

A SUMMARY OF THE MOEF—NFF DISCUSSIONS ON 1ST JULY 2011

(As recorded by Dr V. Vivekanandan in his personal notes)

Venue: SICOM, Lodi Rd Institutional Area, New Delhi

Time: 1.00 pm to 3.00 pm

Participants

NFF: Matanhy Saldanha, Rambhau Patil, Vivekanandan

MoEF: J.M.Maushkar, Senthilvel, Nalini Bhat; Shri Jairam Ramesh joined the discussion briefly

Issue	Outcome of discussion
"Traditional Coastal Communities"	MoEF recognises the danger of misuse of this provision. It feels that this can be resolved by issuing directions to States as to which communities can be considered traditional coastal communities in each district or region of the state. MoEF has asked NFF to give inputs to prepare such a list.
Road on stilts	Agree to NFF position that this provision opens up possibilities that are undesirable. However, no pending proposal after clearance of Chennai expressway, which is apparently just a corridor for shipments from Madras port. MoEF is ready to consider any proposal from NFF that further defines the use and restriction of this provision
CVCA	MoEF says that this is still a provision that needs further development and is open to suggestions. No plans to implement this in a hurry. When enquired about the possibility of modifying WLPA regulations through CVCA, there was some hesitation, but MoEF is willing to accept proposals
Fishing Community Representation	District level: Provision exists but need to work on role and responsibilities of Dist committee, its composition, etc. NFF asked to study ToRs of District Committees that are already operating in TN & Karnataka and to give feedback, based on which directions will be given to all state Govts on District Committees. State level: MoEF is currently undertaking an exercise on standardising the size and composition of SCZMAs and will get back after that exercise. NCZMA: No discussion took place on this. Will be taken up along with discussions on dist and state level committees.
Taking action on violations of CRZ 1991	MoEF says that all SCZMAs have started to put up violations on their websites. NFF has been asked to check out the info in the websites and give feedback. MoEF also wants NFF to provide information on violations not recorded by SCZMAs. In the case of industrial effluents, the two year grace period does not apply and action can be taken straight away. MoEF has asked NFF to provide instances where industries are violating conditions with regards to effluents. SCZMAs will also be asked to look into violations from point of view of pollution/effluents and not just constructions
Action against some major violations like that of Adani Port and SEZ and Mandormoni	Work has been stopped on Adani Port & SEZ. Complaint received from Debi Goenka about some work going on despite this. MoEF has sought more detailed information on this. Mandormoni is very much on MoEF radar. Even the W.Bengal Governor has complained about this. A lot depends on how the new WB Govt looks at this.

Issue	Outcome of discussion
Initiating action on CRZ 2011 provision that requires all states and local bodies to plan and implement effluent treatment in urban areas on the coast in a time bound manner	MoEF agreed to write to all State Governments and the Ministry of Urban Development to initiate action on this. All States and municipalities/corporations will be asked to include provisions for effluent treatment in 12 th five year plan.
Regulating shore protection measures—whether states and concerned departments informed and aware	Acknowledged that awareness of this is low. MoEF to write to all CMs about this and ask them to ensure that EIA is done for shore protection projects. Kerala CM already informed about this last week when Env Minister released shoreline change maps.
Lack of experts on fisheries in MoEF project appraisal committee	MoEF willing to induct suitable persons and has asked for suggestions in this regard
Weakness in ToRs for Marine EIA	MoEF has agreed to organise small expert consultation on this and to revise Marine EIA ToRs
Sindhudurg Collector refusing to permit new dwellings in CRZ III as Sindhudurg is on the indicative list of CVCA sites in CRZ 2011 notification	NFF asked to obtain copy of Collectors order and send it to MoEF. MoEF will provide necessary clarifications and instructions.
Procedure, if any, for regularising fishermen and other local traditional communities' dwelling units that have come up in CRZ	Procedure needs to be put in place. However, whether powers should be given to local panchayat or SCZMAs was debated. Parliamentary Committee on subordinate legislation has strongly argued for powers to Panchayat. Since we expressed our scepticism of Panchayats implementing CRZ, MoEF has asked NFF to submit its views in writing. Also NFF asked to discuss matter with each of its state units and find out what will be most appropriate procedure in each state. The issue is not just that of easily getting fishermen houses regularised. It is equally important to ensure that others not eligible do not misuse this opportunity.
Other matters	Minister of Environment sought NFF views on the various proposals coming from State Governments to make amendments to CRZ 2011, most of them involving further exemptions. Some examples include extending provision of 50 m NDZ given to backwater islands to whole of Kerala coast and land reclamation in Mumbai. NFF was reluctant to accept any additional exemptions/permissions to be added to CRZ 2011. Further, the ground realities of the Kerala situation can be understood better once the new CZMPs are prepared. So, it was agreed that all proposals should be considered only after the new CZMPs are ready. It may be better to take stock of the need after the new CZMPs are prepared. Minister agreed to write to all CMs informing of this decision. The importance of taking action on violations was also to be stressed in the letter.