craft an effective policy, the government has peddled the same development model that has generated conflict and impoverishment.
- **The new amendments legalize the setting up of common effluent treatment plants (CETPs),** an impractical technology for cleaning up waste, on the most fragile parts of the coast.

Way Forward

- **Decentralized actions have been carried out already:** mangroves are being planted, sand dunes and coastal wetlands are being protected, and coastal communities and local governments are collaborating on disaster preparedness.
- **Policies should therefore always consider sustainable development of Coastal areas** and the need for conserving the Coastal environment.
- **The new Notification is so designed that it balances the needs in such a way** that both development and sustainability are fulfilled.

- **For example**, the changes brought about in the CRZ Notification will further add to creating additional opportunities for affordable housing. This will benefit not only the housing sector but the people at large looking for shelter.
- Tourism has been one of the greatest creators of livelihood and jobs and the new Notification will boost tourism in terms of more activities, more infrastructure, and more opportunities and will certainly go a long way in creating employment opportunities in various aspects of tourism. This will also provide a chance to the people who are desirous of seeing and enjoying the beauty of the mighty seas.
- **Government approval to the Coastal Regulation Zone Notification, 2018 is therefore expected to go a long way in meeting the aspirations of Coastal communities besides ensuring the welfare of the poor and vulnerable populations.**

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