

**BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE AT  
KOLKATA  
MEMORANDUM OF APPEAL**

**(Under Sections 16(e) read with 18(1) of the National Green  
Tribunal Act, 2010)**

**Appeal No. 32 of 2022**

Ashish Kothari

... Appellant

Vs

The Ministry of Environment, Forest and Climate Change & Anr

.. Respondents

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Through

A. Yogeshwaran  
Counsel for Appellant

**BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE AT  
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(Under Sections 16(h) read with 18(1) of the National Green Tribunal Act,  
2010)

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Ashish Kothari

... Appellant

Vs

The Ministry of Environment, Forest and Climate Change & Anr .. Respondents

**Rejoinder filed by the Appellant**

The appellant respectfully submits as follows:

1. The appellant has read the counter affidavits filed by the 1<sup>st</sup> and 2<sup>nd</sup> respondents and denies the contents of the same as false, except to the extent expressly admitted hereunder.

**Rejoinder to the counter affidavit of the 1<sup>st</sup> respondent –  
MOEF&CC**

2. At the outset, it is submitted that the 1<sup>st</sup> respondent has not addressed or responded to all the contentions raised in the appeal. The reply affidavit merely narrates the clearance process and does not address the issues raised. This Hon'ble Tribunal while adjudicating an appeal under Section 16 of the Act performs both a judicial review and a merits review.
3. The contents of para 1 to 5 are a narration of the appeals pending before this Hon'ble Court and for the information of this Hon'ble Tribunal and calls for no reply.
4. The contents of para 6 to 9 pertain to a description of the EIA Notifications and do not call for any reply.

5. In so far as the contents of para 10 are concerned, it is submitted that the MHA vide letter dated 30.03.2022 had stated that the airport was to be a dual use airport and hence be dealt with as a project of strategic nature. It is submitted that under clause 7 (III) of the EIA Notification, 2006, the only exception granted to projects relating to national defence or other strategic consideration is exemption from public consultation. These projects have to undergo the process of impact assessment, appraisal and issuance of clearance. Under the scheme of the law, the entire process is not kept secret and the EC etc are released after redaction of information considered sensitive. It has not been stated by the respondent whether clearance was issued to the airport separately.
6. The contents of para 11 are denied as false and it is reiterated that the impugned clearance has been issued in violation of the law and without consideration of the impacts of the project, based on inchoate and incorrect reports. The 1<sup>st</sup> respondent has failed in its solemn duty as the regulator.
7. The contents of para 12 are denied as false. The respondent has merely listed different events in the clearance process and this does not in any manner address the issues in the present appeal. The process of clearance is also directly in violation of the OM dated 24.12.2010 cited by the respondent and the detailed averments in this regard in the Memorandum of Appeal have not been controverted by the Respondents herein.
8. The contents of para 13 are denied as false. The issue of competence of these institutions and the correctness of the reports has been dealt with

in the Appeal and the respondents have not provided any reply to the same. Apart from listing some of the studies, the respondent has not addressed the issues raised qua these studies. It is submitted that the respondent has admitted that the PP was asked to carry on studies post the EIA as well. This is a clear violation of the procedure prescribed by law and defeats the purpose of the EIA Notification. The purpose of the PH and ensuring public participation is also defeated since these reports are never placed for public scrutiny and is also contrary to the respondent's OM dated 07.10.2014.

9. The contents of para 14 are denied as false. It is submitted that the respondent has failed to protect the biodiversity of the region and appreciate its sensitivity. The clearance has been issued without even an understanding of the biodiversity of the areas in question. Any number of mitigation measures will not compensate for the destruction of an ecosystem of the richness and complexity that is proposed to be cleared. These mitigation measures are irrelevant and are nothing but an attempt to provide justification for the impugned clearance.
  
10. The contents of para 15 are denied as false. There are two and not six tribes in Great Nicobar, like the respondent has mentioned. It is submitted that the record makes it evident that tribal rights and well-being have been sacrificed by the 1<sup>st</sup> respondent. For example, though the ToR required that experts on tribal issues be consulted, AAJVS, which admittedly was the only organisation consulted, is not even an anthropological organisation working with tribal communities. It is essentially a Government body with its general body, office bearers comprised of officers serving in the administration who are not tribals themselves, do not understand their language or their way of life. Moreover, the Nicobarese have clearly mentioned during the hearing that

they wish to go back to their pre-tsunami villages located in the southern and south-western coast of Great Nicobar, most of which falls under the project area. Clearly, the project proponent has no intention of ensuring the Tribal rights are upheld. The repeated assurances that the tribals will not be displaced are merely formalities, evident from the fact that the RfP document for engaging a consultant for preparing the DPR for the township that has been floated by ANIIDCO, has the master plan prepared by AECOM in its annexure that says "If required, the tribals can be relocated to other parts of island which is conserved and protected". Shompen being PVTG, are entitled to Habitat rights under the Forest Rights Act, and it is the duty of the Government to recognise these rights and ensure their protection.

11. The contents of para 16 are denied as false. It is submitted that the respondent fails to disclose that the Galathea Wildlife Sanctuary was de-notified, the boundaries of the two National Parks were redrawn to carve out land for the subject project. The area is within the mandatory 1 km Eco Sensitive Zone (ESZ) and adjacent to the National parks. Merely because the respondent de-notifies a Protected Area or changes the boundary of the ESZ, it does not take away the character of the area or its importance as a wildlife habitat. It is a fact that turtle nesting grounds, nesting grounds of birds, corals etc which are entitled to protection as CRZ IA are included in the project site of the port.
12. The contents of para 17 are denied as false. It is submitted that while the respondent contends that the ICRZ plans under the 2019 ICRZ Notification have been approved, the ICRZ plans have not been produced along with the reply. In fact, the approved maps are not available even on NCSCM's website at <https://czmp.ncscm.res.in/#main-map> or on the website of the UT administration which only contains the draft maps wherein the entire port site has correctly been marked as CRZ IA.

13. The contents of para 18 are denied as false. 130.75 Sq KM of highly biodiverse primary rainforests are to be destroyed. Not only is it illogical to compare extents in percentages to the overall extent of forests in the archipelago but also unscientific to equate the forests of Nicobar group of islands with that of Andamans as the Andaman Islands are a part of Indo-Burma Biodiversity Hotspot while the Nicobars are a part of the Sundaland Biodiversity Hotspot. In other words both belong to two distinct Biogeographic Realms and have very different floral communities and faunal assemblages and hence simply cannot be compared.
  
14. The contents of para 19 are denied as false. It is submitted that the contention of the ministry that the FAC meeting was held separately on 21.09.2022 and the minutes are not available in public considering the "strategic nature of the project", is bereft of merit. It is submitted that in para 10, it was submitted that only the airport was considered as a defence and strategic project. The diversion of 130.75 sq km of forest land is not for the airport but majorly for the township and other projects. It is submitted that the very purpose of ensuring transparency is to encourage public participation in environmental decision making and the respondent erred in arbitrarily keeping the entire forest clearance process under a veil of secrecy, contrary to all principles of environmental good governance. The Hon'ble Supreme Court in its judgment dated 16.11.2021 in Civil Appeal Nos 6497-6498 of 2021, while considering a clearance under the FC Act has held, " A veil of secrecy does not portend well for environmental clearances, since it takes away the right from individuals to challenge them using legal remedies. In the meantime, tree felling proceeded apace. This lack of transparency, leading to a lack of accountability, is in stark contrast to the "environmental rule of law", which is crucial for good governance."

15. The contents of para 20 -22 once again summarises the clearance process and are denied and it is submitted that this narration does not address any of the issues raised in the appeal. The contents of para 23 are denied as false. It is submitted that it has been demonstrated in the appeal as to how the environmental factors have not been factored in and that the entire analysis of alternatives exercise has been reduced to a ritual. The 2<sup>nd</sup> respondent, ANIIDCO, chose the site and created justifications for the same, which were accepted by the 1<sup>st</sup> respondent without any critical appraisal. The respondent has not provided any counter to the contentions raised in the appeal.
  
16. The contents of para 24 - 26 are repetitive and have been addressed earlier. The contents of para 27, 29 are denied as false and they are vague and demonstrative of the lack of attention paid by the respondent to the issue of rights of aboriginal tribes. These contentions have been addressed earlier. The project site falls in the areas that are currently in use by both the tribes, the Nicobarese and the Shompen, which is a PVTG. And the Nicobarese had asserted their intention to relocate to their pre-tsunami villages in the public hearing, a long-standing appeal which has been completely ignored. In fact during the Public Hearing several facts regarding the exact locations of each project with respect to the location of the current settlements of the nomadic tribe Shompen and the pre-tsunami villages of the Nicobarese were concealed. After learning where the project sites are, the Nicobarese had also sent representations to the MoEFCC and to other concerned authorities, much before the Environmental Clearance was issued and yet their appeal was completely ignored. Copy of letters are annexed as **Annexure A76.**

17. The contents of paras 30,31,32 are denied as false and it is submitted that merely commissioning studies is not sufficient. It is submitted that the entire exercise has been carried out to justify the decision of the PP to establish the project and not to ascertain the most feasible location for the project or whether the project can be permitted or not. Of the studies listed under para 30, the conservation plan for Nicobar Megapode was conducted after the public hearing. The marine ecological conservation plan was not even a part of the draft EIA and is not available on PARIVESH till date. Neither does the EIA report have any details of the socio-economic surveys. The mathematical modelling report was also not a part of the draft EIA and was added after the public consultation. It is reiterated that under clause 7 of the EIA Notification, the only permitted additions/revisions to the draft EIA are those related to addressing concerns raised during public hearing and in the instant case, all the studies and documents added after public hearing are not to address public hearing comments but reports that ought to have been prepared prior the public hearing. The 1<sup>st</sup> respondent ought to have rejected these reports or at the very least, directed the conduct of public consultation after placing all materials in public domain.

18. The contents of para 33 are denied as false and it is submitted that the respondent admits that studies and reports were called for and submitted post the public hearing and seeks to justify these as "technical" and "more of clarificatory in nature". It is submitted that the only permitted revision to the draft EIA is the necessary revision to address public hearing concerns. The fact that most of the studies referred to by the respondent were never before the public vitiates the entire process. As far as addition of new components are concerned, a major change in the usage of the airport was done by making it a dual use airport, a

decision that was taken without the consent of the stakeholders especially the residents of the two villages Gandhinagar and Shastrinagar who will be relocated for the airport. The via ducts and underground tunnels are all major changes in the design that calls for a fresh public hearing. In addition to that, the three new wildlife sanctuaries declared after the public consultation to ostensibly compensate for the loss of habitat of turtles, megapodes and corals in the islands of Little Nicobar, Meroe and Menchal have an enormous impact on the people of the Little Nicobar Island who have special significance for Menchal and Meroe islands and have expressed their disagreement with this decision. This calls for a fresh public hearing, this time inviting the Nicobarese of Little Nicobar Island.

19. The contents of para 34 – 36 are denied as false and it is submitted that the respondent has only summarised the events that transpired and the reports they received. There is no response to the contentions in the appeal regarding these reports.
20. The contents of para 37 only states that the Nicobarese are Scheduled Tribe and the rest are PVTGs.
21. The contents of para 38 to 44 are denied as false and the respondent is merely repeating statements made by the project proponent in the clearance process. The impact on the aboriginal tribes by destruction of forests, introduction of lakhs of people from the mainland etc have been effectively highlighted by anthropologists, which have been filed along with the appeal and the respondent has not paid any heed to these statements which were submitted during public hearing. It is evident that AAJVS is not an anthropological organisation but a welfare organisation working under the State. Moreover, the

statement that the Nicobarese have joined the mainstream is a proof that the respondent have no idea regarding the heterogeneity among the Nicobarese, that the southern Nicobarese on whose ancestral land the project area falls, are a culturally and linguistically distinct group and cannot be clubbed with the Nicobarese of central Nicobar islands where a large section of the community has adopted modern lifestyle. The southern Great Nicobarese still practise their traditional way of life and hence wish to go back to their pre-tsunami villages where they can lead their lives without the interference of outsiders.

22. With regards to para 40, the Nicobarese settled at New Chingenh wish to go back to Old Chingenh which is situated near Galathea Bay (site of the port), The Nicobarese settled in Rajiv Nagar also wish to go back and resettle their pre-tsunami villages on the west coast (the site for port logistics, coastal tourism, etc). The Shompen have had a history of interactions and barter relations with the Nicobarese, so the point that the 4 Shompen living in "Kirasis" (the name of their settlement located close to the Galathea river where the power plant has been proposed) is irrelevant here. They still live in and use that area and will be displaced as a result of the project. The displacement of any forest dwelling community is not a planned event. It happens as a consequence of any new activities that cause disturbance to the tribes. There are enough examples that show that the Shompen have been displaced time and again due to the insensitive and misplaced intervention of the island administration. A PVTG with a population of only 230 odd members, and in the respondent's own words "the heritage of mankind not only for the island but for the world", deserves maximum protection, and preservation of their land, a right being knowingly violated by the respondent.

23. As far as para 44 is concerned, the administration's consent is already violating the tribal rights as:
- a) The location of the power plant and other components of the port is close to the Kirasis settlement of Shompen located at Galathea which will without a doubt lead to their disturbance and displacement.
  - b) The concept of land for the tribals is very different and beyond the scope of the administration. The Shompen do not understand demarcations, which is why they continue to use the out-points at Laxminagar village as that provides them an easier access to the coast. By creating demarcations in the form of fences or barricades the Shompen will be restricted on their movement, as many areas of the coast are used by them to access different parts of the forest.
24. The contents of para 45 are denied as false and it is submitted that the PP's own EIA and studies are evidence that the respondents do not even know the nature of the area they are converting. Proposing such a plan for mitigation without examining the baseline properly is utterly pointless. It is submitted that the mitigation measures referred to do not address the loss of habitat caused by diversion of more than 100 Sq Kms of pristine rainforests.
25. The contents of para 46 are denied as false. There is no purpose served by destroying habitats and declaring other areas as protected areas – those areas are anyway being used by turtles and other biodiversity and these notifications do not address the present issue at all.
26. The contents of para 47-50 are denied as false. It is submitted that placing marker buoys for a narrow strip along one flank does nothing to protect the turtle nesting grounds in the bay, which is proposed to be

converted for the port. The respondent has merely repeated statements in the EC and EAC minutes. These statements of the respondent are demonstrative of their lack of application of mind and felicity with these issues. There is again no regard given to the fact that the approach path of the bay area will be drastically blocked by the breakwater and no number of marker buoys can undo that. It is also relevant to note that the other beaches in the island are also part of the project and have been earmarked for various uses.

27. The contents of para 51- 55 are denied as false and the respondent has not responded to the contentions in the appeal. The period of study is woefully inadequate to even be considered a rapid EIA, which is based on one season data collection. The ICRZ Notification also requires the preparation of a comprehensive EIA with cumulative studies. The respondent has failed to see that the subject EIA report ought to have been rejected on this very ground. The other studies referred to by the respondent are not impact assessment studies based on monitoring of biodiversity – they are reports admittedly based on short visits and secondary data. They are not substitutes for the EIA and even these reports do not address the impact of the proposed project on biodiversity. The mere listing of conditions imposed does little to justify the impugned clearance. The impugned clearance has not been issued after subjecting the project to “intense environmental rigor”. The 1<sup>st</sup> respondent has accepted all the statements of the 2<sup>nd</sup> respondent and has issued the impugned clearance without any application of mind, forgetting their role as the regulator. In response to a query in the Lok sabha relating to the requirement of comprehensive EIA for ports and harbours under the CRZ Notification, 2011, the Minister clearly describes the need for a comprehensive EIA. The reply of the Environment Minister in the Lok sabha is annexed as **Annexure A-77**.

28. The contents of para 56 are denied as false. It is submitted that the respondent has admitted that the proposal was appraised only by co-opting the member secretaries of the other EACs. This is in direct violation of the procedure mandated by the OM dated 24.12.2010 relied on by the respondent. It is a matter of record that the EIA report does not contain a cumulative impact assessment of even the various components of this project and the carrying capacity of the island has not been assessed.
29. The contents of para 57 is denied as false and it is seen that the shoreline has shifted considerably due to the 2004 Tsunami and the statement that the shoreline has not changed is false. The shoreline change atlas published by ISRO indicates that the shoreline has changed considerably. Extracts from the atlas are annexed as **Annexure A78**.
30. The contents of para 58 are denied as false. The project requires wildlife clearance which ought to be obtained at the threshold itself. The contents of para 59 - 61 are denied as false. It is submitted that it is clear from the narration of dates by the respondent that the baseline collection was completed even before the ToR was issued and therefore the claim that ToRs were addressed is evidently false. It is submitted that the respondent has not even addressed any of the issues raised in the appeal and has merely summarised the clearance process, extracted from the EC and has made bald submissions that the EC has been issued in accordance with the law.
31. The contents of para 62 – 77 are denied as false. The entire process for the grant of FC has been shrouded in secrecy and has been issued without assessing the biodiversity and ecology of the area sought

to be diverted and without considering the fact that forest land cannot be diverted for a township. It is submitted that these submissions are repetitive and have been addressed earlier. The 1<sup>st</sup> respondent failed in its duty to appraise the project and has issued the impugned clearance in complete violation of the law. The true value of this ecosystem lies in its preservation and not its destruction for a township, port etc.

**Rejoinder to the counter affidavit of the 2<sup>nd</sup> Respondent-  
ANIDCO**

32. It is submitted that the General Manager (Projects) ANNIDCO has filed a common counter affidavit dated 14.02.2023 on behalf of the 2<sup>nd</sup> Respondent in Appeals: 29, 30, 31 & 32 of 2022 and the 3<sup>rd</sup> Respondent in Appeal 29 of 2022. The contents of the said counter affidavit are denied as false.
33. It is submitted that the counter- affidavit does not specifically address any of the substantial grounds raised by the Appellant herein and merely narrates details of the project that are generic in nature.
34. The Appellant in the appeal memorandum has pointed out multiple instances inter alia of
- a) Flaws and illegality in the processes related to the appointment of consultants and the preparation of the environment impact assessment report.
  - b) Incorrect, inconsistent and unscientific information provided in the EIA report, which suggests lack of application of mind and makes the report liable to be rejected in its totality

- c) Lack of proper and sufficient consideration of the tectonic volatility and vulnerability of the island that raises further questions of the viability and quality of the EIA report
- d) Absence of the recognition of the rights of the indigenous communities of Great Nicobar Island including the Shompen which is a designated PVTG and whose rights, livelihoods and culture need to be considered with utmost care
- e) A flawed public hearing process details of which are provided in the petition and following which the public hearing should be considered null and void
- f) Inclusion of additional details reports etc. subsequent to the public hearing and the publishing of the final EIA report which was not placed for public consultation
- g) Lack of sufficient accounting in the EIA report of the biological diversity and richness of Great Nicobar Island
- h) Violation by the respondents of multiple laws and constitutional guarantees as well as violation of multiple global commitments India has made towards biodiversity conservation, protecting indigenous rights and fighting climate change.

The specific details of these and the other issues that were raised by Appellant have all been ignored by respondent by making the overarching claim that due process has been followed, EIA report has been prepared and the clearances are in order.

35. It is submitted that the contents of para 1- 5 are matters of record and contain details about the clearances under challenge and hence no response is required.

36. The contents of para 5 relate to the conceptualisation of the project for “holistic development of the Great Nicobar Island...”, the appointment of the 2<sup>nd</sup> Respondent as the Project Proponent by NITI Aayog and the appointment of consultant by NITI Aayog for preparing the Master Plan on 18.12.2020. The issues raised by the Appellant herein in para 30-35 of the Appeal Memorandum and in para 172-174, have not been answered by the 2<sup>nd</sup> Respondent herein. It is submitted further that:
- a. AECOM, in 2016 had prepared a technical note citing reasons for the unsuitability of Great Nicobar as a transshipment port. The reasons for the same consultant arriving at a different conclusion in 2021 remain unexplained.
  - b. It is evident from the timeline of events that the consultant was required to conduct the EIA and other studies even prior to issuance of terms of reference and data collection was also completed prior to issuance of ToR.
  - c. NITI Aayog is not the project proponent and hence the appointment of AECOM by NITI Aayog and the further appointment of VIMTA labs by AECOM vitiates the entire process of preparation of EIA as the project proponent has to be directly responsible for the contents of the EIA report.
37. The contents of para 7 are a narration of the studies undertaken under the Environmental Clearance process. The specific grounds of the Appellant herein about the inadequacy of these studies, discrepancies in the same have not been addressed. Copies of the wildlife conservation plans prepared as per the conditions of the clearance dated 11.11.2022 have not been made available nor are they available in the public domain. In any event, it is the case of the Appellant herein that the EC suffers from blatant lack of application of mind by the EAC and such conditions

prescribing conduct of impact studies subsequent to the grant of the EC are only demonstrative of the same and do not serve any purpose.

38. It is submitted that the contents of para 8-10 are a narration of the strategic and economic justification of the present project and do not in any manner relate to the specific environmental concerns raised by the Appellant. It is respectfully submitted that the law is equally applicable to projects of national importance and strategic nature and nomenclature of this nature cannot be used to justify both procedural and substantial illegalities in the clearance process.

39. The contents of para 11 deal with the principle of sustainable development and seeks to place reliance on the judgement of the Hon'ble Supreme Court in the case pertaining to the Char Dham project, which is irrelevant in the present context – what is pending in these appeals is a legal and merits review of the impugned clearance issued under the EIA Notification and ICRZ Notification. The compliance with the law is important for sustainable development and the entire project spanning over 130 Sq Km and having unprecedented impact on the biodiversity of the region cannot be immune to legal scrutiny under the garb of “national importance”. The apex court in the case of Hanuman Laxman has infact has addressed this perceived gap between development and environment and has held as follows:

*“The 2006 notification embodies the notion that the development agenda of the nation must be carried out in compliance with norms stipulated for the protection of the environment and its complexities. It serves as a balance between development and protection of the environment: there is no trade-off between the two. The protection of the environment is an essential facet of development. It cannot be reduced to a technical*

*formula. The notification demonstrates an increasing awareness of the complexities of the environment and the heightened scrutiny required to ensure its continued sustenance, for today and for generations to come. It embodies a commitment to sustainable development. In laying down a detailed procedure for the grant of an EC, the 2006 notification attempts to bridge the perceived gap between the environment and development."*

The Appellant places reliance on the said dictum of the Hon'ble Apex Court and submits that the entire appeal only relates to non-compliance of the basic requirements and the spirit of the EIA Notification, 2006.

40. It is submitted that the fact that the project area is only 1.82 % of the total forest area of the Andaman and Nicobar Islands ( as stated in para 11) is of no relevance. If anything, it points to the presence of extensive forest lands and consequentially the rich biodiversity of the area. Further, it is unscientific to equate the forests of Nicobar group of islands with that of Andamans as the Andaman Islands are a part of Indo-Burma Biodiversity Hotspot while the forests of Nicobar are a part of the Sundaland Biodiversity Hotspot. In other words, both belong to two distinct Biogeographic Realms and have very different floral communities and faunal assemblages and hence simply cannot be compared.

41. With respect to the averment in para 13 that the proposal for Forest Clearance was submitted through offline mode, the same is without merit. The MoEF set up the mechanism for online receipt of applications in July 2014 in order to expedite the clearance process and to aid in transparency. No exceptions were provided. Even assuming that the Ministry might have granted a specific exemption to submit the application off-line, this cannot be used as an excuse to completely

withhold all information about the proposal and the scrutiny process. The same is illegal and vitiates the entire proceedings for grant of the forest clearance. The other averments in para 13 relate to the various dates in the EC process.

42. It is submitted that the contents of paragraph 14 is a summary of the various studies undertaken by the consultants as part of the EC process. However, this does not address the exhaustive grounds raised by the Appellant about the inadequacy in these studies, the lack of rigour, the incorrect information that has been cited and the complete under-reporting of the biological diversity of the region.
43. The Zoological Survey of India in an important publication released earlier this year has exhaustively documented the biodiversity of the region. The Volume on Great Nicobar titled 'Faunal Ecology and Conservation of the Great Nicobar Biosphere Reserve' is a 665 page edited volume and has an updated inventory of the fauna of Great Nicobar Island and provides proof of the rich biodiversity of the island that will be greatly imperilled if the project is allowed to go ahead.
44. Following are some important and relevant highlights from this recently published edited volume:
  - a. **DRAGONFLIES:** The recent studies have led to the rediscovery of the rare and endemic dragonfly *Libellago balus*, (Pg 77). Other endemic species were also reported from a recent study adding to the dragonfly species inventory of this island. The study notes that there is a need for more extensive surveys covering all seasons to comprehensively document the odonate fauna. This suggests clearly that the biodiversity wealth of Great Nicobar has not even

been documented fully till now and we don't know what we will lose.

- b. **BUTTERFLIES:** A rich diversity of butterflies was reported from Chingenh, Galathea which will be completely destroyed by the construction of the port and other related infrastructure (Pg 86). A recent study documented a total of 65 species and subspecies of butterflies belonging to the five families and 49 genera. Among these butterflies, about 28% (18) were common, 25% (16) were rare, 22% (14) were very rare, 17% (11) were very common, and 9% (6) were occasional.

The report notes that

"Many species [of butterflies] are localized to Great Nicobar, and only a few subspecies are intermixed with the Andaman and Nicobar islands. This indicates that the butterflies of the Great Nicobar Biosphere Reserve are endemic at species and subspecies level. The variation in the microhabitat and floristic structure reflects the diversity of the habitats. Habitat loss has been a major threat to the survival of wildlife, including butterflies, worldwide (Thomas 1984).

- c. **AQUATIC BEETLES:** The study notes that 24 species of aquatic beetles have been recorded from Great Nicobar Island for the first time ever indicating the importance of the island from a biological diversity perspective.
- d. **MOTHS:** A recent study on moths reported 152 species under 137 genera, 39 subfamilies, 16 families, and 09 superfamilies from the

Great Nicobar Biosphere Reserve. A staggering 106 species were new records for the moth fauna of Great Nicobar. If one study of a few months has reported 106 new species for this island, of which nine are endemic to the Nicobars, one can only imagine the full richness and the loss that will be experienced because of the project.

- e. **TERMITES:** A termite species *Nasutitermes johoricus* (John) is recorded for the first time from Great Nicobar; besides four new species were added to the existing list of termites to this island, namely, *Nasutitermes kali*, *Nasutitermes fabricii*, *Microcerotermes pakistanicus*, and *Hospitalitermes kali*.
- f. **SCORPIONS:** Just a 16 day survey conducted recently by the ZSI reported two species for the first time from Great Nicobar Island
- g. **NON MARINE MOLLUSCS:** It was the first time that an effort was made recently to document the non-marine molluscs from Great Nicobar Island. 90 species were therefore recorded for the first time here. The study documented 51 terrestrial gastropods, which are having a restricted distribution in the GNR, representing 79.68% of the terrestrial gastropods found in this region.

The report notes that the unique climatic conditions, forest type and isolated landmass of Great Nicobar Island indicate a high level of endemism among terrestrial gastropods (51 species). (pg 252)

- h. **FRESH WATER AND ESTUARINE FISHES:** A recent 4 month survey recorded five species of fishes for the first time from Great Nicobar Islands, viz., *Heteropneustes fossilis*, *Clarias magur*, *Oryzias javanicus*, *Bunaka gyrinoides* and *Microphis insularis*. The

study suggests further exploratory surveys on streams, rivers and estuaries may find the accurate species diversity and new species to science.

- i. **BIRDS:** The extremely high endemism and extraordinary diversity of species and community levels make the Campbell Bay National Park one of the hottest hotspots in the world. (pg 289) It is also noted that the of 69 (47.59%) were winter migrant; 43 (29.66%) were resident; 16 (11.03%) were resident with local migrant; 6 (4.14%) were vagrant; 4 (2.76%) residents with winter migrant; 3 (2.07%) summer migrant; and 2 (1.38%) passage migrant and winger migrant/passage migrant, respectively
- j. It is very relevant to point out that the study notes that for the Nicobar Megapode, a rare and endemic bird, Great Nicobar Island is one of the most important strongholds.
- k. The study says explicitly that the "prime hazard hanging over the megapode population of the Nicobars will be a suggestion to make Great Nicobar a free port and to create a dry dock and refuelling base for international shipping at the mouth of the Galathea River".
- l. **MARINE MICROPLANKTON:** Nine out of ten Radiolarians were reported for the first time from Great Nicobar Island. Further, 85 species of microplankton were obtained for the first time in Great Nicobar Island. The remaining 46 species were previously recorded from the nearshore as well as offshore waters of the island. The study notes that "it is evident that relatively less research has been devoted to microplankton groups in Great Nicobar Island. Insufficient work has been conducted on planktonic Foraminifera,

aloriccate ciliates and solitary living radiolarians from this area. From a taxonomic and ecological viewpoint, much work remains to be done in terms of diversity and ecosystem study of the area to better explain the results we obtained in our present work and to fulfil potential gap areas. There is an urgent requirement to involve and invest more resources to study the marine organisms (possibly endemic and endangered) from this unique island ecosystem.”

Extracts from the above publication of the ZSI 'Faunal Ecology and Conservation of the Great Nicobar Biosphere Reserve', 2023 Springer, is produced as **Annexure A79**.

45. With respect to the averments in para 15, it is submitted that no special efforts were taken to ensure effective participation of the tribal population in the public hearing. The draft EIA report and the executive summary were not made available in any vernacular language. Further, there were significant additions to the Final EIA report and admittedly new studies were submitted to the EAC directly along with the ADS submitted on 09.05.2022 and 19.08.2022 after the conduct of the public hearing. The revised EIA with all these studies should have once again been placed before the public for consultation. The same was not done. This renders the entire process otiose and violative of the legitimate rights of the affected people.
46. It is submitted that the contents of para 16 relate to the site selection. It does not specifically address the issues regarding the flaw in the analysis of alternate sites raised in the Appeal memorandum and merely reiterates generic submissions.

47. The contents of para 17 are denied as false and it is submitted that the manner in which FRA compliance has been claimed is proof that substantive rights guaranteed under the FRA have been violated. Detailed submissions in this regard have been made in the appeal
48. The contents of Para 18 are denied and it is submitted that detailed EIAs have not been conducted for this project. This aspect has been dealt with earlier.
49. The contents of para 19 are denied as false. It is submitted that the issue of conflict of interest is not limited to the period when the application is made – the entire process of forest clearance, especially after the issuance of stage I clearance requires the certification by the state authorities of compliance of conditions, in order to issue stage II clearance.
50. The contents of para 20 are denied as false and it is submitted that this submission has been dealt with earlier.
51. The contents of para 21 are denied as false. It is submitted that Compensatory Afforestation process cannot be reduced to a formality and submissions in this regard have been made in the appeal .
52. The contents of para 22 are denied as false and clearly establish the complete lack of understanding and ignorance of the 2<sup>nd</sup> Respondent on several significant issues concerning the environment and legal requirements. This issue has been responded to earlier.
53. The contents of Para 23 are denied as false and are self-serving statements which are not germane to the issues at hand. The entire

counter is replete with such claims of studies and lack of impact – which are not backed by the record.

54. It is submitted that apart from the several experts who had sent in their views during the EC process and during the public consultation, several eminent persons have expressed their grave concerns about the grant of Environmental Clearance to this project without due consideration. The Frontline Magazine carried a special issue on this project as a part of which several important concerns were raised. A copy of the said issue is produced herewith as **Annexure A80** and representations by concerned individuals are annexed as **Annexure A81**.

5. It is submitted that the respondents have failed to appreciate the contentions in the appeal and have failed to see that the environmental cost of the proposed project is immeasurable, and this precious heritage needs to be preserved and the impugned clearance is liable to be set aside.

*Ashish Kothari*  
X

Appellant

### VERIFICATION

I, Ashish Kothari S/o. Rajni Kothari, aged about 61 years, residing at G1 Chaitraban Residency, Aundh, Pune 411007, do hereby verify and state that the contents of the above rejoinder are true and correct to the best of my knowledge, belief and information.

Dated at Pune on this the 29<sup>th</sup> day of March, 2023

*Ashish Kothari*  
X

APPELLANT

**BEFORE ME**

*MP 29-3-2023*

**L. A. PARANJPE**  
NOTARY, STATE OF MAHARASHTRA  
PUNE DISTRICT

**Noted and Registered**  
at Serial Number

*13/23*

# OFFICE OF THE TRIBAL COUNCIL

Little & Great Nicobar, Campbell Bay – 744302

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Date: 28-08-22

To,  
The Deputy Commissioner,  
Nicobar District,  
Car Nicobar

The Assistant Commissioner,  
Campbell Bay,  
Great Nicobar Island

**Sub: Letter opposing the declaration of Wildlife Sanctuaries in the islands of  
Little Nicobar, Meroe, and Menchal**

Respected Sir,

We are writing in response to Order No. 123 dated 19.07.22 issued by the Deputy Commissioner, Nicobar District which states that the Office of the Assistant Commissioner, Campbell Bay has not received any claims or objections towards the declaration of Leatherback Turtle Sanctuary at Little Nicobar Island, Coral Sanctuary at Meroe Island and Megapode Sanctuary at Menchal Island.

We are distressed and aggrieved to learn about this decision taken by the administration so quickly and suddenly. It comes as a shock to us, as the decision was made without any consultation with us, the original dwellers and the traditional owners and caretakers of these islands. Firstly, it should be duly noted that the Order is copied to the Secretary of Tribal Welfare and not to the Chairman of the Tribal Council of Great Nicobar group, the body composed of the captains of the Nicobarese villages including those from Little Nicobar, where one of the wildlife sanctuaries has been declared. Secondly, the administration has failed to ensure that the notice reached the captains of Little Nicobar Island in a timely manner for their perusal and discussions within the community. While the notice was put in the Daily Telegram, the three panchayat offices at Great Nicobar and the Assistant Commissioner's office in Campbell Bay, these are not the places frequented by the members of our community from Little Nicobar, and we are certain that no announcement of this notice took place either in the villages of Little Nicobar, or in Rajiv Nagar at Great Nicobar, as is required by law. We expected such a crucial issue to be brought to our notice well in advance with the provision of seeking verbal consent/opposition through a discussion with all the members of our community as opposed to written claims and objections. Moreover, seeking/demanding written objections from the affected community is ineffective and discriminating since many members of our community cannot fulfill the requirement of reading the notice and writing objections in a language alien to us (i.e., English and Hindi). We request you to be sensitive to our concerns and welfare, and treat us based on our special needs, ensuring the democratic processes of arbitration, consultation and consent are fulfilled in all decisions affecting the indigenous communities of the islands.

The administration is unaware of our ownership systems and the traditions with which we manage the islands of Meroe and Menchal, and their importance to our community. We have a traditional belief system passed on by our ancestors through which we manage the islands of Meroe and

Menchal. We have a deep reverence for these islands since they harbor ancient spirits of our ancestors. Our customs and practices have ensured the integrity of all life on these islands remains intact. We do not hunt for commerce, we hunt for our sustenance, within which there are unwritten rules and practices which ensure unnecessary harm to wildlife does not occur. We do not fish around our outlying islands of Meroe and Menchal during our short visits, and the customs around fishing have ensured a sustainable use of these resources for thousands of years. We do not live on these outlying islands but only go for short visits to collect coconuts from our ancient plantations during which we only speak in the dialect of the Payuh, while on Meroe Island, the use another dialect (of Meroe) is mandatory. We also do not eat any processed food while on the island of Meroe in particular. The current traditional caretaker of Meroe Island is one of our eldest community members originally from Kondul island, called Layuh. Menchal island is under the protection of a spiritual realm called Pingacyak, due to which we cannot overharvest resources nor damage the island, unlike the landslide that took place during the construction of a navigation beacon by the Lighthouse & Lightships Department on the southeastern coast. On both Meroe and Menchal Islands, all our families of Little Nicobar, Pulomilo and Kondul (now Afra Bay) have access to coconut plantations that were set up centuries ago by our ancestors.

We have never been asked how these wildlife species continue to persist on our beaches and the outlying islands which we own and use as residential and plantation assets. Be it coral reefs, Megapodes, saltwater crocodiles, or Leatherback sea turtles among so many other wildlife which exist on our islands, we are aware of their presence and **have coexisted with them long before the concept of a wildlife sanctuary was even conceived.** We do not have a wildlife department within our community, but we have traditional rights, laws maintained and enforced by our elders, and also traditional practices due to which these species continue to persist and prosper on our islands, unlike so many spaces elsewhere that are managed by the Forest Department rather than nature-embedded communities.

The beaches that the A&N Forest Department has chosen to designate as Leatherback Sea turtle sanctuaries belong to the villages of Bahua, Muhincoihn and Kiyang, along the west coast of Little Nicobar Island. None of the residents of these villages (who mostly live elsewhere today as their shelters were constructed in other spaces and not along the west coast) who own all the land in those regions were consulted for their consensus or enquired about the ways in which they protect their beaches and the species therein. We were not made aware of the demarcations of the wildlife sanctuaries on any of the three islands, as they were seemingly done remotely from elsewhere without any ground-truthing or correspondence with us. It also appears that the administration is oblivious to the fact that not more than a pair or two of megapode birds exist on Menchal island which has been declared as a Megapode sanctuary.

We do not accept this biased and top-down process and expect the Forest Department to acknowledge that those species exist in our lands and waters because of us and our traditional practices. We are in complete disagreement of having any protected areas declared in this manner on the islands of Little Nicobar, Menchal and Meroe.

We, therefore, appeal to your offices to revoke the declaration of the three wildlife sanctuaries, as they were declared against our will and without ensuring the due process of stakeholder consultation. Additionally, it is our humble request that the following steps be taken in order to ensure that the island administration and the indigenous communities operate in synergy so that such instances such as the present one are avoided in the future.

Additionally, it is our humble request that the following steps be taken in order to ensure that the island administration and the indigenous communities operate in synergy so that such undemocratic instances do not happen in the future.

- 1) The CTC of Great and Little Nicobar Islands, and the captains and vice-captains of the respective villages should be copied in all correspondences (circulars, orders, announcements, notification, etc.) that may directly or indirectly affect our community and the activities we carry out in our past and current settlements. The notices should not just be put up on notice boards of the administrative offices but also be personally communicated through police radio/etc. to the people of Little Nicobar Island.
- 2) Whenever any meetings regarding such decisions are held, we request to be given written notices at least one week in advance and the notice should clearly explain the purpose of the meeting to be held.
- 3) In most meetings, even when the matter of any document is read out to us, due to the languages of Hindi and English being recently adapted by a few members of our community, the words used in an official document are often misinterpreted and not understood by most members. We, therefore, would like to propose that such meetings may allow for a consultant human ecologist/anthropologist chosen by us to explain the matter of the documents before asking for our signatures. This could be done by either remotely connecting the consultant during the meeting or allowance time of two days, so the community can consult the person before any final decisions are made.

With the hope that you now understand how important these islands are to us and are convinced of the seriousness of this matter, we request you to take appropriate action and revoke the declaration of the three wildlife sanctuaries in the islands of Little Nicobar, Menchal and Meroe at the earliest. We shall look forward to your response to the appeals we have made in this letter regarding the steps that need to be taken so that we can exercise our rights as an indigenous community and feel included in all the decision-making processes regarding our homeland.

Yours' Sincerely,



**Chairman Tribal Council**  
 Campbell Bay Little Nicobar  
 & Great Nicobar 744 302  
 Tribal Council Little & Great Nicobar Islands, Campbell Bay

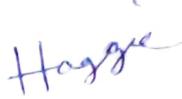


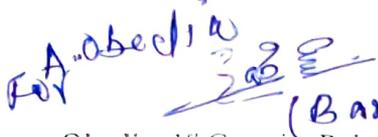
**S. Moses Israel**  
 Moses Israel  
 Vice Chairman

Deputy Chairman  
 Tribal Council Campbell Bay Little & Great Nicobar Islands, Campbell Bay  
 Little & Great Nicobar

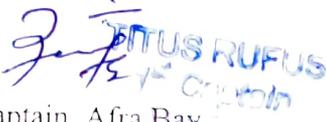


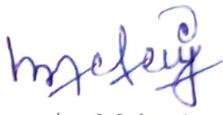
  
Augustine Nicodemus, 1<sup>st</sup> Captain, Pulo Panja

  
Haggie, 1<sup>st</sup> Captain, Pulo Bha

  
FOY A. Obedia  
(Barnabas)  
Obedia, 1<sup>st</sup> Captain, Pulo Ulon

  
Harold, 1<sup>st</sup> Captain, Muhincoihn

  
TITUS RUFUS  
Titus, 1<sup>st</sup> Captain, Afra Bay

  
Andrew, 1<sup>st</sup> Captain, Makachua

  
MATHREW  
Malem, 1<sup>st</sup> Captain, Bahua

  
GIDEON  
Gideon, 1<sup>st</sup> Captain, Kiyang

Copy To:

- 1) Cabinet Minister, Ministry of Environment, Forest and Climate Change
- 2) Lieutenant Governor, Andaman and Nicobar Islands
- 3) The Chief Secretary, Andaman and Nicobar Administration
- ~~4) The Assistant Commissioner, Campbell Bay~~
- 5) The Divisional Forest Officer, Nicobar Division, Andaman and Nicobar Forest Department
- 6) The Principal Chief Conservator of Forests, Andaman and Nicobar Islands, Van Sadan, Haddo, Port Blair
- 7) The Secretary (Tribal Welfare), Andaman and Nicobar Administration
- 8) The Secretary (Revenue), Andaman and Nicobar Administration
- 9) CTC Car Nicobar, Chowra, Teressa, Katchal, Nancowry & Kanista
- 10) Chairman, Tribal Development Council, Port Blair

# OFFICE OF THE TRIBAL COUNCIL

Little & Great Nicobar, Campbell Bay – 744302

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Ref. No. ....

Date: 20.08.2022

**Sub: Appeal to the A&N administration to facilitate the relocation of the Nicobarese of Great Nicobar Island to their pre-tsunami villages at the earliest**

Honourable Lieutenant Governor, A&N Islands,

With sincere greetings to you and your good office, we, the Nicobarese people of Great Nicobar Island of the Nicobar District would like to bring to your kind attention yet again the sad predicament of our existence in the aftermath of the tsunami of 2004. This natural disaster, while destroying and transforming our lives, is exacerbated by the many post-tsunami 'developments' that have negatively transformed our traditional ways of life and exposed our populace to a fragile and fickle physical and economic environment. Among the Nicobarese islanders of this district, we (the Nicobarese tribals of Great Nicobar) are the smallest linguistic community demographically, as the majority of our population died in the tsunami of 2004. Great Nicobar Island, and our habitations along the west coast suffered the most, being the location where the tsunami waves from Aceh struck first and with maximum physical enormity. Many families in our community are currently poverty-stricken, living in substandard physical conditions and experiencing continuous neglect and indifference by the local administration. Our lives are now interfered with by non-Nicobarese people who often exploit our members socially and economically, and discriminate against us due to our tribal identity. The space at Rajiv Nagar and at New Chingen (7th km) which was meant to be a make-shift residence for those of us from Great Nicobar Island, is recognized by the government as 'allotted permanent shelters' and habitation, against our wishes and despite repeated appeals to help us return to our homelands along the southern and western coast of Great Nicobar Island. As a result, we have struggled with inadequate forms of habitations and livelihoods that we do not desire, are unaccustomed to, and do not want for the future of our children or subsequent generations.

We have repeatedly requested assistance from the Andaman Administration to shift our community back to our pre-tsunami villages, but our requests have only been met with apathy, void promises and inaction for 16 years.

Described below is the impact that the current living circumstances have had on the different aspects of our lives:

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**Psychological & Socio-cultural issues:**

We are displaced from our traditional habitations due to which we have lost our livelihoods for the entire phase of the past 16 years. We are seemingly reduced to a community who are neither 'indigenous' nor 'modern'; a community with lost identity, customs and values. After the tsunami of 2004, we were accommodated in tsunami shelters at Rajiv Nagar, Campbell Bay. On paper we are often labelled as 'integrated', but in reality, we are continuously side-lined and ignored by government officials and other development agencies except when visiting officials show interest in viewing us as Nicobarese of Great Nicobar. Being stuck in a middle ground such as this, has left us with no-one to turn to for assistance. We feel helpless and abandoned, and are extremely anxious about our future. By continuing to stay at Rajiv Nagar, we will lose our ancestral homeland, our bonafide ownership of plantations, fishing grounds, and spaces for our populace to grow back. Our youth and children will be adversely transformed in a sociocultural sense and caught in between a new urban world of Campbell Bay and our own, without the resources and culture that provide identity, stability and a purposeful certainty for our future generations. We are not shying away from modernity, we wish to be part of the economic progress, but at our own pace and of our own choosing while we live with access to our homelands, livelihood resources and comfort of living as Nicobarese of Great Nicobar. Many amongst us are depressed, let down and pained by the prevailing conditions, and sincerely desire positive change.

Every activity (our customs and economic practices) we conduct through our traditional livelihoods are intricately connected to our erstwhile homes/villages that govern and construct our 'tribal' identity. This important aspect of our right to self-determination and choices for livelihood is missing in our current dwellings and circumstances. As a consequence, our children are culturally and socially deviant and unable to understand our traditional ways, nor can they cope with the influx of mainlanders and the mindless cut-throat competition they bring with them. We are perceived as inferior, underprivileged and disadvantaged in a race that we were compelled to partake in as a result of our displacement. We have paid the price due to this displacement with our dignity and respect. Even though we wish to practice our traditional mannerisms/customs which we are accustomed to and comfortable with, many amongst us feel pressured to adopt ways (garments/diet/outlook) alien to us and to fit into the 'mainlander' society around us. We are unable to perform various rites, rituals and festivals while living amidst so many other cultural groups and prying eyes. We wish to benefit from our traditional lands and resources found along our original habitats and lead a life of our choosing. In Campbell Bay, we are constantly at the behest of prying gazes, dismissive and insensitive attitudes and jarring ridicules. We feel exposed, insecure and indoctrinated in modern ways and our children are losing our sociocultural identity.

The land allotted to us at Goltekri plantation is approximately two hours away by boat from Rajiv Nagar due to which we are unable to visit it every day and tend to our growing plantations. We currently

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need to buy fish for our families, unlike on our own shores and waters where we can catch our own. The heavily exploited reefs off Goltekri and Campbell Bay have few left for us to catch, forcing us to buy fish, and generate income to do so. This will not be the situation for us along our own shoreline along the west coast, which is rich in fish, and which we have used sustainably for our own consumption over several centuries and generations. Our fishing practices and maritime knowledge is deeply connected to our coastal dwellings. In our displacement to inland dwellings, we are haplessly dependent on purchasing items that we otherwise had abundant access to.

**Sedentary lifestyle and lifestyle diseases:**

Displacement from our traditional settlements and the extended sojourn at the current colony have prevented us from leading physically demanding traditional lives. Highly energetic activities such as maintaining plantations, gathering resources from the forest, fishing, making canoes, hunting, etc. are sparingly performed by us currently. In addition, there has been a phenomenal transformation in our diets, from a fiber and protein-rich diet to a carbohydrate-rich diet. From eating freshly caught fish, natural tubers, coconuts and bananas from our plantations and edible pandanus, today we predominantly rely on produce from the mainland such as rice, wheat, adulterated spices, lots of cooking oil and other calorie rich foods. Thus, it is hardly surprising to find rampant obesity, coronary heart disease, cirrhosis, arthritis, osteoporosis, chronic kidney failure, hypertension, diabetes and even depression amongst our people. Undoubtedly, a combination of passive and sedentary lifestyle along with altered culinary habits as a result of the internal displacement is to be blamed.

The areas we are settled in are extremely unhygienic and not conducive to the life we desire for ourselves or our children. There is a (a) severe lack of clean and reliable water facilities for our consumption, (b) fear of out-break of vector and water-borne diseases (c) risk of epidemics and illnesses due to lack of hygiene, (d) absence or at best irregular intervention of the local administration to inspect the civic system, (e) poor electrical fittings between bamboo boards and wooden planks which also house rats, invites short-circuits and risks of fire to these habitations currently in use by us. These factors create disaster-like situations in our homes and neighbourhoods waiting to take shape.

**Sustenance and livelihood related:**

Having close to nothing to support our traditional forms of livelihoods, which we have learnt from our elders, we have coped with changes we have been subjected to for 16 years, but desire to return to the lands that belong to us and our forefathers. Many male members in our community reluctantly draw income from menial jobs and daily rated labour. This is in sharp contrast from the past when we as a community were plantation owners and cultivators, herders of chicken and pigs, for which we had specific economic and cultural uses. At present, we face unprecedented difficulties to sustain ourselves and survive.

Our ladies are the architects of our traditions, however in the present scenario they are haplessly driven into manual labor for mere survival and to augment incomes. Whilst our children study in local schools, the youth among us are unable to match with the qualifications and modern skills of non-Nicobarese students to compete for job opportunities in government services, as the private sector in Campbell Bay has little opportunity.

**Logistical/Administrative:**

The houses given to us at Rajiv Nagar are conducive for the local administration given its proximity, and for visiting us when administrative needs arise. But for us, living in a house with nothing much to do, no plantations to attend to, no herds of domestic animals to tend to and distance from the sea are not at all conducive for us to prosper or even realise any semblance of normality.

The design and close proximity of the permanent shelters have wrecked our social architecture and sense of shared living. The ways in which our family, extended family and relatives were organized in space and the manners in which they engaged with each other are intricately linked to our livelihood resources and how we accessed them. We feel suffocated in our current housing arrangements and are being forced to live as nuclear families. The shelters were allotted to single family units, and in the course of time, our children have married and reside in the same shelter, leaving no proper spacing within the current shelters, without space to expand our growing population and all our needs. Without access to adequate accommodation facilities as per our will and desire, there is a risk of collapse of our familial and social systems. We have no resources or raw materials to repair, maintain or extend the existing shelters. There are several practical issues with the current shelters as well. For instance, the shelters often get sultry and inhospitable due to excessive warmth and limited ventilation during dry seasons and power cuts. We are eminently capable of restoring our traditional habitations with our own designs when given access to those materials and resources. All we are asking for is your considered assistance in helping us do so.

**Government policy and us:**

The Hon'ble Supreme Court of India ordered that all tsunami affected tribals would automatically fall under AAY, but many of us are left out of the scheme. Many families amongst us eke their existence earning small incomes through manual labour, while these are temporary and periodic sources of income. Many people believe we received large sums of money from the government through compensation schemes of the government for the tsunami of 2004. Nearly all that money has been consumed over the years through our existence at Campbell Bay, while we earn small incomes as and where possible. We were subjected to various forms of discrimination in our requests to include the financially poor amongst us in these schemes, but to little avail. We wish for those of us who are eligible to be involved in these schemes instituted by the Central Government; this can take shape if and only when we are included and made aware of these on a timely basis. As members of a Scheduled Tribe

recognised by the Government of India, our need to return to our own homelands and to recreate our plantations and access our chosen livelihood resources should also be recognised and understood, rather than leave us in this lurch for so many years. Helping us return home is a step that will help us live with dignity, grow as a tribal community in our own homelands and regain our lost health as well. We wish to benefit from nature's bounty as our forefathers have for centuries in our homelands, whilst also educate our children in modern schools and in the ways of our forefathers.

**Actions required for our return to our homelands:**

- (1) The Border Roads Organisation has begun work on bridging the road to the southern tip of Indira Point. Prior to the tsunami, we had a small forest pathway connecting the west coast to Chingenh village along the south eastern coast. This pathway will be restored by us as our access route.
- (2) We require a survey for a suitable site for our homes **be conducted along with the heads of our families** to choose and plan our resettlement at Chingenh and at Pulo Bhabi, the former headquarters of those of us who lived along the southern west coast. **We will need assistance in surveying and levelling a few hillocks we have already visited and deemed safe for habitation.**
- (3) **Water sources need to be tapped into for use by our community.**
- (4) **We request that primary and middle school facilities be made available eventually for our children at old Chingenh and at Pulo Bhabi as they were in the pre-tsunami days,** while in the interim,
- (5) Hostel facilities be provided for our children to continue their education in Campbell Bay while we set up our homes and plantations in our homelands.
- (6) Through this effort, our residences along our own homelands can be established **with aid in housing materials, while we can design our homes and residential patterns.**
- (7) As we move to our homelands, **a simple residential facility needs to be available for us as well as Nicobarese from Little Nicobar Island who visit Campbell Bay for medical treatment or other requirements.** We wish to work on this together with the Administration providing our labour and knowledge for our benefit and to aid those who will help us. But for this to take shape,
- (8) We require the commitment and consensus with the government while understanding why we wish to return, and to help us prosper as a community by helping us return to our homelands.

We share current and basic demographic information on our community below.

**Chingenh**

Number of families: 28

Number of adults: Males-70; Females-61

Number of children: 16

Total heads: 131 (including 5-6 Shompen who also wish to move)

**Tentative number of dwellings to be constructed: 30**

**Pulo Bhabhi**

Number of families: 28

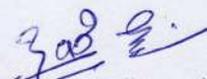
Number of adults: Males-40; Females-50

Number of children: 30-35

**Tentative number of traditional dwellings to be constructed: 30**

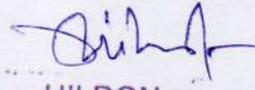
We did not have any control over the devastating tsunami and its aftermath but we had never thought that we would also lose control of our lives and the future of our children. We remain grateful for the assistance of the administration towards the relocation of our villages after the tsunami but we refuse to accept the current villages as our permanent settlements. **Sixteen years is a long time to have lived like a displaced community in an island which has been our home for thousands of years. After moving back to our erstwhile village, we have to live afresh and start from scratch to restore our village and living system - a livelihood we desire and are perfectly habituated with.** Starting afresh will empower us to break free from the clutches of our past and become the architects of our future. We request you to honour the commitment that the Assistant Commissioner, Campbell Bay, the Block Development Officer, Campbell Bay and the Pradhan and Up-Pradhan, Panchayat Samiti, Campbell Bay have made to us on the meetings held on 14.08.22 and 16.08.22 in the Assistant Commissioner's chamber and at New Chingenh village, regarding their assistance to facilitate our relocation to our pre-tsunami settlements at Old Chingenh and Pulo Bhabhi and fulfil the above listed requirements. **We urge you to live up to the faith and support our community has placed in you, the administration of Andaman and Nicobar Islands.**

Yours' thankfully,

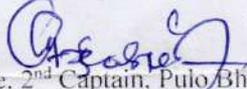
  
**Chitra Manjwal Council**  
 Campbell Bay, Little Nicobar  
 & Great Nicobar -744 302  
 Chairman, Tribal Council, Little & Great Nicobar Islands, Campbell Bay

  
**SHRI. TITUS**  
 1<sup>st</sup> Headman (captain)  
 Pillo Bhabi  
 Great Nicobar

Titus, 1<sup>st</sup> Captain, Pulo Bhabhi

  
**HILDON**  
 1<sup>st</sup> Captain  
 Chingen Village  
 Campbell Bay  
 Chingenh

Heldon, 1<sup>st</sup> Captain, Campbell Bay

  
 Hosie, 2<sup>nd</sup> Captain, Pulo Bhabhi

  
 George, 2<sup>nd</sup> Captain, Chingenh

  
 Able, 3<sup>rd</sup> Captain, Chingenh

  
 Daniel, 3<sup>rd</sup> Captain, Pulo Bhabhi

Copy To:

- 1) The President of India
- 2) The Vice President of India
- 3) The Prime Minister, Govt. Of India
- 4) The Union Home Minister, Ministry of Home Affairs
- 5) Cabinet Minister, Ministry of Home Affairs
- 6) Cabinet Minister, Ministry of Environment, Forest and Climate Change
- 7) Minister of State, Ministry of Environment, Forest and Climate Change
- 8) Union Minister, Ministry of Tribal Affairs
- 9) Minister of State, Ministry of Tribal Affairs
- 10) Director (STWG), Ministry of Tribal Affairs
- 11) Chief Secretary, Andaman and Nicobar Islands
- 12) Secretary Tribal Welfare, Andaman Nicobar Administration
- 13) The Principal Chief Conservator of Forests (Territorial/Wildlife), Andaman and Nicobar Forest Department
- 14) The Divisional Forest Officer, Nicobar Division, Andaman and Nicobar Forest Department
- 15) The Assistant Commissioner, Campbell Bay
- 16) The Deputy Commissioner, Nicobar
- 17) Block Development Officer, Campbell Bay
- 18) The Tribal Welfare Officer, Andaman Adim Janjati Vikas Samiti, Campbell Bay
- 19) Executive Secretary, Andaman Adim Janjati Vikas Samiti
- 20) Pramukh, Panchayat Samiti, Campbell Bay
- 21) Up-Pramukh, Panchayat Samiti, Campbell Bay
- 22) Tehsildar, Campbell Bay
- 23) Chairperson, Tribal Council, Car Nicobar
- 24) Chairperson, Tribal Council, Chowra
- 25) Chairperson, Tribal Council, Teressa
- 26) Chairperson, Tribal Council, Nancowry & Kamorta
- 27) Chairperson, Tribal Council, Katchal
- 28) Chairman, Tribal Development Council, Port Blair
- 29) Chairman, Nicobarese Yuva Kendra, Kamorta
- 30) The Assistant Commissioner (Tribal Affairs), ANI Administration

- 31) The Deputy Commissioner (Tribal Affairs), ANI Administration
- 32) Office-In-Charge, Anthropological Survey of India, Port Blair
- 33) Director, Anthropological Survey of India
- 34) Director, Andaman and Nicobar Tribal Research Institute
- 35) Office In-Charge, Andaman and Nicobar Tribal Research Institute
- 36) Secretary, Indian Anthropological Association, Mysuru
- 37) Secretary, Indian Anthropological Forum
- 38) Director, Central Institute of Indian Languages
- 39) Secretary, Linguistic Society of India
- 40) Chairperson, National Commission for Scheduled Tribes
- 41) Secretary, Minister of Social Justice

*209* *ind*

(a) whether the State Government of Gujarat has requested the Union Government to make modification in the policy for low and medium erosion areas to have Rapid EIA instead of comprehensive EIA for getting environment and CRZ clearances which will result in early completion of new projects or expansion of projects;

(b) if so, the details thereof and the reaction of the Government thereto; and

(c) the time by which the proposal is likely to be finalized?

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:-

**ANSWER**

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR)

(a) to (c) The Government of Gujarat requested to consider projects for Coastal Regulation Zone (CRZ) clearance in low and medium eroding coastal stretches based on rapid Environment Impact Assessment (EIA) instead of comprehensive EIA Report. The request could not be considered since a rapid EIA, which is based on one season data may not address all the environmental concerns. As per the procedure prescribed for seeking prior clearance under the CRZ Notification, 2011, all project proposals in stretches classified as low and medium eroding as well as stable coasts shall be accompanied by comprehensive EIA studies based on three season data. This requirement is uniformly applicable throughout the country. To conserve and protect such coastal stretches, promote development through sustainable manner, it is important that comprehensive EIA studies are carried out based on scientific principles and Environment Management Plans worked out accordingly before considering proposals in such stretches.

# SHORE LINE CHANGE ATLAS OF THE INDIAN COAST

(Volume-VI)

Lakshadweep, Andaman and Nicobar Islands



SPACE APPLICATIONS CENTRE, ISRO  
Ahmedabad

August-2021

<b>DOCUMENT CONTROL AND DATA SHEET</b>	
Report No. and Date	SAC/EPISA/GHCAG/GSD/ATLAS/2020/06, August 2021
Title	Shoreline Change Atlas of India (Volume – VI Lakshadweep, Andaman and Nicobar Islands)
Type of Report	Atlas (Other documents)
No. of Pages, Tables, Figures, Plates	167, 6, 2, 9
No. of References	4
Authors	Project Team (As per attached list)
Originating Unit	GSD/GHCAG/EPISA/SAC
Abstract	This Atlas comprises of shoreline change maps prepared using satellite data of 2004-06 and 2014-16 time-frames on 1:25,000 scale for the entire country (Volume – VI Lakshadweep, Andaman and Nicobar Islands). The maps show eroding, stable and accreting coast. Data used, methodology, results, area under erosion and accretion and status of coastal protection measures are briefly described. Erosion in Lakshadweep Island is along 12 km and 13 km of the coast is under accretion, while 116 km show no change. The erosion in Lakshadweep Island caused a loss of 16.6 ha area of land while 18.4 ha area of land have accreted. In Andaman and Nicobar Islands, erosion is along 231 km, 256 km of the coast have accreted, and 1670 km shows no change. Around 1004 ha have accreted along the Andaman and Nicobar Islands, while 480 ha of the area have lost due to erosion.
Keywords	Shoreline change map, erosion, accretion, stable coast, coastal protection measures.
Security Classification	Unrestricted
Distribution	General

How to cite: “Ratheesh R., Rajput P., Bhatti H., Rajawat A.S. and Rajak D.R., 2021, Shoreline Change Atlas of India-Volume VI, Space Applications Centre-ISRO, Ahmedabad. Report no: SAC/EPISA/GHCAG/GSD/ATLAS/2020/06”.

vegetation have grown shifting the shoreline seaward. Plate 4 shows such growth of terrestrial vegetation along the North Reef Island (86C12SE). The shift in shoreline towards sea due to the growth of terrestrial vegetation over the erstwhile-submerged reef is observed along the west coast of the North and Middle Andaman District. Significant accretions are along Kishorinagar (86C16NW), along the western coast of Interview Island (86D09NE and 86D09SE) and to the coast along 86D10NE and 86D10SE. A small patch of accretion is observed to the west coast of Barren Island (86H15SW and 86H15SE).

The South Andaman District have eroding and accreting coastal length of 79 and 72 km respectively, while 594 km of the coast is stable in nature. Plate 5 shows coastal erosion along the west coast of Rutland Island (87A11NW) and Plate 6 shows erosion to the east coast at South Andaman District (87A13NW). Erosions are observed along long coastal stretch at 87A13SW, to the east coast of Ross Island (87A14NW), near Beadanbad (87A10SE), to the east coast of Taramugli Island (87A10SW) and to the coast of Cinque Islands (87A11SE).

Large-scale devastation along the Nicobar Islands happened due to the December 2004 tsunami and earthquake. Around 123 km of the coast is under erosion, accretion is along 112 km and 455 km coast is under stable condition.

Deterioration of the shoreline and slow recovery at Malacca to the east coast of Car Nicobar Island (87C16NW) (Plate 7), at Campbell Bay (88E16SE and 88F13NE) (Plate 8) and to the east coast of Trinkat Island (87H12SW) (Plate 9) are shown. A long stretch of coast at Pulloulo (88E11SE) in Little Nicobar Island is under erosion. Erosion in Car Nicobar Islands are along Mus (87C16NW and 87C15SW), Sawal (87C12NE) and Tamalo (87C16NW).

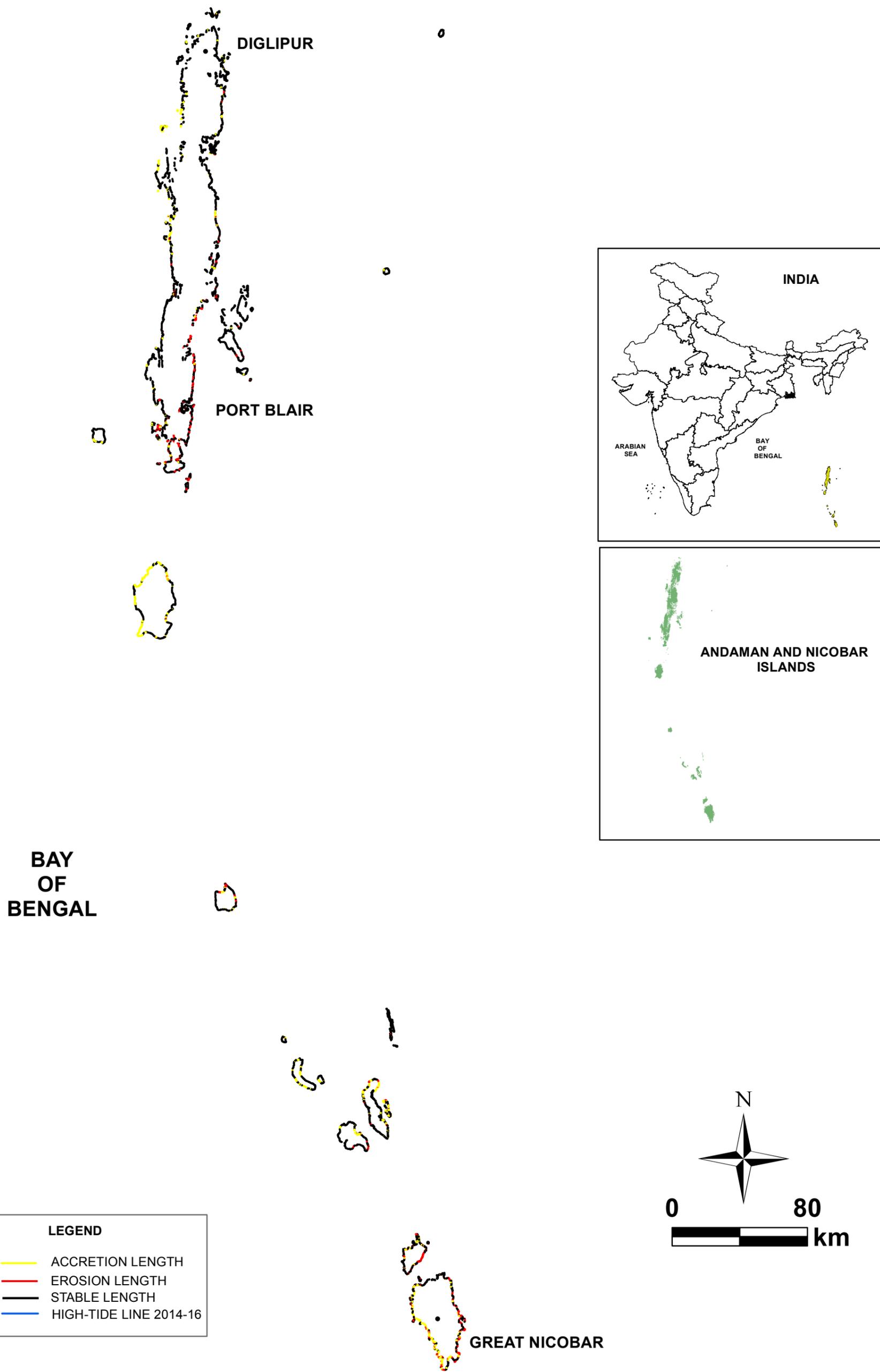
Table 2: Mapsheet-wise results of shoreline changes for 2004-06 and 2014-16 time-frame for Andaman and Nicobar Islands

Serial No.	Map Sheet No.	Erosion Area (ha)	Erosion Length (km)	Accretion Area(ha)	Accretion Length (km)	Stable Length (km)	Total Length (km)
1	86C14NE	0.00	0.00	0.00	0.00	1.56	1.56
2	86G02NW	0.24	0.16	0.69	0.58	16.17	16.91
3	86C14SW	0.00	0.00	0.96	0.63	2.58	3.21
4	86C14SE	0.00	0.00	1.52	0.58	23.59	24.17
5	86G02SW	0.00	0.00	0.40	0.51	16.59	17.10
6	86K07NW	0.00	0.00	0.00	0.00	11.76	11.76

7	86C15NW	0.00	0.00	1.09	0.00	18.15	18.15
8	86K03NE	0.00	0.00	0.00	0.00	0.96	0.96
9	86C15NE	0.00	0.00	0.00	0.00	7.88	7.88
10	86G03NW	0.00	0.00	1.99	1.86	37.92	39.78
11	86C15SW	2.84	1.34	14.41	3.93	18.12	23.38
12	86C15SE	0.00	0.00	0.00	0.00	4.13	4.13
13	86G03SW	0.00	0.00	1.56	1.55	43.55	45.10
14	86C16NW	0.00	0.00	16.54	8.97	11.34	20.31
15	86G04NW	1.33	2.28	2.71	1.58	13.75	17.62
16	86C12SE	0.19	0.20	22.18	9.83	2.25	12.28
17	86C16SW	0.00	0.00	2.10	1.03	5.12	6.15
18	86C16SE	0.71	0.61	0.60	0.84	17.43	18.89
19	86G04SW	1.10	0.98	0.71	0.82	13.21	15.02
20	86D09NE	0.00	0.00	8.65	5.40	10.67	16.07
21	86D13NW	0.00	0.00	1.87	1.46	12.77	14.23
22	86D13NE	0.73	0.88	3.04	3.77	63.48	68.13
23	86H01NW	0.00	0.00	0.00	0.00	2.23	2.23
24	86D09SE	0.00	0.00	7.55	6.30	37.12	43.43
25	86D13SW	0.00	0.00	0.00	0.00	0.36	0.36
26	86D13SE	0.60	0.50	0.57	0.67	20.12	21.29
27	86D10NE	0.41	0.24	5.53	5.43	21.64	27.31
28	86D14NW	0.00	0.00	0.00	0.00	0.96	0.96
29	86D14NE	0.27	0.29	6.48	3.24	16.52	20.05
30	86D10SE	1.77	0.80	12.33	7.24	15.24	23.28
31	86D14SE	1.75	1.21	4.18	1.90	13.11	16.22
32	86D11NE	1.34	1.04	0.83	0.67	14.83	16.53
33	86D15NE	2.55	3.38	0.04	0.00	25.64	29.02
34	86D11SE	1.46	2.27	0.03	0.00	27.75	30.01
35	86D15SE	1.21	1.21	0.86	0.65	24.96	26.82
36	86H03SW	0.00	0.00	0.00	0.00	4.12	4.12
37	86H15SE	0.00	0.00	0.00	0.00	1.85	1.85
38	86H15SW	0.00	0.00	1.65	0.44	10.83	11.27
39	86D12NE	0.55	0.89	0.30	0.36	26.87	28.12
40	86D16NW	5.28	4.06	3.27	2.10	8.42	14.58
41	86D16NE	1.54	1.78	0.01	0.00	20.71	22.49
42	86H04NW	0.63	0.31	0.00	0.00	41.29	41.59
43	86D12SW	0.34	0.49	0.43	0.34	11.34	12.17
44	86D12SE	0.29	0.38	0.27	0.43	5.01	5.82
45	86D16SW	10.05	8.31	0.24	0.18	4.88	13.37
46	86D16SE	0.00	0.00	0.73	0.52	28.55	29.07
47	86H04SW	0.41	0.51	0.00	0.00	23.85	24.36
48	87A09NW	0.00	0.00	1.21	0.87	41.01	41.88
49	87A09NE	0.58	0.61	0.00	0.00	5.30	5.91
50	87A13NW	8.63	7.33	0.17	0.20	11.77	19.31
51	87A13NE	0.00	0.00	0.29	0.00	14.68	14.68
52	87E01NW	3.23	3.47	0.00	0.00	20.95	24.42
53	87A09SW	0.21	0.23	0.95	1.33	16.14	17.69
54	87A13SW	8.69	6.38	0.00	0.00	10.69	17.08
55	87E01SW	0.85	0.68	0.42	0.25	21.69	22.62
56	87A10NW	3.94	2.03	2.96	0.72	24.52	27.28
57	87A10NE	3.79	3.87	0.00	0.00	36.54	40.41
58	87A14NW	1.79	2.20	0.15	0.11	14.27	16.59
59	87A02SE	0.00	0.00	3.30	1.51	15.92	17.43
60	87A06SW	0.00	0.00	1.10	0.55	12.68	13.22
61	87A10SW	12.85	12.08	2.37	2.87	37.90	52.84
62	87A10SE	9.25	9.74	0.20	0.19	18.32	28.25
63	87A14SW	0.43	0.37	0.00	0.00	2.21	2.58
64	87A11NW	6.57	5.84	1.31	1.28	14.80	21.92
65	87A11NE	6.42	7.93	0.13	0.18	27.36	35.46
66	87A11SW	0.28	0.40	0.10	0.27	7.35	8.02
67	87A11SE	8.51	6.90	0.00	0.00	25.64	32.54
68	87A12NE	0.24	0.28	0.00	0.00	1.51	1.78
69	87B05NE	0.00	0.00	3.03	1.62	1.43	3.05

70	87B09NW	0.00	0.00	13.66	4.53	2.14	6.68
71	87B05SE	0.00	0.00	88.08	19.79	6.22	26.02
72	87B09SW	1.14	1.01	12.70	6.00	10.24	17.25
73	87B06NE	0.00	0.00	51.25	6.50	10.80	17.30
74	87B10NW	0.00	0.00	2.92	1.54	17.52	19.06
75	87B06SE	1.65	1.19	45.23	16.02	10.05	27.26
76	87B10SW	1.38	0.89	20.49	4.14	14.03	19.06
77	87C15SW	2.28	1.06	0.00	0.00	0.83	1.89
78	87C12NE	2.64	1.28	0.55	0.24	13.84	15.37
79	87C16NW	18.86	7.36	27.20	4.70	16.11	28.16
80	87C12SE	0.00	0.00	0.00	0.00	1.34	1.34
81	87C16SW	0.00	0.00	3.48	1.49	3.07	4.56
82	87H10SE	0.00	0.00	0.00	0.00	7.15	7.15
83	87H10SW	0.00	0.00	0.01	0.00	18.17	18.17
84	87H11NE	0.00	0.00	0.00	0.00	18.10	18.10
85	87H11NW	0.31	0.44	0.52	0.48	12.37	13.29
86	87H03NW	0.91	0.79	1.69	1.22	7.72	9.73
87	87H03SE	1.48	0.70	9.97	3.77	14.84	19.31
88	87H03SW	0.02	0.00	7.12	4.43	11.63	16.06
89	87H12NW	5.05	1.61	51.05	6.78	21.80	30.19
90	87H08NE	6.94	3.16	43.50	8.49	5.27	16.92
91	87H08NW	0.00	0.00	0.00	0.00	0.30	0.30
92	87H04NE	0.03	0.00	11.82	6.87	21.26	28.13
93	87H04NW	0.00	0.00	5.05	2.80	1.82	4.62
94	87H12SW	10.90	5.68	52.64	9.40	36.36	51.44
95	87H08SE	5.06	2.87	1.56	0.23	22.27	25.37
96	87H08SW	0.00	0.00	0.45	0.16	7.81	7.98
97	88E09NW	1.55	0.45	2.86	1.34	23.83	25.62
98	88E05NE	18.23	7.00	22.78	5.43	20.59	33.02
99	88E05NW	0.00	0.00	5.15	1.86	17.91	19.77
100	88E05SE	0.38	0.27	0.00	0.00	1.23	1.50
101	88E15NW	1.96	1.13	0.18	0.13	3.58	4.84
102	88E11NE	15.37	5.03	13.94	3.14	21.36	29.53
103	88E15SW	2.31	0.85	0.00	0.00	2.08	2.93
104	88E11SE	35.48	14.56	17.29	3.49	22.44	40.49
105	88E11SW	0.00	0.00	0.00	0.00	0.85	0.85
106	88E16NE	4.82	2.20	0.87	0.29	10.01	12.51
107	88E16NW	11.99	5.61	1.29	0.61	19.01	25.23
108	88E12NE	21.01	6.20	46.35	6.01	18.67	30.88
109	88E16SE	29.96	10.72	7.65	1.72	10.68	23.11
110	88E12SE	19.62	4.69	101.12	10.44	8.95	24.07
111	88F13NE	37.86	13.62	7.93	2.80	8.29	24.71
112	88F13NW	19.33	4.97	35.77	6.39	3.77	15.13
113	88F09NE	20.01	2.47	39.29	4.58	2.81	9.86
114	88F13SE	25.13	7.90	6.68	1.61	5.70	15.21
115	88F13SW	42.57	10.60	99.91	11.13	11.02	32.75
	<b>Total</b>	<b>480.1</b>	<b>230.7</b>	<b>1004.0</b>	<b>256.4</b>	<b>1669.7</b>	<b>2156.8</b>

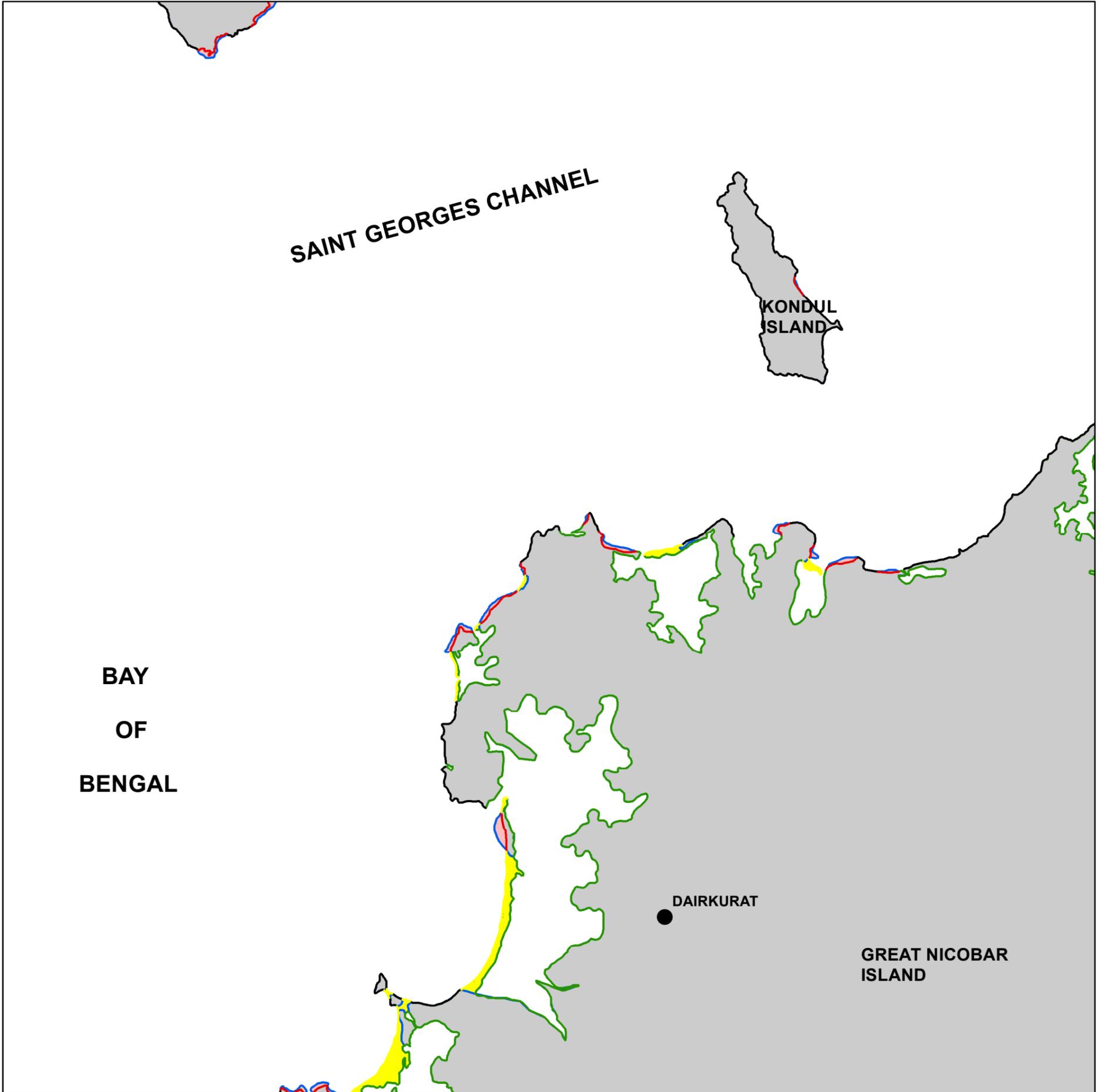
# SHORELINE CHANGES OF ANDAMAN AND NICOBAR ISLANDS



# SHORELINE CHANGE MAP

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NICOBAR ISLANDS **ANDAMAN AND NICOBAR ISLANDS** SHEET NO. 88E12NE

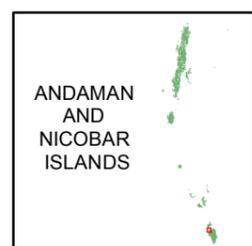


### Legend

- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE
- HABITATION

### INDEX TO SHEETS

88E11SW	88E11SE	88E15SW
SEA	88E12NE	88E16NW
SEA	88E12SE	88E16SW



DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

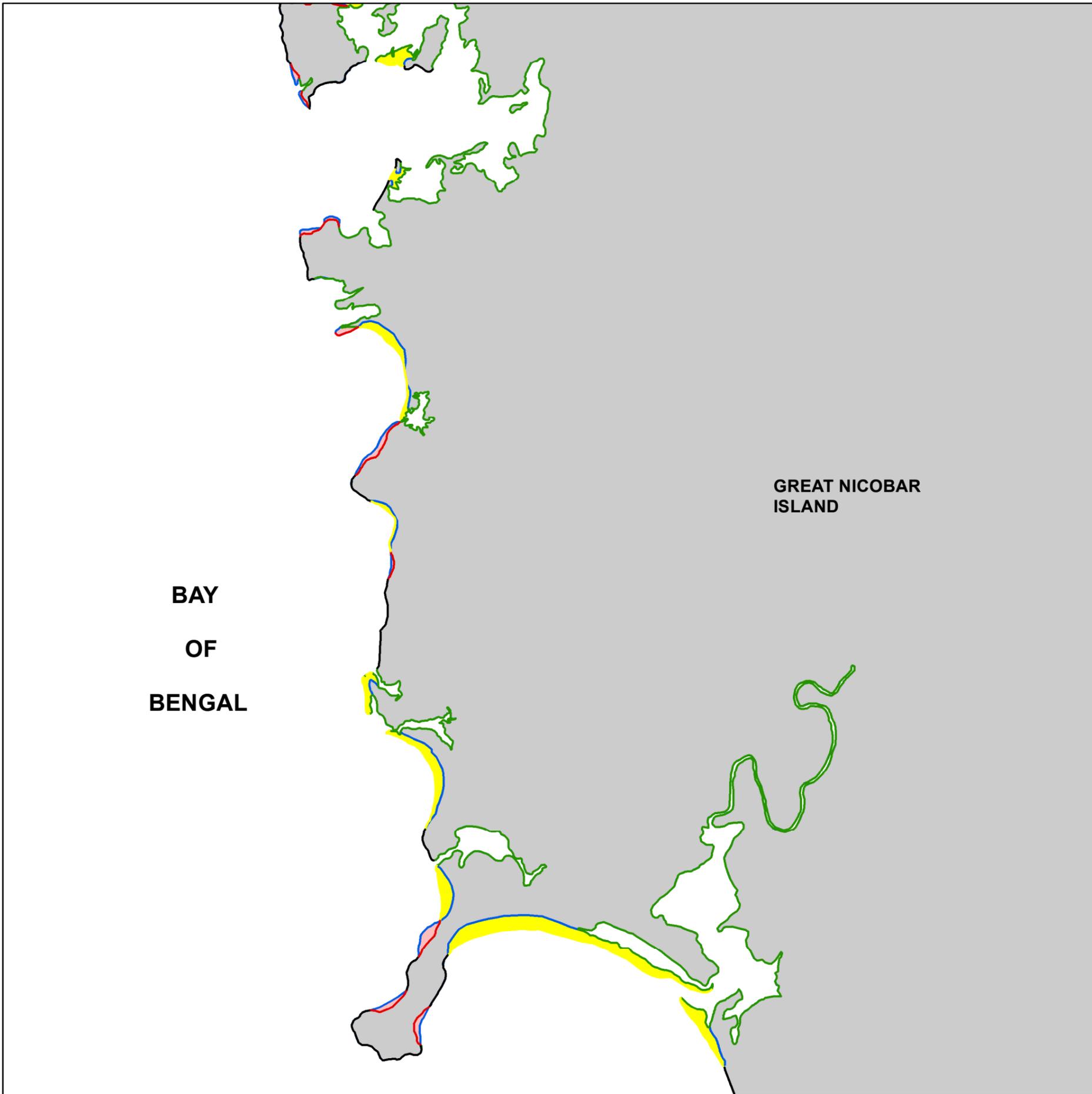
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# SHORELINE CHANGE MAP

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### Legend

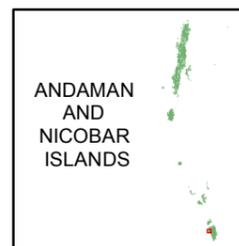
- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE

### INDEX TO SHEETS

SEA	88E12NE	88E16NW
SEA	88E12SE	88E16SW
SEA	88F09NE	88F13NW



0 2 km



DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

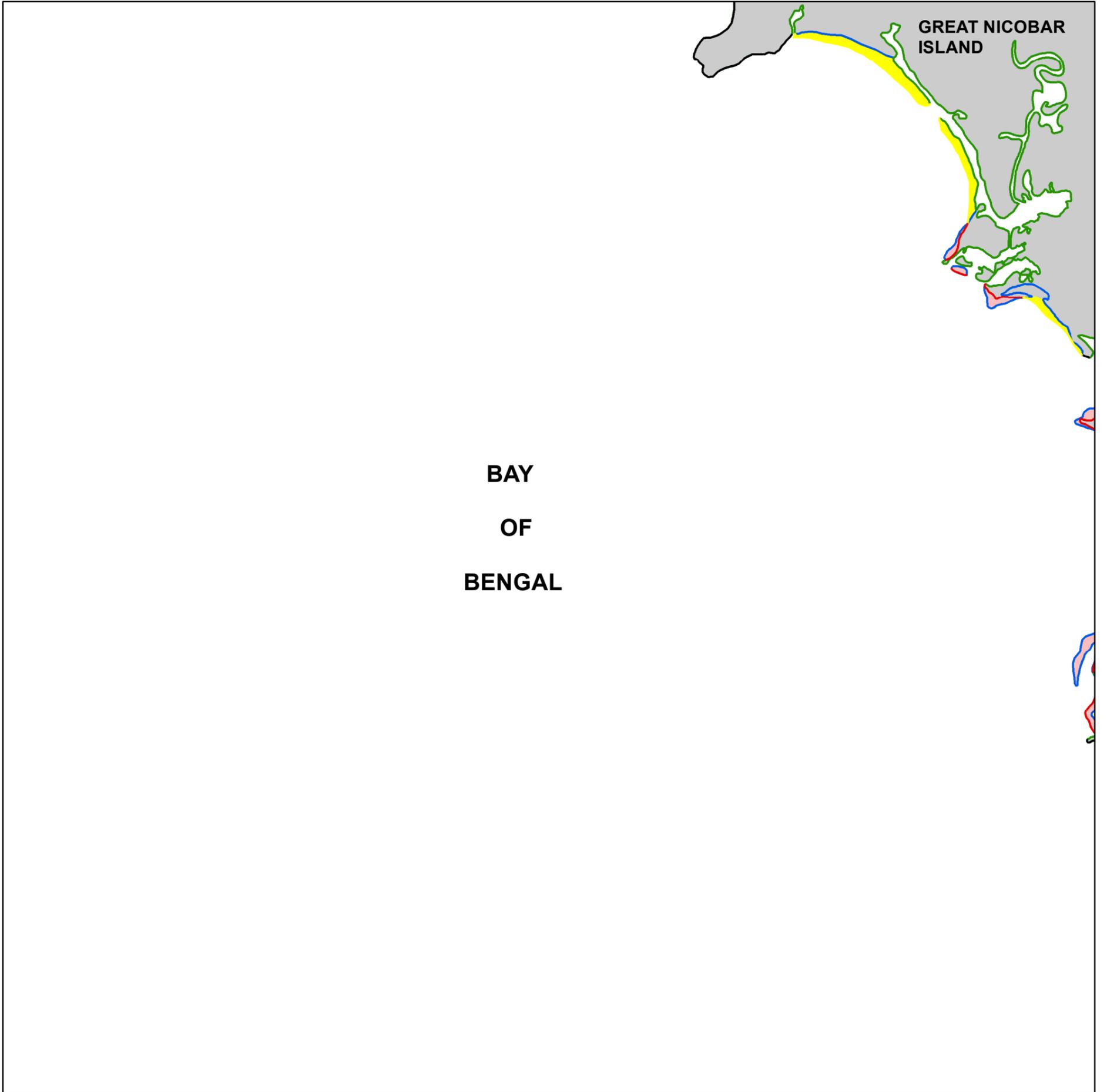
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# SHORELINE CHANGE MAP

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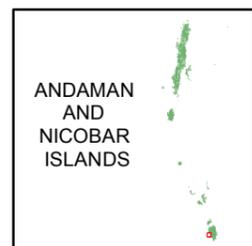


### Legend

- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE

### INDEX TO SHEETS

SEA	88E12SE	88E16SW
SEA	88F09NE	88F13NW
SEA	SEA	88F13SW



DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

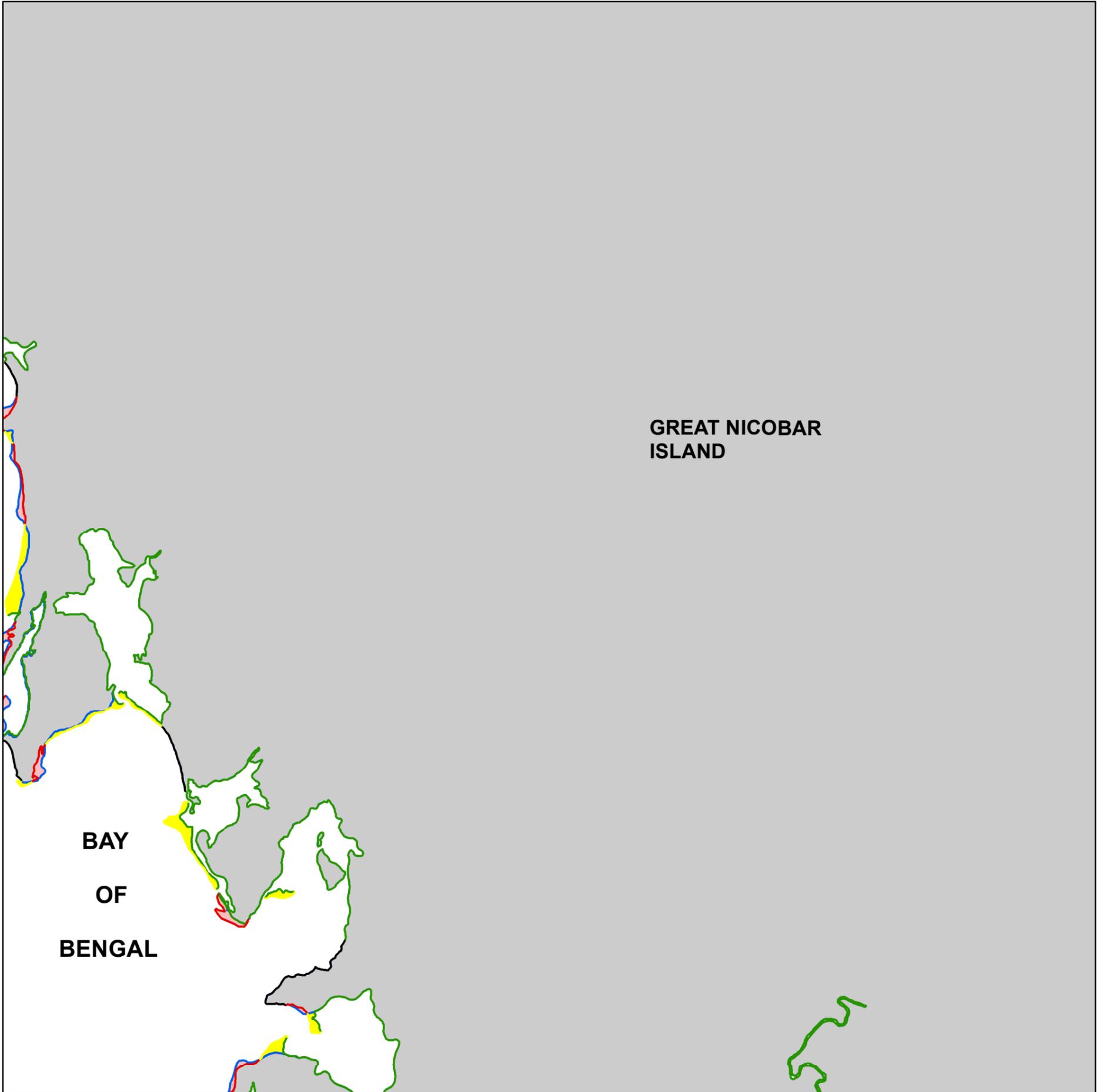
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2247  
**SHORELINE CHANGE MAP**

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**Legend**

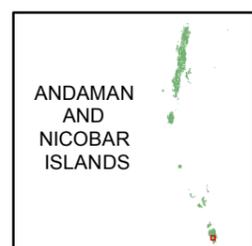
- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE

INDEX TO SHEETS

88E12SE	88E16SW	88E16SE
88F09NE	88F13NW	88F13NE
SEA	88F13SW	88F13SE



0  2 km



DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

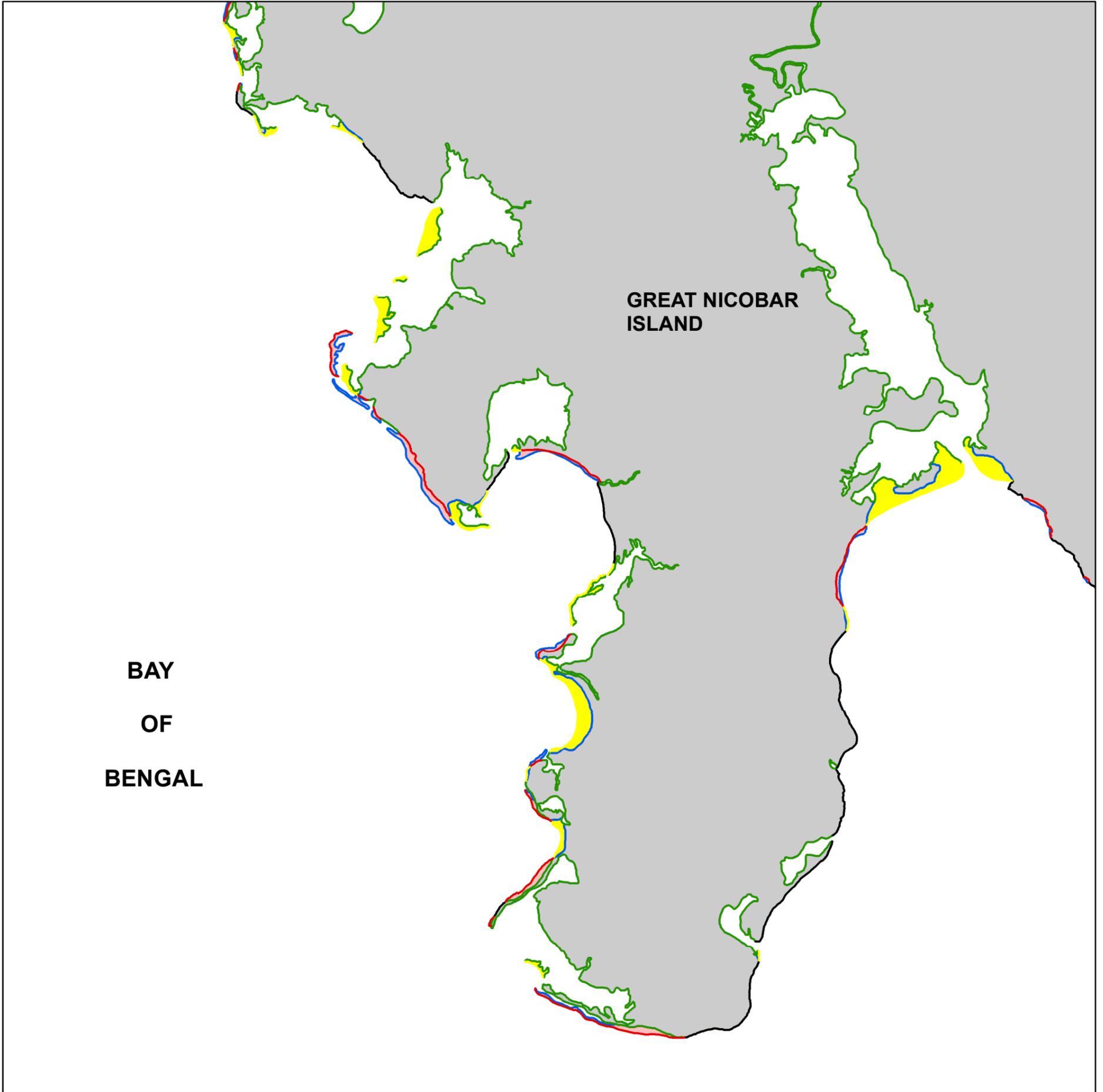
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SPACE APPLICATIONS CENTRE, ISRO, AHMEDABAD  
AND CENTRAL WATER COMMISSION, NEW DELHI



# SHORELINE CHANGE MAP

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NICOBAR ISLANDS **ANDAMAN AND NICOBAR ISLANDS** SHEET NO. 88F13SW



### Legend

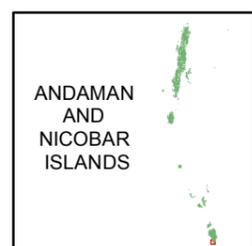
- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE

### INDEX TO SHEETS

88F09NE	88F13NW	88F13NE
SEA	88F13SW	88F13SE
SEA	SEA	SEA



0 2 km



DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

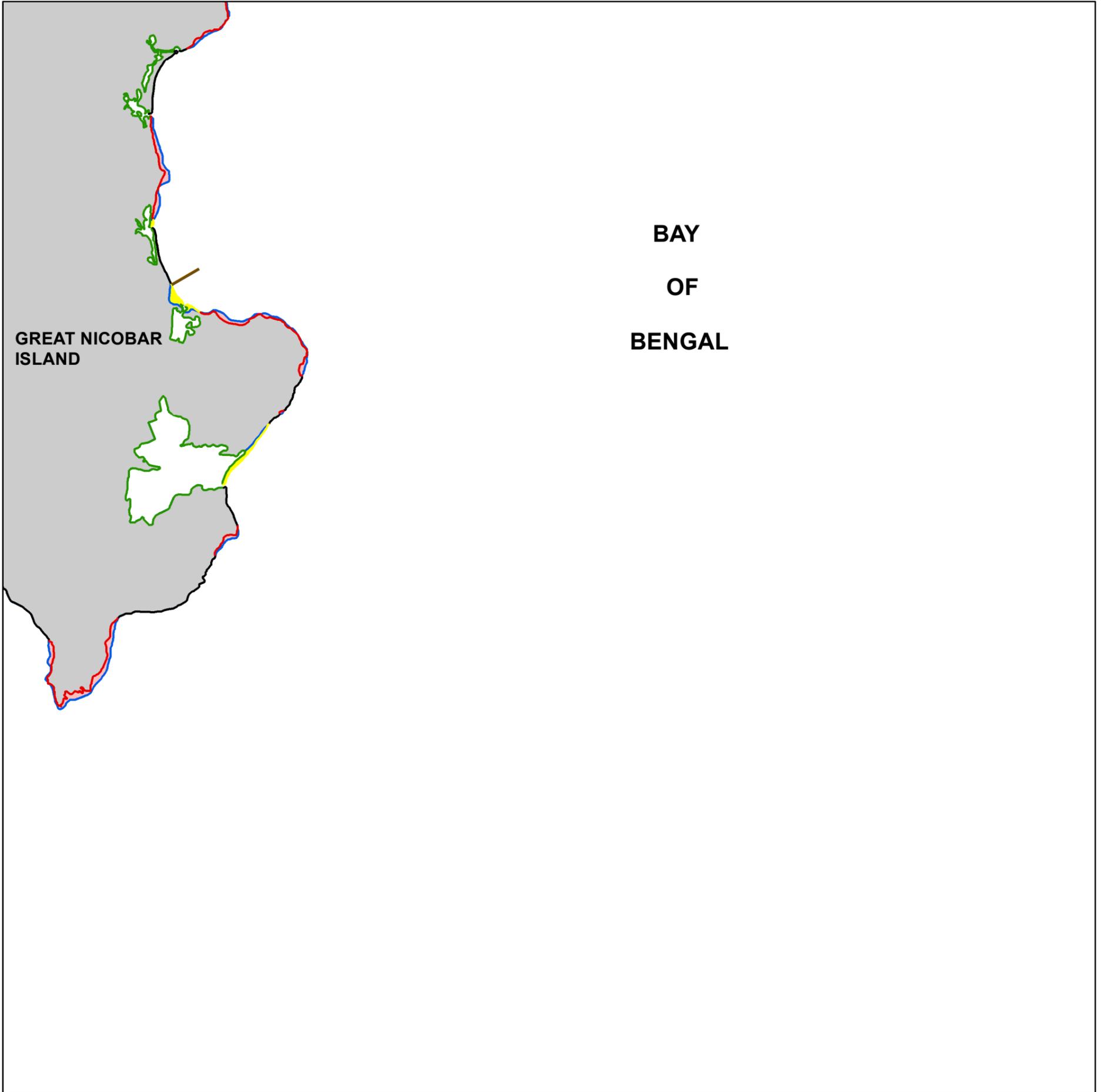
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SPACE APPLICATIONS CENTRE, ISRO, AHMEDABAD  
AND CENTRAL WATER COMMISSION, NEW DELHI



# SHORELINE CHANGE MAP

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**Legend**

- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE
- JETTY

INDEX TO SHEETS

88F13NW	88F13NE	SEA
88F13SW	88F13SE	SEA
SEA	SEA	SEA

0 2 km

INDIA

ANDAMAN AND NICOBAR ISLANDS

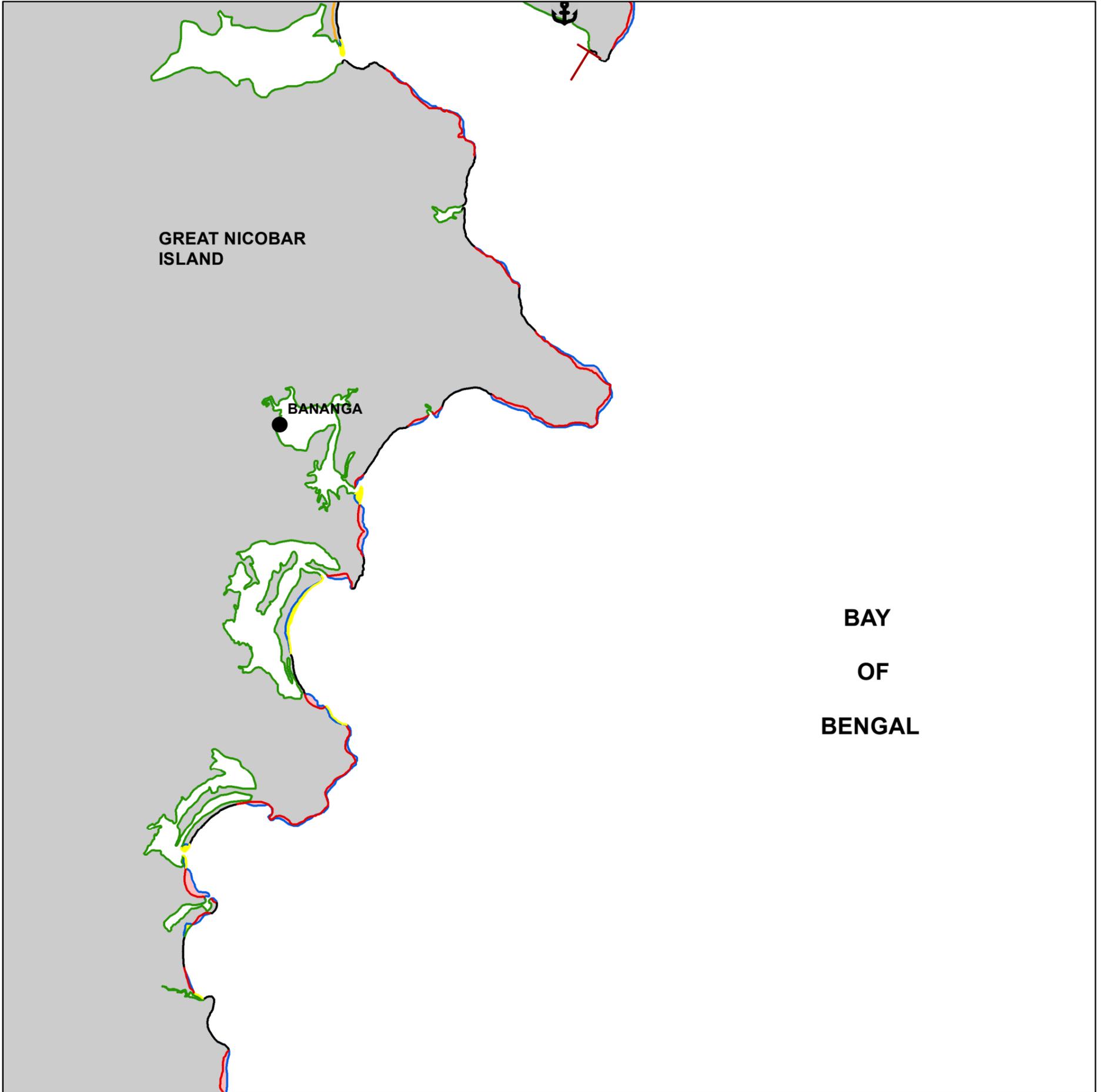
DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

PREPARED BY:  
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2250  
**SHORELINE CHANGE MAP**

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NICOBAR ISLANDS **ANDAMAN AND NICOBAR ISLANDS** SHEET NO. 88F13NE



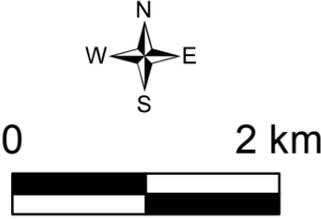
**Legend**

	EROSION
	ACCRETION
	HIGH-TIDE LINE 2014-16
	HIGH-TIDE LINE 2004-06
	STABLE
	SEA WALL
	BREAKWATER
	PORT/HARBOUR
	HABITATION

INDEX TO SHEETS

88E16SW	88E16SE	SEA
88F13NW	88F13NE	SEA
88F13SW	88F13SE	SEA

0 2 km




INDIA



ANDAMAN AND NICOBAR ISLANDS

DATA SOURCE:  
 IRS LISS4 IMAGES OF 2004-06 & 2014-16

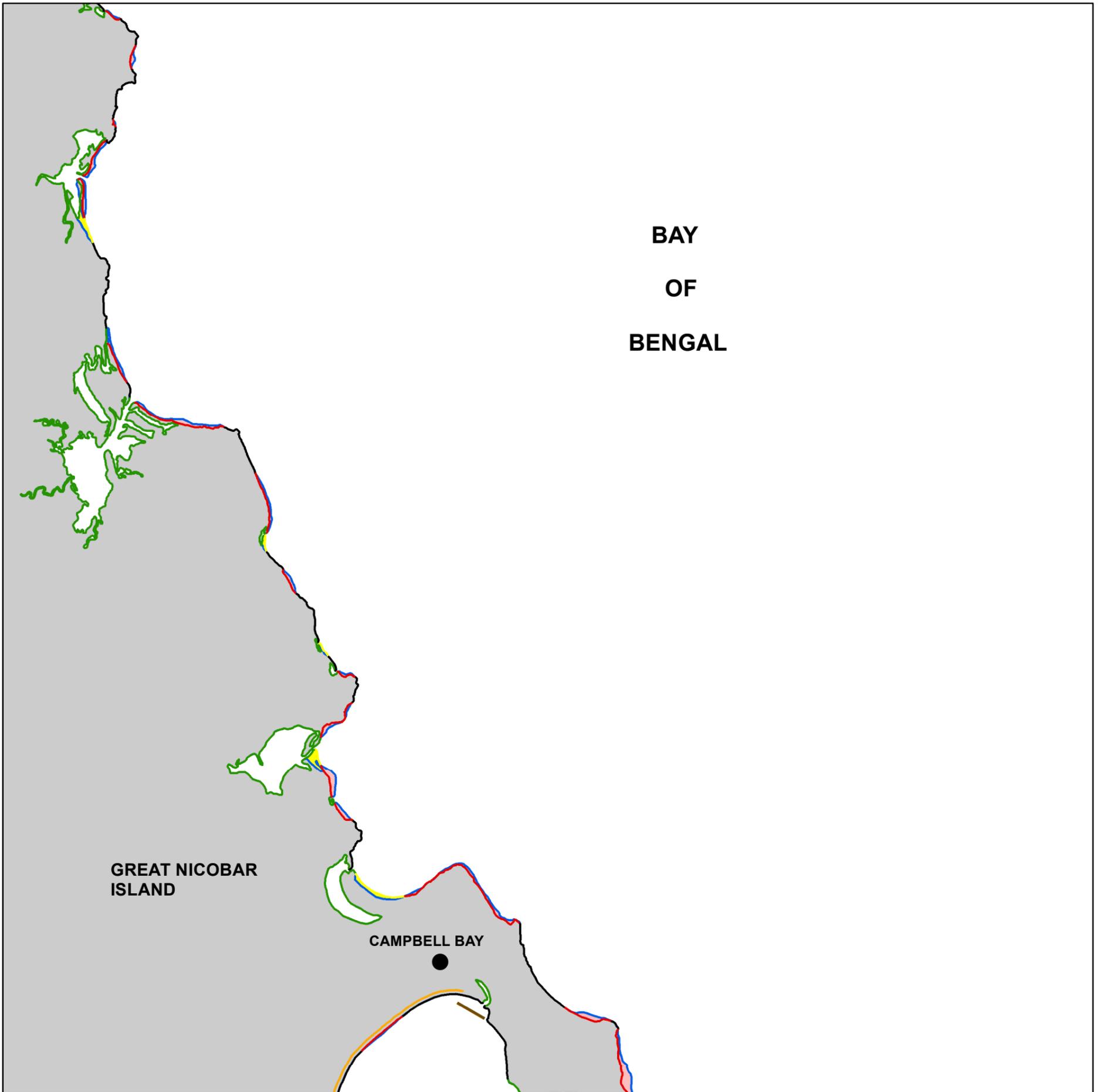
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# SHORELINE CHANGE MAP

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NICOBAR ISLANDS **ANDAMAN AND NICOBAR ISLANDS** SHEET NO. 88E16SE



### Legend

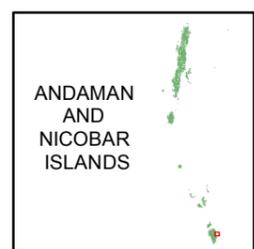
- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE
- SEA WALL
- JETTY
- HABITATION

### INDEX TO SHEETS

88E16NW	88E16NE	SEA
88E16SW	88E16SE	SEA
88F13NW	88F13NE	SEA



0 2 km



DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

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AND CENTRAL WATER COMMISSION, NEW DELHI

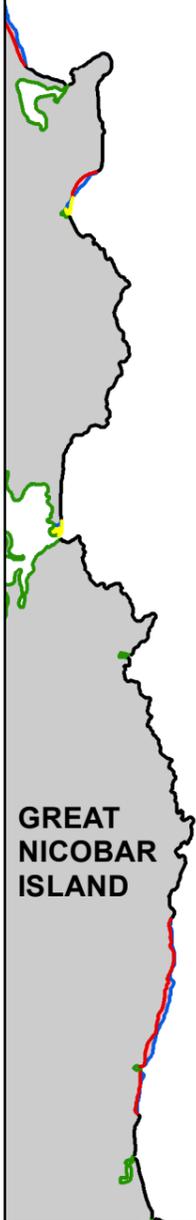


# SHORELINE CHANGE MAP

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NICOBAR ISLANDS **ANDAMAN AND NICOBAR ISLANDS** SHEET NO. 88E16NE

**BAY  
OF  
BENGAL**



**GREAT  
NICOBAR  
ISLAND**

### Legend

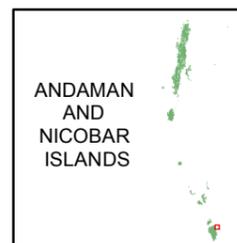
- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE

### INDEX TO SHEETS

88E15SW	SEA	SEA
88E16NW	88E16NE	SEA
88E16SW	88E16SE	SEA



0 2 km



DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

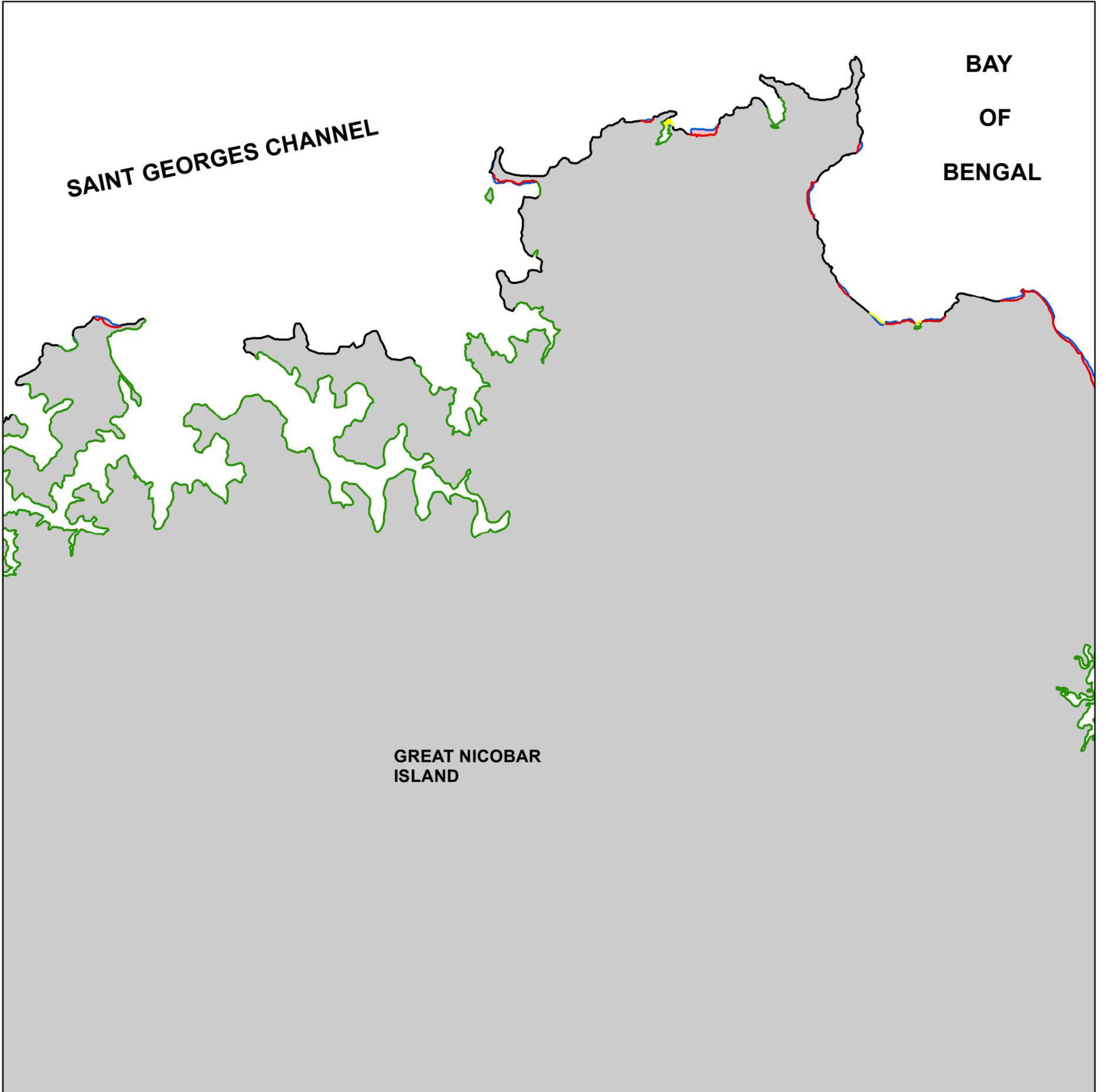
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# SHORELINE CHANGE MAP

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NICOBAR ISLANDS **ANDAMAN AND NICOBAR ISLANDS** SHEET NO. 88E16NW



### Legend

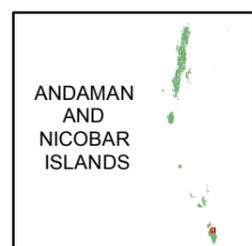
- EROSION
- ACCRETION
- HIGH-TIDE LINE 2014-16
- HIGH-TIDE LINE 2004-06
- STABLE

### INDEX TO SHEETS

88E11SE	88E15SW	SEA
88E12NE	88E16NW	88E16NE
88E12SE	88E16SW	88E16SE



0 2 km



DATA SOURCE:  
IRS LISS4 IMAGES OF 2004-06 & 2014-16

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82	87H/08NE	IRS P6	LISS III	116	68	13-08-2004
83	87H/08SW	IRS 1D	LISS III	117	68	13-03-2006
84	88E/16NE	IRS P6	LISS IV	5712	112	22-11-2004
85	88E/16NW	IRS P6	LISS IV	5712	112	22-11-2004
86	88E/16SE	IRS P6	LISS IV	5712, 7829	112, 93	22 20--11 04-- 2004, 2005
87	88F13NE	IRS P6	LISS IV	5712	113, 114	22-11-2004
88	88F13NW	IRS P6	LISS IV	5712	113, 114	22-11-2004
89	88F13SE	IRS P6	LISS IV	5712	113, 114	22-11-2004
90	88F13SW	IRS P6	LISS IV	5712	113, 114	22-11-2004

Table No. 6: Satellite data used for Andaman and Nicobar Islands (2014-16 time-frame)

S.NO.	MAPSHEET NO.	SATELLITE	SENSOR	Path	Row	Date
1	86C14NE	IRS-R2	L4FX	114	64	20-Mar-14
2	86G02NW	IRS-R2	L4FX	114	64	20-Mar-14
3	86C14SW	IRS-R2	L4FX	114	64	20-Mar-14
4	86C14SE	IRS-R2	L4FX	114	64	20-Mar-14
5	86G02SW	IRS-R2	L4FX	114	64	20-Mar-14
6	86K07NW	IRS-R2	L4FX	114	64	20-Mar-14
7	86C15NW	IRS-R2	L4FX	114	64	20-Mar-14
8	86K03NE	IRS-R2	L4FX	114	64	20-Mar-14
9	86C15NE	IRS-R2	L4FX	114	64	20-Mar-14
10	86G03NW	IRS-R2	L4FX	114	64	20-Mar-14
11	86C15SW	IRS-R2	L4FX	114	64	20-Mar-14
12	86C15SE	IRS-R2	L4FX	114	64	20-Mar-14
13	86G03SW	IRS-R2	L4FX	114	64	20-Mar-14
14	86C16NW	IRS-R2	L4FX	114	64	20-Mar-14
15	86G04NW	IRS-R2	L4FX	114	64	20-Mar-14
16	86C12SE	IRS-R2	L4FX	114	64	20-Mar-14
17	86C16SW	IRS-R2	L4FX	114	64	20-Mar-14
18	86C16SE	IRS-R2	L4FX	114	64	20-Mar-14
19	86G04SW	IRS-R2	L4FX	114	64	20-Mar-14
20	86D09NE	IRS-R2	L4FX	114, 114	64, 63	20-03-2014, 20-03- 2014
21	86D13NW	IRS-R2	L4FX	114, 114	64, 63	20-03-2014, 20-03- 2014
22	86D13NE	IRS-R2	L4FX	114, 114	64, 63	20-03-2014, 20-03- 2014
23	86H01NW	IRS-R2	L4FX	114, 114	64, 63	20-03-2014, 20-03- 2014
24	86D09SE	IRS-R2	L4FX	114	63	20-Mar-14

71	87B05SE	IRS-R2	L4FX	114	66	20-03-2014
72	87B09SW	IRS-R2	L4FX	114	66	20-03-2014
73	87B06NE	IRS-R2	L4FX	114	66	20-03-2014
74	87B10NW	IRS-R2	L4FX	114	66	20-03-2014
75	87B06SE	IRS-R2	L4FX	114	66	30-08-2015
76	87B10SW	IRS-R2	L4FX	114	66	30-08-2015
77	87C15SW	IRS-R2	L4FX	115	67	14-03-2016
78	87C12NE	IRS-R2	L4FX	115, 115	67, 67	14-03-2016, 22-12- 2017
79	87C16NW	IRS-R2	L4FX	115, 115	67, 67	14-03-2016, 22-12- 2017
80	87C12SE	IRS-R2	L4FX	115, 115	67, 67	14-03-2016, 22-12- 2017
81	87C16SW	IRS-R2	L4FX	115, 115	67, 67	14-03-2016, 22-12- 2017
82	87H10SE	IRS-R2	L4FX	116	68	01-11-2014
83	87H10SW	IRS-R2	L4FX	116	68	01-11-2014
84	87H11NE	IRS-R2	L4FX	116	68	01-11-2014
85	87H11NW	IRS-R2	L4FX	116	68	01-11-2014
86	87H03NW	IRS-R2	L4FX	116	68	23-04-2014
87	87H03SE	IRS-R2	L4FX	116	68	23-04-2014
88	87H03SW	IRS-R2	L4FX	116	68	23-04-2014
89	87H12NW	IRS-R2	L4FX	116	68	23-04-2014
90	87H08NE	IRS-R2	L4FX	116	68	23-04-2014
91	87H08NW	IRS-R2	L4FX	116	68	23-04-2014
92	87H04NE	IRS-R2	L4FX	116	68	23-04-2014
93	87H04NW	IRS-R2	L4FX	116	68	23-04-2014
94	87H12SW	IRS-R2	L4FX	116	68	23-04-2014
95	87H08SE	IRS-R2	L4FX	116	68	23-04-2014
96	87H08SW	IRS-R2	L4FX	116	68	23-04-2014
97	88E09NW	IRS-R2	L4FX	116	68	19-03-2016
98	88E05NE	IRS-R2	L4FX	116	68	23-04-2014
99	88E05NW	IRS-R2	L4FX	116	68	23-04-2014
100	88E05SE	IRS-R2	L4FX	116	68	23-04-2014
101	88E15NW	IRS-R2	L4FX	116	69	19-03-2016
102	88E11NE	IRS-R2	L4FX	116	69	19-03-2016
103	88E15SW	IRS-R2	L4FX	116	69	19-03-2016
104	88E11SE	IRS-R2	L4FX	116	69	19-03-2016
105	88E11SW	IRS-R2	L4FX	116	69	19-03-2016
106	88E16NE	IRS-R2	L4FX	116	69	19-03-2016
107	88E16NW	IRS-R2	L4FX	116	69	19-03-2016
108	88E12NE	IRS-R2	L4FX	116	69	19-03-2016
109	88E16SE	IRS-R2	L4FX	116, 117	69, 69	19-03-2016, 11-05- 2016
110	88E12SE	IRS-R2	L4FX	116	69	19-03-2016
111	88F13NE	IRS-R2	L4FX	117	69	11-05-2016
112	88F13NW	IRS-R2	L4FX	117	69	11-05-2016
113	88F09NE	IRS-R2	L4FX	116	69	11-05-2016

114	88F13SE	IRS-R2	L4FX	116, 117	69, 69	19-03-2016, 11-05- 2016
115	88F13SW	IRS-R2	L4FX	116	69	19-03-2016



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# FRONTLINE

JANUARY 27, 2023

INDIA'S NATIONAL MAGAZINE

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PLEASE HELP US TO ~~KEEP~~ ~~CLEAN~~ THIS BEACH  
~~USE DUSTBINE~~

## NICOBAR NIGHTMARE

As the mega plans to “develop” Great Nicobar continue apace, a look at all the reasons why this biosphere reserve should be left wisely alone

# FRONTLINE

VOLUME 40 NUMBER 01 JANUARY 14-27, 2023 ISSN 0970-1710 HTTPS://FRONTLINE.THEHINDU.COM 116 PAGES



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## LETTERS



## The AAP

THE Cover Story (January 13) was an unambiguous SWOT analysis of the Aam Aadmi Party (AAP). It has revealed itself to be a truant party: whenever it faces problems or is confronted by decisive moments, it goes silent and later comes back like Rip Van Winkle. It is willing to strike but afraid to wound on many social and political issues. If a government does not do anything for the common good, then what is it for? Bragging and pomposity cannot replace performance.

The AAP came to power in Delhi promising a clean government. It lacks vision and an ideological plank and has its finger in too many pies. It found fault with other parties, but like them, it suffers from autocracy and political opportunism. People are the ultimate sufferers in the political game. The AAP is a show horse and not a workhorse that can be relied on in the face of political chaos.

**B. RAJASEKARAN**  
BENGALURU

AS the AAP is unburdened by the weight of ideology and with its supremo exhibiting streaks of authoritarianism, one wonders whether the party can survive on the basis of some welfarist measures alone and whether it can become a dependable alternative to the Congress given its not-so-soft Hindutva posturing.

If the effect of the Bharat Jodo Yatra on Congress cadres is any indication, it can hopefully experience a resurgence and upset the AAP's apple cart. As it is said, "The new broom [pun intended] sweeps clean, but the old broom knows the corners." Of course, nothing succeeds like success, and the AAP's fine perform-

ance in Punjab, Gujarat, and the Delhi Municipal Corporation elections makes it count in the country's political scene.

**AYYASSERI RAVEENDRANATH**  
ARANMULA, KERALA

THE Cover Story articles gave one insight into the growth and development of the AAP. The party impressed one and all with its performance in the Assembly elections in Delhi and Punjab on its debut and with its promise to be a much needed alternative to the Congress and the BJP. Despite its poor showing in Gujarat and Himachal Pradesh, the party has announced its arrival on the national stage.

While the BJP continues to expand its footprint across the nation election after election, the AAP is the only party growing at the regional level, as the article rightly said. Despite the Congress' plummeting electoral fortunes, at present it remains the only opposition party to have a well-defined State leadership and an organisational set-up on a pan-India basis that is still capable of taking on the ruling dispensation, both of which the AAP lacks. This is its biggest disadvantage. And although Kejriwal has showcased the Delhi/Punjab model of governance and promised to replicate the same at the Centre and the States if voted to power, it will be a Herculean task to halt the juggernaut of the BJP's well-oiled election machinery.

**B. SURESH KUMAR**  
COIMBATORE, TAMIL NADU

## Death in custody

THE sudden death of Lalan Sheikh in the toilet of the CBI's camp's office in Rampurhat, West Bengal, has put it in the witness box ("A death in CBI custody", January 13). The death raises questions about the possibility of a conspiracy. The Central agencies have cornered the Trinamool Congress in multiple corruption cases, and this is an opportunity for the party to train its guns on the CBI itself. The CBI claimed it was suicide, while Sheikh's family insisted it was murder. The government has to get to the bottom of the matter.

**SHAIKH HUSAIN**  
CHEMMAD, KERALA

## Biennale

WITHIN the span of 10 years, the Kochi Muziris Biennale (KMB) has emerged as

a major international exhibition of contemporary arts, thanks to the overwhelming support of artists, art enthusiasts, the government, and private organisations ("Biennale blues", January 13). However, the KMB Foundation struggles to keep to the declared schedule. Among the many issues it faces, the perennial one is the lack of a permanent venue. It is high time the foundation explored alternative venues that can be used without much modification.

For instance, Willingdon Island has many heritage buildings such as the old Harbour Terminus. Apart from easing the pressure on Fort Kochi, this will be a major fillip to the tourism potential of Willingdon Island, India's largest man-made island. There are regular ferry services between Fort Kochi and the island.

It is worth recalling here that in 2008 Willingdon island hosted in a commendable way the prestigious Volvo Ocean Race.

**T.N. VENUGOPALAN**  
KOCHI, KERALA

## Tribal people

IN this technology-driven world, a lot of things are going missing ("No place to call home", January 13). South Asia once was once densely populated with tribal communities and people. As a schoolboy in the early 1990s, I was often astounded by the natural charm, physique, and language style of the tribal communities whose members I often used to see on the streets, selling their skills or wares. These people are nowhere in sight now.

**P. SENTHIL SARAVANA DURAI**  
MUMBAI

## Museums

A JARRING aspect in the otherwise illuminating article "Cobwebs in the galleries" (December 30) was the author's intellectual hijacking of a museum of textiles in Delhi to expand on his anti-colonial bias in a workshop that he conducted. He cites this as an example for "transforming museums into forums... to re-contextualise museum objects within this space of a wider... social, political, and semiotic context, thereby redefining the role of the museum it-

self". This is nothing but desecrating museum pieces, whether they be textiles or archaeological objects d'art, by politicising them.

Each such museum expert will lend his own subjective interpretation to displays and in the process detract from the beauty and purity of the object itself. Museums should be insulated from such distracting exercises and their studies and forums be restricted to their artistic and historic studies.

**RAMESH RAMACHANDRA**  
BENGALURU

MUSEUMS are repositories of the past, enabling people to look into and connect with the past ("Why museums matter", December 30). But some museums are found in an as-is-where-is condition without being updated, upgraded, or modernised and without any effort to keep them relevant so that continue to appeal to future generations.

The British looted several objects during colonial rule and either preserved them in their museums or sold them in open auction for huge sums of money. India is doing nothing to get back these precious objects. There is an urgent need to take immediate action in that direction and also to take proper care of each museum in the country by upgrading them and keeping them tidy and clean so that they do not look like abandoned buildings. Every museum has hundreds of stories to tell through the objects preserved there, but it is unfortunate that many people do not visit them.

**M.Y. SHARIFF**  
CHENNAI

## Border dispute

THE recent firing incident at the Assam-Meghalaya border is a matter of great concern ("Border on the boil", December 30). The Narendra Modi government deserves credit for taking steps to resolve the issue: the first boundary pact between Assam and Meghalaya was signed earlier this year to deal with disputes in certain areas. That goodwill must be taken forward, and steps must be taken to resolve the remaining issues as well.

Peace and stability is crucial if the region is to develop.

**VIDHYA B. RAGUNATH**  
THANJAVUR, TAMIL NADU

## Meditation

IT is correct to say that the job of universities is to give students the intellectual tools to test concepts and ideas ("Meditation time", December 30). But some universities believe that because the Central government is propagating Hindutva, it has dumped Art of Living meditation and yoga on college students. This is nothing but a negative thought. Yoga and meditation are necessary for good health. Therefore, the universities should take this step in the right spirit. Looking at the health hazards that everyone is exposed to, such as poor air quality and the non-clearance of garbage, the Ministry of Education should strongly recommend the introduction of meditation and exercises/yoga in all schools for students, teachers, and staff and also make these a part of the syllabus.

**ASHOK NIHALANI**  
PUNE, MAHARASHTRA

## Stamps

POSTAL departments must organise yearly stamp design contests on different themes throughout the country to get new and interesting ideas for stamps ("Stamping out policies", December 30). Stamps are important because they inform people about geography, history, culture, and art besides commemorating important things and events. Private stamp museums must be set up in all Indian cities and towns to popularise the hobby of philately, and exhibitions must be held every year to increase people's love for postage stamps. This is the importance of postage stamps.

**PETER CASTELLINO**  
MUMBAI

## CORRECTION

Vikhar Ahmed Sayeed's byline was accidentally omitted from the article "Wooing Vokkaligas", which appeared in the January 13 issue of *Frontline*.

## ANNOUNCEMENT

Letters, whether by surface mail or email, must carry the full postal address and the full name, or the name with initials.

## Editor's note

UNDER the euphemism of "holistic development", the government is going full steam ahead with a misguided plan to convert Great Nicobar Island into a trade, tourism, and strategy hub. Dreamt up by mandarins in NITI Aayog, the plan includes a container transshipment terminal, international airport, and township.

Why is this sheer madness?

Because the total area of the island is about 900 sq km. Because nearly all of this area is a designated tribal reserve. Because the island's population is a sparse 8,000 and the plan sees this swelling to more than 300,000. Because the project will destroy close to a million trees of a pristine rainforest. Because for millennia Great Nicobar has been home to the Nicobarese and the Shompen, and the plan will evict them from their homelands.

Yes, the archipelago occupies a key strategic position that allows India to monitor sea lanes in the Indian and Pacific Oceans. Yes, the islands need economic and material progress. But these factors can be addressed by small and self-contained schemes that do not threaten the ecology or the indigene population. Why this vulgarity of ambition that needs to annihilate everything?

Meanwhile, 15,000 km away, Brazil, which is home to nearly 60 per cent of the Amazon rainforest, saw a new President take office on January 1. After four years of Jair Bolsonaro's ravaging of forest cover, Lula da Silva came to power on the promise of zero deforestation. Ironical that India is going the opposite way.

As always, *Frontline* brings together several experts to examine the issue from various dimensions, and they come to one conclusion—the project will be ecologically, structurally, and anthropologically harmful. Will the government pay heed?

**Vaishna Roy**

## COVER STORY

# Mega folly

The **mega infrastructure project planned in Great Nicobar** puts the pristine island, its priceless biodiversity, and indigene populations as well as the huge investment itself in danger, given that the clearances granted for it are in clear violation of due process. BY **PANKAJ SEKHSARIA**

Source: "Holistic Development of Great Nicobar Island at Andaman & Nicobar Islands": Pre-feasibility report (March 2021)



IN A SERIES OF DEVELOPMENTS THAT HAVE unfolded with uncharacteristic speed and coordination over the past two years, the Ministry of Environment, Forest and Climate Change (MoEFCC) has cleared the decks for a mega infrastructure project in Great Nicobar Island situated at the southern tip of the Andaman and Nicobar Island group in the Bay of Bengal. Two crucial approvals were granted recently—the stage-1 (in-principle) forest clearance on October 27, 2022, and the environmental clearance on November 11. The NITI Aayog piloted the project, with the project proponent being the Andaman and Nicobar Islands Integrated Development Corporation (ANIIDCO), based in Port Blair.

The centrepiece of the project, euphemistically labelled by its proponents as the “Holistic Development of Great Nicobar Island”, is a Rs.35,000 crore transshipment port at Galathea Bay along the island’s south-eastern coast. Other components are an international airport, a power plant, and a greenfield township on more than 160 square kilometres of land, including 130 sq km of primary forest. The island has a total area of a little more than 900 sq km, with nearly 850 sq km designated as a tribal reserve under the Andaman and Nicobar Protection of Aboriginal Tribes Regulation, 1956. The ecologically rich island was declared a biosphere reserve in 1989 and included in UNESCO’s Man and Biosphere Programme in 2013.

The Rs.72,000 crore project will be implemented over 30 years and is expected to bring more than three lakh people to the island during that time. This is roughly equal to the current population of the entire Andaman and Nicobar Island chain. As for Great Nicobar, the island will see a 4,000 per cent increase in

its current population of about 8,000. The project also involves the cutting of nearly a million trees in a largely pristine and untouched rainforest ecosystem.

#### FLAWED ENVIRONMENTAL CLEARANCE

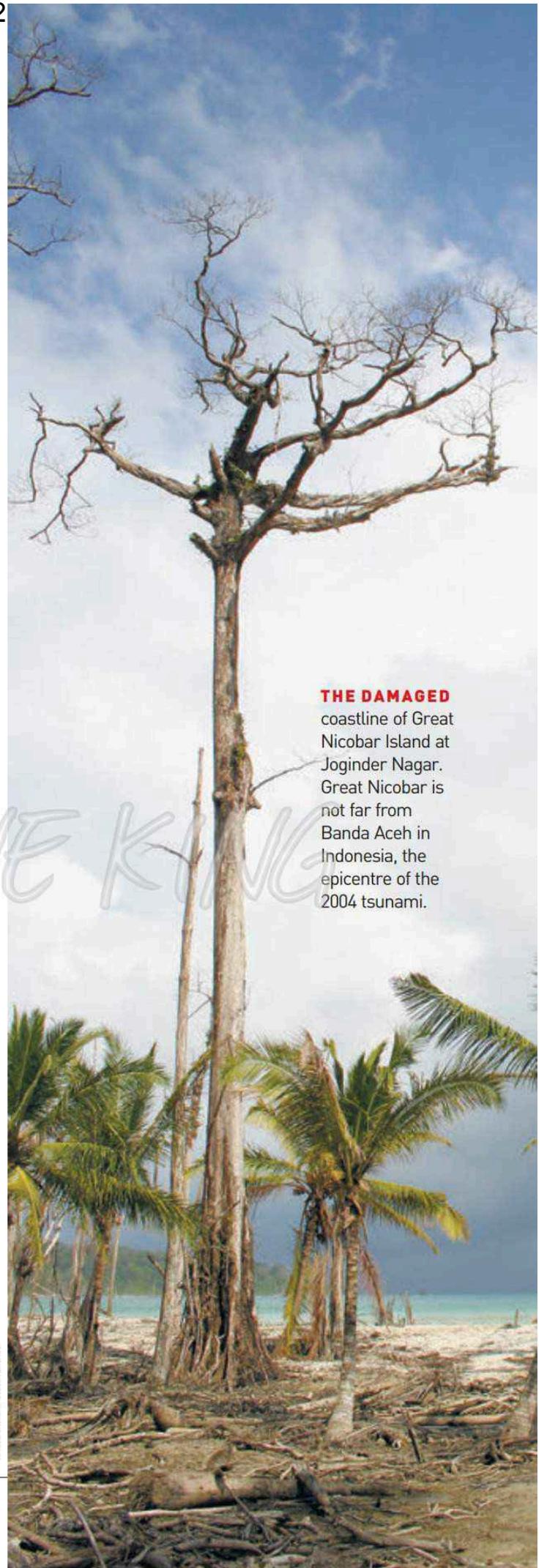
The idea of constructing a large port in Great Nicobar has been in discussion for many decades, but the current plan was initiated at the height of the COVID pandemic in late 2020. It is also much larger in scale and investment than anything that was proposed earlier. The process started in September 2020 with the NITI Aayog issuing a request for proposal (RfP) for preparing the master plan for the project. In March 2021, AECOM India Pvt. Ltd, a Gurugram-based consulting agency, released a 126-page pre-feasibility report (PFR). The MoEFCC's Expert Appraisal Committee (EAC)-Infrastructure I began the environmental clearance process in April and the project proponent contracted the Hyderabad-based Vimta Labs to prepare the environment impact assessment (EIA) report. In December 2021, the Ministry placed the draft EIA report in the public domain for comments and discussion, marking the completion of the first stage.

In the 14-month period between the issue of the RfP and the publication of the draft EIA report, there was also hectic activity to ease clearance procedures. First, in January 2021, the Standing Committee of the National Board for Wildlife (NBWL) denotified the Galathea Bay Wildlife Sanctuary to free it as the site for a port. This was despite the fact that the beaches on either side of Galathea River as it empties into the sea are among the most important nesting sites in the northern Indian Ocean for the giant leatherback turtle, the world's largest marine turtle.

India's National Marine Turtle Action Plan, released in February 2021, names Galathea Bay in the list of "Important Marine Turtle Habitats in India". Although the plan identifies coastal development, including construction of ports, jetties, resorts, and industries, as major threats to turtle populations, the NBWL and the Wildlife Institute of India (WII) went ahead and denotified the sanctuary for allowing the port. Two weeks after the denotification, the MoEFCC declared a zero-extent eco-sensitive zone for the Galathea and Campbell Bay National Parks, thus making pristine forest land along the central and south-eastern coast of the island available for the project.

It was later revealed that Vimta Labs had started gathering data in December 2020 itself for an EIA report for which it had not yet been contracted. In fact, all the above-mentioned developments began even before AECOM released the final project proposal in March 2021, implying both "pre-judgement of clearance outputs and a clear violation of due process" as noted by the coastal researcher Aarthi Sridhar.

The draft EIA report itself has many problems, and researchers and NGOs from across the country have raised nearly 400 concerns relating to ecology, rights of indigenous communities, and the tectonic volatility and disaster vulnerability of the island. In numerous



**THE DAMAGED** coastline of Great Nicobar Island at Joginder Nagar. Great Nicobar is not far from Banda Aceh in Indonesia, the epicentre of the 2004 tsunami.

Not a single document pertaining to the forest clearance has been made available on the Environment Ministry's Parivesh portal to date.

submissions, the urgency of pushing through such a huge project in the difficult times of the pandemic was also questioned.

The mandatory public hearing was held in Campbell Bay, the administrative headquarters of Great Nicobar, in January 2022 and the final EIA report was published by Vimta in March. The project was then discussed in multiple meetings of the EAC, which finally recommended the project for clearance in August 2022. The Ministry accepted the recommendations and granted the final environmental clearance in November via a letter signed by Amardeep Raju of its Impact Assessment Division.

#### FOREST CLEARANCE TOO

While all this was happening, a parallel process was going on in the MoEFCC for the stage-1 (in-principle) forest clearance. On October 27, the Ministry's forest conservation division granted clearance for the use of 130.75 sq km of pristine forest for the project, making it one of the largest single forest diversions in recent times. It is nearly a quarter of all the forest land diverted in the past three years in the country (554 sq km, according to information provided in the Lok Sabha in July 2022) and 65 per cent of the 203 sq km of forest land diverted in the three years from 2015 to 2018.

The clearance is riddled with contradictions and lack of transparency. According to the clearance letter, permission was granted following a "careful examination" of the island administration's request dated October 7, 2020, and "on [the] basis of the recommendations of the Forest Advisory Committee (FAC) and its acceptance by the competent authority in the Ministry".

"How is it possible," asks a senior researcher who preferred to remain anonymous, that "the island administration knew exactly where forest clearance is needed in October 2020 itself when AECOM presented the project proposal only in March 2021?" The MoEFCC's website has no details of the minutes of the FAC meetings where these decisions were supposed to have been taken. Communications (and reminders) sent in November to FAC members regarding this clearance did not evoke any response.

A Right to Information (RTI) application filed in



**NANCOWRY ISLAND**, Nicobar. The project proposes to bring three lakh people to the island in 30 years, which is the current population of the entire Andaman and Nicobar Island chain.

October seeking details of the clearance, including the proposed compensatory afforestation scheme, was rejected under Section 8.1(a) of the RTI Act that cites security, strategic, scientific, or economic interests of the state. Significantly, not a single document pertaining to the forest clearance has been made available on the Ministry's Parivesh portal to date, contradicting recent claims by Environment Minister Bhupender Yadav that "the entire scientific report (related to the project) is out there that has all the analysis".

A crucial requirement for forest clearance is a detailed plan for compensatory afforestation, which the clearance letter states would be carried out in Haryana. Interestingly, the final EIA report mentions that compensatory afforestation will be carried out on 260 sq km in Madhya Pradesh and even includes a letter from the Andaman and Nicobar Forest Department certifying that the State government has submitted the details for the same. There is no clarity on how the switch was made



GETTY IMAGES/STOCKPHOTO



ANTHROPOLOGICAL SURVEY OF INDIA

to Haryana and what process, if any, was followed. “The idea that cutting of tropical forests in an island system can be compensated by tree planting in a semi-arid zone many thousand kilometres away is preposterous and lacks any ecological basis,” says the researcher quoted earlier.

#### TRIBAL RIGHTS IGNORED

Another key concern is regarding the rights and livelihoods of the two tribal communities for whom Great Nicobar has been home for thousands of years: the Nicobarese (about a 1,000 people) and the Shompen (about 200). The latter is classified as a particularly vulnerable tribal group (PVTG) and is a hunter-gatherer nomadic community critically dependent on the forests of the island for survival.

Apathy and complete lack of concern characterise the role of the institutions tasked with tribal welfare. An example of this is the August 2021 letter by the A&N Administration’s Directorate of Tribal Welfare.

It begins by stating that the island administration will protect the rights of the tribal people and then immediately adds that it will seek required exemption(s) from the competent authority “whenever any

**THE SHOMPEN ARE** a particularly vulnerable tribal group (PVTG) and belong to a hunter-gatherer nomadic community. A key concern is about the rights and livelihoods of the Shompen (numbering about 200) and the Nicobarese (about a 1,000) in Great Nicobar.

exemptions” are needed “for the execution of the project”.

At the national level, too, the Ministry of Tribal Affairs (MoTA) and the NITI Aayog are seen as having abdicated their responsibility on the matter. In response to a recent RTI application seeking details on tribal issues in Great Nicobar, the PVTG division in the Ministry said it had no information on the matter and passed on the query to NITI Aayog and the Ministry of Home Affairs. On November 11, just four days later, NITI Aayog sent the query back to MoTA for further necessary action. The PVTG division responded on November 18, reiterating that it had no information on the matter and transferred it to the Ministry of Home Affairs “for providing information to the applicant directly”.

In a letter dated November 15 to Bhupender Yadav, E.A.S. Sarma, former Secretary to the Government of India, questioned the granting of clearances for the project without consulting the National Commission for

### Mid-2020

The Andaman and Nicobar Islands Integrated Development Corporation (ANIIDCO) is designated the nodal agency for the implementation of the Holistic Development plan for Great Nicobar Island



### Sept. 2020

NITI Aayog issues a 201-page request for proposal (RfP) for 'Preparation of Master Plan for Holistic Development of Great Nicobar Island'

### Oct. 2020

A&N Forest Department sends the proposal for the diversion of 121.87 sq km of forest land and 8.88 sq km of deemed forest for sustainable development in Great Nicobar (Phase-I) to MoEFCC



### Apr. 5-6, 2021

260th meeting of the EAC Infra-I: The EAC recommends the Great Nicobar proposal for grant of Terms of Reference (ToR) for preparation of EIA /EMP report

### Dec. 2020

AECOM India Private Ltd (consultant engaged by NITI Aayog) approaches Zoological Survey of India (ZSI) to prepare EIA report on marine ecology

### Mar. 2021

Publication by AECOM of a 126-page pre-feasibility report titled: 'Holistic Development of Great Nicobar Island at Andaman and Nicobar Islands'

### Dec. 2020- Mar. 2021

Vimta Labs Ltd appointed by AECOM collects baseline data for EIA report



### Jan. 2020

Galathea Bay Wildlife Sanctuary and Megapode Wildlife Sanctuary are denotified

### Feb. 2021

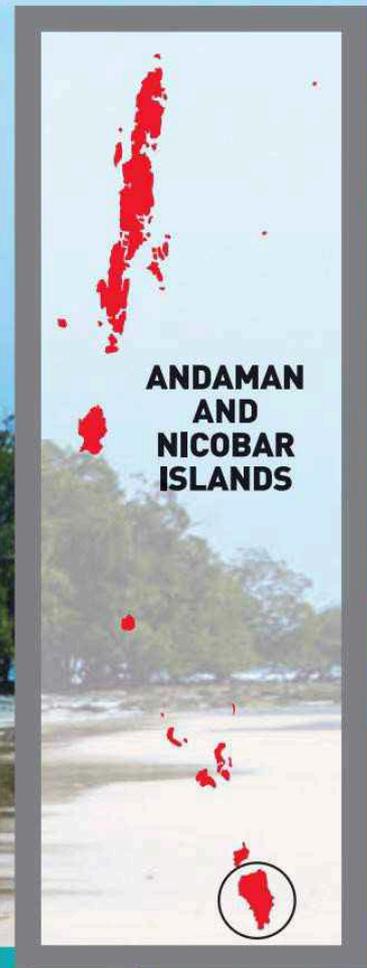
ZSI begins survey to assess biodiversity of Great Nicobar Island





# THE GREAT NICOBAR 'DEVELOPMENT' TIMELINE

How a **Rs.72,000-crore** mega infrastructure project, piloted by NITI Aayog, got its clearances



**Dec. 2021**

Publication of draft EIA report



**June 2021**

Leading turtle researchers and research organisations send a letter of concern to concerned authorities on impact of development projects in Little Andaman and Great Nicobar Islands



**Apr. 14-19, 2021**

WII conducts a survey to understand current status of beaches with respect to sea turtles in Great Nicobar Island

**Jan. 27, 2022**

Public hearing held at Campbell Bay

**Mar. 6, 2022**

ANIIDCO submits the final EIA study and application for environmental and CRZ clearance to EAC Infra-I

**Aug. 22-23, 2022**

306th meeting of EAC Infra-I: EAC recommends the project for approval

**Mar. 24-25, 2022**

293rd meeting of the EAC Infra-I: EAC deferred the proposal citing the submission of the documents just two days prior to the meeting

**Oct. 27, 2022**

Stage-I In-principle forest clearance granted

**Nov.11, 2022**

Environmental clearance issued to the project



Scheduled Tribes. The Centre and States are obliged to consult the commission in matters relating to the Scheduled Tribes, he noted.

C.R. Bijoy, a Coimbatore-based tribal rights researcher and activist, cites several sections of the Forest Rights Act (FRA) to emphasise that the “Shompens are the sole legally empowered authority to protect, preserve, regulate and manage this tribal reserve. What we are seeing in Great Nicobar is a blatant violation of the rights of the tribals. This is also a violation of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.”

Sharad Lele, a senior researcher with the Ashoka Trust for Research in Ecology and Environment (ATREE) and a former member of the MoEF-MoTA Committee on the FRA, concurred. “The FRA unambiguously vests rights with forest-dwellers,” he said. “What makes the violations

The Forest Rights Act vests rights with forest-dwellers. What is seen in Great Nicobar is a blatant violation of their rights.

even in the final EIA report upon which the Ministry has based its clearance. In their comments to the draft EIA, she and her colleagues had pointed out that the islands had experienced nearly 444 earthquakes in the past 10 years and the plan for the container terminal here “needs to be reconsidered”.

Great Nicobar is not far from Banda Aceh in Indonesia, which was the epicentre of the December 2004 earthquake and tsunami that caused unprecedented damage. The coastline of Great Nicobar saw permanent subsidence of nearly four metres as evidenced by the fact that the lighthouse at Indira Point now stands surrounded by water. An dharia has first-hand experience of dealing with the impacts of a disaster on these islands. She was the leader of an intensive, four-year on-the-ground TISS effort in partnership with the island administration to reach out to the island chain’s worst-hit communities in the immediate aftermath of the 2004 tsunami.

“Stating that ‘building standards and codes will be followed’ is inadequate,” she said about the project authorities’ response to her observations on the draft EIA report. “The meaning of ‘making a structure earthquake proof’ needs to be revisited in this context. This cannot be the same as waterproofing a house because a post-facto disaster response plan will not prevent a disaster from happening in the first place.”

#### A CRITICAL JUNCTURE

Concerns about the project, discussions in the media, and questions in the just-concluded winter session of Parliament have thrust the remote, little-known, little-understood, and even less-visited Great Nicobar Island into the national limelight like never before. The only other time it made it to national headlines and primetime news was following the earthquake and tsunami of December 2004. It has not even been two decades since then and it can only be viewed as Great Nicobar’s great betrayal and great misfortune that this pristine island, its invaluable biodiversity and original human inhabitants, thousands of crores of valuable investment, and more than 3,00,000 outsiders are knowingly being put in harm’s way. There cannot be a folly more monumental than this. □

*Pankaj Sekhsaria has been researching and writing on issues of the Andaman and Nicobar Islands for over two decades. He is also the author of five books on the islands.*



PANKAJ SEKHSARIA

**WORKING** on the coastal road that was washed away by the earthquake and tsunami just outside Campbell Bay, the administrative headquarters of GNI, in 2006.

here even worse is that these forests are particularly pristine, and PVTGs like the Shompen have (or should certainly have) even stronger rights under the FRA. The project and the projected increase of the population of Great Nicobar to 3.5 lakh amounts to a planned destruction of the Adivasi culture and lives.”

#### DISASTER VULNERABILITY

According to Janki An dharia, Professor at the Jamsetji Tata School of Disaster Studies, Tata Institute of Social Sciences (TISS), Mumbai, the main concern is the project’s location on a major fault line. The risk this poses, she notes, has not been taken into consideration

MAGAZINE KING

GNI'S 202 KM  
COASTLINE  
is lined by  
mangroves.

COVER STORY

# That sinking feeling

From tropical forests to littoral mangroves, from long-tailed macaque to megapode, the project threatens to destroy them all.

BY ISHIKA RAMAKRISHNA

WIKIPEDIA

PANKAJ SEKHSARIA



**THE NICOBAR PIGEON**, closest living relative of the dodo, lives in GNI. (Right) The Nicobar megapode, found only on a few of the slands, is a ground-nesting bird that builds a mound and lays eggs inside it.

GREAT NICOBAR ISLAND (GNI), SITUATED AT the end of the Andaman and Nicobar archipelago, is in peril. While it has withstood great changes—from deforestation to natural disasters like the tsunami of 2004—ever since the first settlers arrived from the mainland, it is now set to be altered like never before.

If the proposed plans for an international container transshipment terminal, power plant, township area, and international airport, as part of the large-scale development project put forth by NITI Aayog and the Andaman and Nicobar Islands Integrated Development Corporation Limited, materialise, the landscape, along with its unique people and flora and fauna, will change irreversibly.

GNI lies between the Bay of Bengal and the Andaman Sea in a tectonically sensitive zone. The largest of the Nicobar group of islands at 910 square kilometres, it has an astounding array of microhabitats: sandy and rocky beaches, bays and lagoons, littoral patches with mangrove communities, rural mosaic landscapes, monocultures, dense rainforests, coastal forest patches, riverine habitats, and estuarine stretches. Each of these habitat types is home to an uncommon assemblage of species, including marine animals, reptiles, birds, mammals, trees, ferns, insects, crustaceans, and amphibians, of which several are endemic to GNI and found nowhere else in the world.

The largest mammal on the island is the Nicobar long-tailed macaque (*Macaca fascicularis umbrosa*), a

vulnerable subspecies of the larger family of long-tailed macaques found across South-East Asia. This particular subspecies is distinct from its cousins in appearance, behaviour and geographical location. The macaque is found on only three of the Nicobar islands—Katchal, Little Nicobar, and Great Nicobar—with GNI being home to the largest population. The primates have adapted to island life perfectly and make use of rainforests, coastal habitats, and mangroves alike. Their staple is the endemic screwpine species, *Pandanus fascicularis*, which is also the staple of the indigenous Nicobarese communities of these islands.

Sudden land-use changes enacted over time have caused the macaques to use human-occupied regions of the island for shelter, food, and movement. People and monkeys share living space and compete for resources in Campbell Bay and other rural areas along the south-eastern strip of the island. These interactions have been labelled as “conflict” in the media and environmental impact assessment (EIA) reports published following the public backlash against NITI Aayog’s plans. This is an unfair portrayal as these interactions are complex and context-dependent, with the macaques having positive religio-cultural significance for the people.

Research in GNI and similar places across the world show how habitat alterations can increase human-wildlife conflict, adversely affecting the populations and health of the animals and leaving them

vulnerable to fatal injuries from territorial fights. The development project is likely to further displace the macaques, thus adding to the number of negative interactions with people. They will be exposed to harmful effects of development like pollution and loss of shelter and natural food sources and become more dependent on human food. According to a 2016 study, the approved construction work is likely to result in 70 per cent of the 36 troops of macaques on the island losing their territories.

Another flagship species from GNI is the Nicobar megapode (*Megapodius nicobariensis*), a medium-sized scrubfowl species found only in a few Nicobar islands. Their largest population is in GNI. The Nicobar megapode is unlike any other bird in having a fascinating reproductive biology. Known as “temperature birds” locally, they collect soil, sand, leaf litter, and other debris from coastal forests to build “mounds”, which can be up to four-feet high, to hold their eggs until they are ready to hatch. Two or three pairs of megapodes maintain the mounds, ensuring that the eggs remain at the perfect temperature inside the soil. As vast stretches of forests from Galathea Bay and the GNI UNESCO Biosphere Reserve are proposed to be chopped down to make way for new roads and infrastructure, the historically invaluable habitats of these birds face destruction. Preliminary constructions have already encroached upon their breeding grounds, forcing them to abandon their mounds. Over two-thirds of the total number of megapode nests in GNI will be permanently damaged.

#### MANGROVES IN DANGER

GNI has a coastline of 202 km, most of which is lined by mangrove communities which grow in clusters, including the endemic *Pandanus* (screwpine). These thick belts of mangrove trees form a natural barrier against calamities like cyclones and tsunamis while supporting coastal and estuarine life including crabs, waterbirds, and saltwater crocodiles and providing a safe refuge for fish and marine animals in the early stages of their growth. They are also important for the local fisher community since they play a role in replenishing the fish population. If expansive swathes of these littoral mangroves are lost, the island will become more vulnerable to natural disasters. There will also be considerable loss of the coral reefs along the island’s coastline with the planned constructions claiming over 298 hectares of the adjoining sea bed. GNI will see a rapid decline in marine biodiversity.

GNI is currently a sea turtle nesting hotspot: five to six species emerge from the seas annually



PANKAJ SEKHSARIA

**FIDDLER CRAB**, Joginder Nagar, Campbell Bay.

during their winter breeding months to lay eggs along the coast. They instinctively return to the beach of their birth to lay eggs; however, they will reject a nesting site if it is no longer safe or if it is fraught with disturbances. The construction of an international terminal along the turtles’ prime nesting habitat will pose severe challenges to their survival. Sustained coastal disturbances could permanently deter sea turtles from using the island for breeding in the future.

#### SHEER FOLLY

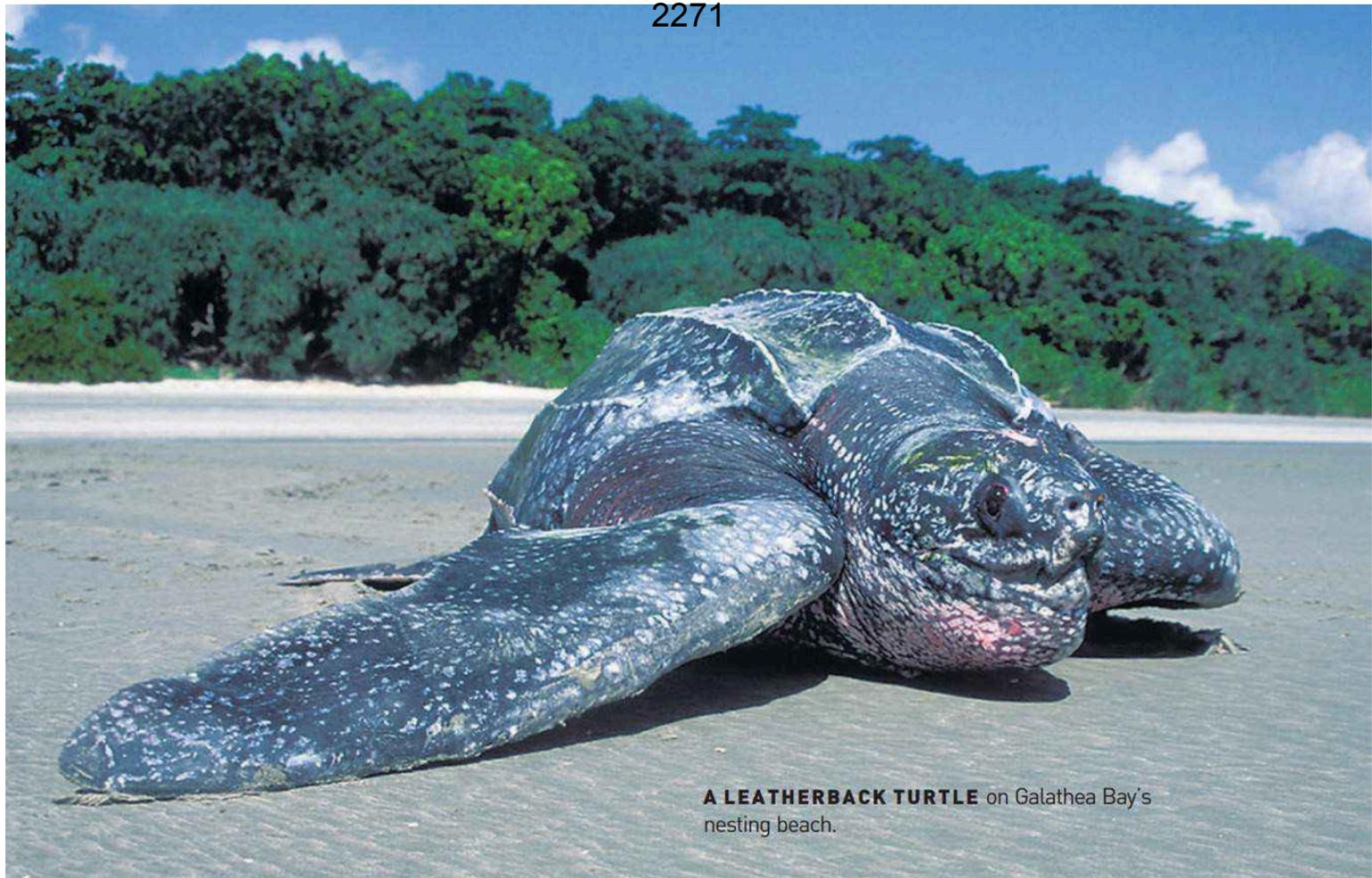
An estimated 8,52,245 trees are to be cut down in GNI’s prehistoric rainforests. This has given rise to serious concern among academics, wildlife conservationists, and human welfare activists. The forests are home to rare flora and fauna, including the Nicobar crested serpent eagle, the Nicobar pigeon, the Nicobar treeshrew, the Nicobar sparrowhawk, the Andaman crested serpent eagle, the Nicobar imperial pigeon, and many more. Having evolved in the relatively undisturbed forests of tropical Nicobar, they are unlikely to be able to adjust to the drastic changes coming their way.

In a land still recovering from the effects of the 2004 tsunami, a project of this scale



RESHMA P.B.

**A NICOBAR LONG-TAILED MACAQUE** with infant.



**A LEATHERBACK TURTLE** on Galathea Bay's nesting beach.



BY SPECIAL ARRANGEMENT

**THE FORESTS** are home to rare flora and fauna such as the Nicobar tree shrew.

and magnitude without scientific backing or well-placed mitigation measures is sheer folly. An EIA report from 2022, conducted by a Hyderabad-based laboratory, put forth superficial mitigation plans to offset the destruction caused by the project. These consisted of suggestions to translocate the macaques to surrounding islands, planting more trees, and designating areas for turtle nesting. The schemes are not only inadequate but also likely to have unintended consequences in the areas where they are attempted. Further, in the absence of clear protocols or funding for the mitigation measures, they sound unconvincing. Members of the Environmental Appraisal Committee of the Ministry of Environment, Forest and Climate Change; tribal welfare groups; anthropologists; social scientists; ecologists; and marine biologists have all raised objections, which are backed by evidence-based arguments.

On GNI, about 8,000 people (its population) and an incredibly diverse flora and fauna are packed into a tiny space brimming with potential—for learning, growth, and responsible development that benefits the inhabitants instead of harming them. This potential should not be abused. Rather, it should be valued and preserved carefully. □

*Ishika Ramakrishna is a researcher, writer, podcaster, and dancer. She is currently a doctoral fellow at the Centre for Wildlife Studies researching human-nonhuman primate interactions.*

## COVER STORY

# Whose land is it?

The Shompen and the Nicobarese, who inhabit Great Nicobar, say they were **lied to at the public hearing** for the project. Although assured that they would go back to their traditional lands and forests, they have been confined to the temporary camps that were created after the tsunami. BY AJAY SAINI

ON A HOT SUMMER DAY IN 2014, FRANCIS, the captain of Daring village in the remote Nicobar archipelago, led me to a hut where an old Nicobarese *minluana* (spirit healer) sat amidst several *kareau* (carved ancestral statues), *henta-koi* (carved ritual figures), and women and men. Minutes later, Tinfus, in a soft, wavering voice, explained to me how *kareau* had always protected his people and islands from evil spirits. But since 2004, “Nicobar is dying.” The culprit was the top-down tsunami aid, the aftermath of which, the *minluana* prophesied, would ruin generations of Nicobarese. Tinfus rued the unravelling of an age-old community. Suddenly, mid-sentence, he broke down in tears.

Last November, Tinfus’s prophecy echoed in my ears as I learnt that the Ministry of Environment, Forest and Climate Change (MoEFCC) had granted in-principle permission for the diversion of 130.75 sq km of forest in Great Nicobar for a Rs.72,000-crore mega project that includes a port, an airport, power plant, and township.

Ecologists, anthropologists, and domain experts have called it an impending ecological disaster. ‘Save Nicobar’ (a citizen’s movement) is mounting people’s support and solidarity to save the island. Hundreds of concerned citizens have sent an email petition to the MoEFCC, requesting project withdrawal. The island’s indigenous people, whose traditional habitats and worldviews the mega project imperils, are also frantically trying to have their voices heard. Amidst all this chaos, the juggernaut of the mega project continues to move at lightning speed disregarding every concern.

## STANDING UP FOR ANCESTRAL LANDS

In January 2022, the Andaman and Nicobar Pollution Control Committee conducted a public hearing, inviting people’s “suggestions”, “views”, “comments”, and “objections” on the mega project before the MoEFCC took up the case for environmental clearance. Besides other stakeholders in Great Nicobar, members of the tribal council of Little and Great Nicobar Islands also participated in it and verbally expressed their concerns. “They

told us that the project is most essential for the country’s and the island’s development. We said that we don’t have any problem with the project as long as it does not harm our traditional lands and resources. They assured us, repeatedly, that it won’t,” a tribal council office-bearer told me.

Later, the Nicobarese discussed the issue with the local administration in detail and discovered that the government plans to utilise the “vacant” land (traditional lands of the Nicobarese and the Shompen) in Great Nicobar for the project. “They lied to us in the public hearing. The project will eat several of our pre-tsunami villages,” despaired a Nicobarese village captain. The tribal leaders immediately met to discuss the issue and took a collective stand that they conveyed to the local administration—“we won’t part with our ancestral lands.”

## ‘HELPLESS’ AND ‘ABANDONED’

Great Nicobar is a traditional habitat of two historically isolated indigenous communities—the Shompen and the Nicobarese—who were the sole inhabitants of the island until 1980 when the government set up seven revenue villages here, settling 330 ex-servicemen families (settlers). These three communities together constitute a population of 8,367 (Census 2011) in southern Nicobar, an archipelago comprising Great Nicobar, Little Nicobar, and other small islands.

The Shompen, enumerated 245 in 2022, is a particularly vulnerable tribal group (PVTG) that relies on hunting and foraging for its sustenance, besides some

In 2011, against their wish, the shelters were made permanent, making them internally displaced people.



COURTESY OF ANTHROPOLOGICAL SURVEY OF INDIA

horticulture and pig rearing. Around 1,200 Nicobarese currently inhabit southern Nicobar; a large number of them live in Great Nicobar with almost negligible livelihood opportunities. Before the tsunami, they inhabited over 30 villages pursuing a subsistence economy based on the principles of cooperation, sharing, and reciprocity. Their primary livelihood activities included fishing, hunting-gathering, pig and poultry rearing, and horticulture of coconut and areca nut.

The cataclysmic tsunami of December 2004 ravaged Nicobar, claiming 3,449 lives, according to the official count (10,000 or around one-third of the Nicobarese community, as per independent researchers' estimates). The majority of the Nicobarese in Great Nicobar, who lived along the coasts in the south-east and south-west regions, died. The government evacuated the surviving indigenes and relocated them in relief camps/intermediate shelters at New Chingeh and Rajiv Nagar (Campbell Bay, Great Nicobar). Soon, the Nicobarese expressed

**GREAT NICOBAR** is home to two isolated indigenous communities—the Shompen and the Nicobarese—who were the sole inhabitants of the island until 1980 when the government set up seven revenue villages here. In picture, a rare shot of the Shompen, who are primarily fishers and hunter-gatherers.

their willingness to go back to their pre-tsunami villages. But the government kept them in these shelters for six years. In 2011, against their wish, the government allotted permanent shelters to the Nicobarese at these sites, making them internally displaced people (IDPs).

In the past 17 years, the internally displaced Nicobarese have repeatedly requested the government to reunite them with their pre-tsunami ancestral homeland. Of late, they were particularly heartbroken to learn that their traditional habitats, along with their neighbours' (Shompen), are now seen as "vacant" lands that projects and outsiders can easily grab. In August 2022, the dis-

tressed tribal council sent a petition to the Union Territory's Lieutenant Governor stating its people's plight thus: "We feel helpless and abandoned and are extremely anxious about our future. By continuing to stay at Rajiv Nagar (and New Chingenh), we will lose our ancestral homeland, our bona fide ownership of plantations, fishing grounds, and spaces for our populace to grow back."

The displaced Nicobarese living at Rajiv Nagar (28 families) and New Chingenh (28 families, two Shompen families) pleaded with the local administration to facilitate their relocation to their pre-tsunami villages "at the earliest". They also sent the petition to the President of India, the Prime Minister, the Ministry of Home Affairs, the Ministry of Tribal Affairs, the MoEFCC, the Ministry of Social Justice, and the National Commission for Scheduled Tribes among others. However, their petition has not elicited any response yet.

#### LOST IDENTITY

I first visited Nicobar in 2011 to study the post-tsunami sociocultural changes and land conflicts. That was the year the Nicobarese were slotted into permanent shelters. During my field work in Great Nicobar, I would always pose the question: with limited opportunities available for earning a livelihood, what would happen to the Nicobarese in Rajiv Nagar and New Chingenh once their compensation money was exhausted? I distinctly

In the Nicobarese cosmology, all living and non-living entities are part of a single, spiritual, moral, and regenerative system.

remember two responses. "They will return to their pre-tsunami villages," said the late Paul Joora, the former chairman of the tribal council. "They will join the ranks of labourers. What else will they do?" said an administrator, quite matter-of-factly.

The Nicobarese now eke out a living by daily labour, *mazdoori*, something that has never been a part of their culture. They are unable to go back to their homelands on their own as the region lacks facilities. "We badly wish to go. But the government won't provide us any amenities there. How will kids and sick people survive? And what about those who attend schools here?" said a father of two. To understand the concerns of the Nicobarese of losing land to the mega project, one just needs to look at how separation from their pre-tsunami villages has unravelled their society.



PANKAJ SEKHSARIA

**MEMBERS OF THE SHOMPEN COMMUNITY** staying in intermediate shelters in the aftermath of the earthquake and tsunami in December 2004. Originally from the Nicobarese settlement at Chingenh, adjoining Galathea Bay, they have been asking to go back to their original habitation and have been steadily refused.

These are quotes from the petition they addressed to the Lt Governor in August 2022:

“A community with lost identity, customs and values.... Poverty-stricken, living in substandard physical conditions... extremely unhygienic and not conducive to the life we desire for ourselves or our children.... Prying gazes, dismissive and insensitive attitudes and jarring ridicules.... Non-Nicobarese people... often exploit our members socially and economically, and discriminate us due to our tribal identity.... We are unable to perform various rites, rituals and festivals.... We feel pressured to adopt ways (garments, diet, outlook) alien to us.... Feel exposed, insecure and indoctrinated.... Our children are culturally and socially deviant and unable to understand our traditional ways nor can they cope with the influx of mainlanders and the mindless cut-throat competition they bring with them.... Rampant obesity, coronary heart disease, cirrhosis, arthritis, osteoporosis, chronic kidney failure, hypertension, diabetes.... We feel depressed, let-down and pained by the prevailing conditions and sincerely desire positive change.”

What the indigenes crave is the deep spiritual bonding they share with their homelands. “We miss our villages, but they will also be missing us,” Paul Joorra once told me. In the Nicobarese cosmology, all living and non-living entities are part of a single, spiritual, moral, and regenerative system. Death, in their worldview, is the perpetuation of life in a different form. But separation from land is an irreparable loss. “I visited my ancestral village twice this year. Around 500-600 of us once lived there, but only 65 survived. I thought about those whom the tsunami took away from us. But I had no regret except that we cannot live on that land any longer,” said a Nicobarese. Sundered from their lands, culture, traditions, festivals, and unique worldview, the Nicobarese perpetually feel sad and empty inside. But only a few can express it in words. “We may seem alive but deep inside

we are all dead people,” an elder of Nancowry once said.

The “holistic development” that the mega project envisions for Great Nicobar will only compound the problems of the Nicobarese. The influx of lakhs of people will rob the island of its biodiversity and resources, further pushing the indigenes to the margins. The history of the PVTGs in the Andamans warns us that the mega project will mark the beginning of the end for the Shompen.

The minutes of the Expert Appraisal Committee held on May 24-25, 2022, records an absurd statement. “The project will not disturb or displace any Shompen/Nicobari tribal or their habitation,” but says in the same breath that “the Shompen will be eligible... for compensation for the loss of their habitat (if any).” It is a foregone conclusion that a sudden flow of cash in a subsistence economy leads to disastrous consequences, of which the Nicobarese are the nearest example. Besides, the families of the Shompen living at New Chingenh have already spoken their mind—they wish to be reunited with their ancestral lands.

#### COLONIAL RATIONALITY

The way the mega project is being rammed down indigenous people’s throat shows the government’s mentality, which is rooted in colonial rationality. A colonial A&N (Land Tenure) Regulation of 1926 had asserted that: “All land in the Andaman and the Nicobars is vested absolutely in His Majesty.” In 1966, the government attempted to implement a Regulation in the Nicobar that would have entirely stripped the indigenous people of their traditional lands and resources. The 1966 Regulation cloned the colonial spirit by replacing two words—“His Majesty” with “the government”.

Invoking the 1966 Regulation, an officer in April 1971 had warned two Chief Headmen in Car Nicobar, “All ‘vacant’ lands belong to the government, and it can take up any piece.” What the officer’s untrained eye perceived as “vacant” land had a pertinent purpose in the Nicobarese traditional system of managing their commons. That year, the stalwart Nicobarese leader, John Richardson, politely gave a history lesson to the Union Territory’s Chief Commissioner. “Sir, every bit of land [in Car Nicobar] is owned by the natives even from the beginning even before the British claimed the island for India. Since creation by god it is owned by the natives.” K.K. Mathur, in his book *Nicobar Island* (1967), offers some context: “The forest area, the pools in the interior, the beaches and even the seabeds which are exposed during low tides are divided among different families.”

The mega project is determined to axe over eight lakh trees in Great Nicobar. The government should remember an ancient tradition which dictates that “in Great Nicobar before attempting to cut down a single tree in the jungle... permission is always obtained from the Shompen.” □

*Ajay Saini is an assistant professor at the Indian Institute of Technology Delhi. He works with remote indigenous communities. The views expressed are personal.*



THE HINDU ARCHIVES

**AROUND 1,200 NICOBARESE** currently inhabit southern Nicobar. The tsunami ravaged the island, claiming 3,449 lives, or around one-third of the community.

## COVER STORY

# ‘Limited intervention was in the best interest of the islands’

Interview with **Ritwick Dutta**, environmental lawyer.

BY **ANUSUA MUKHERJEE**



H. VIBHU

RITWICK DUTTA, AN AWARD-WINNING LAWYER specialising in environmental issues, is also an activist, author and educator. Legal Initiative for Forest and Environment (LIFE), the environmental law advocacy group co-founded by him, received the Right Livelihood Award in 2021 for its “grassroots approach of empowering vulnerable communities to protect their livelihoods and claim their right to a clean environment.”

The Ashoka Fellow has been involved in litigation on issues relating to environment and forest clearance for years. He and his team have created a database of Environmental Impact Assessment (EIA) reports so that they can be examined minutely and their implications for affected communities can be understood fully. Dutta and

Rahul Choudhary, co-founder of LIFE, have gone on record saying their aim is “power in the hands of the people”. Excerpts from an interview.

**You have dealt with the Andaman and Nicobar administration when you were involved with litigation relating to the Andaman Trunk Road. What environmental challenges are the islands facing?**

My involvement with the Andamans dates back to the beginning of my legal career when I was part of a Supreme Court litigation against large-scale felling of trees for timber on the islands. The case was filed by Society for Andaman and Nicobar Ecology (SANE), Kalpavriksh, and Bombay Natural History Society (BNHS). The is-

lands today face a multitude of environmental issues ranging from forest degradation to unplanned and unrestricted development to meet the demands of the tourism sector. Marine plastic pollution has emerged as a major cause of concern which is not easy to solve given that the bulk of the plastic waste originates not from the islands but from Malaysia, Indonesia and Thailand, among other countries.

Above all, climate change makes the islands particularly vulnerable to sea level rise, tropical cyclones, and increase in sea surface temperature. These are already having a profound impact. The Andaman and Nicobar islands is the only place where an entire wildlife sanctuary had to be denotified by the government two years back because it was fully submerged by the 2004 tsunami.

**How has the government policy changed with regard to environment in the last three decades? There was a time when the administration discouraged visitors and demanded special permits. Have things changed under the present regime?**

The islands once followed a hands-off approach with regard to their ecologically sensitive areas. This has given way to an intensive intervention approach wherein holistic development is seen not in terms of protecting the ecological integrity of the islands but in terms of changing the ecological character of the islands. What we are witnessing is a new wave of intervention which could put the islands at risk. We must not forget that the Andaman and Nicobar islands have tribal communities which are the only ones in India that truly qualify as “indigenous”. The policy of limited intervention from cultural and environmental standpoints was in the best interest of the islands given the fact that opening up and clearing pristine areas are going to make the islands more vulnerable to climate change.

**What is the government planning to do on Great Nicobar Island (GNI)?**

GNI, the southernmost island in the Andaman and Nicobar archipelago, has been chosen for “holistic” development to be undertaken in three phases. The overall plan aims to use around 244 square kilometres, of which 166.10 sq km has been targeted for Phase I. The majority of this area is composed of pristine forests and coastal ecosystems. The project will cover roughly a quarter of the island’s shoreline and almost 18 per cent of its total

Planting trees in Haryana will not compensate for the loss of ecosystem services rendered by the more than eight lakh trees to be felled for the project.



**“THE CLEARING**  
of pristine forest  
areas will make  
the islands more  
vulnerable to  
climate change.”

area of 910 sq km. It includes a deep berth port (with ancillary areas for an international transshipment terminal) as primary component, along with power generation and distribution networks, a township and an airport as interlinked projects.

Though the inclusion of an area of 244 sq km or 166 sq km for holistic development may seem small compared to the whole of the Andaman and Nicobar islands (only about 2 per cent of the total area), it is nearly 18 per cent of the total area so far as the GNI is concerned. Besides, the ecological footprint is not going to be limited to 18 per cent. At the very least, the diversion should have been limited to projects related to defence and related activities.

**There is a process to be followed when it comes to granting environmental clearance. Has it been strictly adhered to in this case?**

The environmental clearance process requires prior



studies before the granting of approval. Unfortunately, in the present instance, most of the studies with respect to the impact of the project are to be carried out *after* constructions have commenced. This is completely against the precautionary principle. The GNI is a crucial habitat of the leatherback turtle, olive ridley, hawksbill and green turtle. The Supreme Court has highlighted the need for a “species’ best interest standard” and an “eco-centric approach” while dealing with flora and fauna. Yet, the EIA report admits that detailed studies on the likely impact on the endemic Nicobar megapode is yet to be done.

It is pertinent to point out here that the Wildlife Institute of India has sought for intensive research on leatherback turtles and its movements to methodically create site-specific mitigation strategies and suggested a 10-year roadmap for its implementation. At the same time, it says that the project may go on.

The most problematic aspect of the approval is that it marks a fundamental shift in the approach towards the

protection of forests in the country. The policy till now has been to limit forest diversion for site-specific projects. Further, as a matter of policy, forestlands were not diverted for agriculture or housing. But in the present instance, the bulk of the diverted project area is going to be used for tourism and recreation, which include areas for commercial tourism and hospitality, housing, commercial coastal tourism and ecotourism.

**Are any or all of these proposed projects strategic or defence related? Are specific clearances required for such projects?**

There are projects related to defence which are essential in terms of national interest and have to be set up keeping in view strategic considerations. Of the total project area of 166 sq km, about 20 sq km is for defence-related projects. However, these projects are also subject to approval under environmental regulations which include Wild Life (Protection) Act, 1972, Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986, among others. The need for environmental and other clearances does not mean that projects are not to be allowed: all it means is that they must be subjected to careful ecological studies in order to assess their likely environmental impacts. It is important to point out that if the activities are limited only to 20 sq km for defence and related activities, the ecological footprint will be quite minimal. It is the non-defence component related to tourism, housing and commercial development which is problematic.

**The government has said that it will compensate for the tree loss in GNI by carrying out compensatory afforestation in Haryana. What do you think about this?**

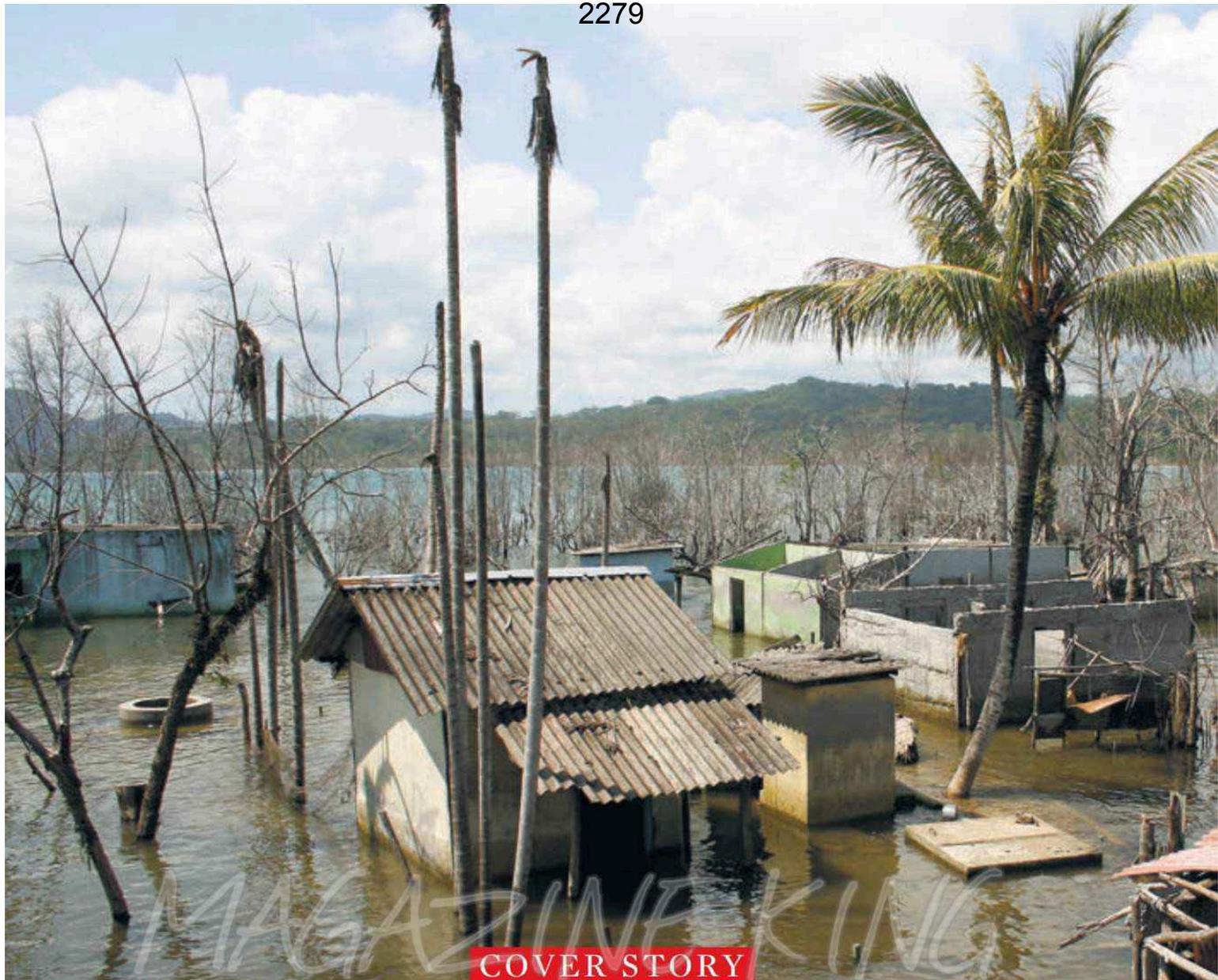
The decision of the government to compensate for the loss of the forest in GNI by carrying out compensatory afforestation in Haryana needs to be understood holistically. First, the government is right in concluding that no compensatory afforestation can be carried out in the GNI or other islands for the reason that all areas in GNI are already dense forests and the law prohibits compensatory afforestation in such spaces since no purpose is served by planting more trees in densely wooded areas.

At the same time, planting trees in Haryana will not compensate for the loss of ecosystem services rendered by the more than eight lakh trees to be felled for the project. These trees serve ecological and social services in the area where they exist. Even assuming that more than 16 lakh trees are planted in Haryana, it will in no way reduce the impact of tropical cyclones on the coasts of GNI.

It will be good if the government accepts that the loss of forest and natural ecosystem is irreplaceable in the same way that no amount of compensation or technological intervention can make a dead person alive.

**How closely are you involved with the current project?**

My involvement is only limited to the legal analysis of the process leading to the granting of forest and wildlife clearances. □



# Reckless venture

The government has thrown all caution to the wind while assessing the **risk of infrastructure development** in the earthquake-prone area of Great Nicobar Island.

BY **JANKI ANDHARIA, DR V. RAMESH & DR RAVINDER DHIMAN**

THE UNITED NATIONS CLIMATE CHANGE Conference COP27 agreed that developed countries would provide finances for the recovery and rebuilding of poorer countries affected by climate-related disasters. European countries pledged more than \$300 million.

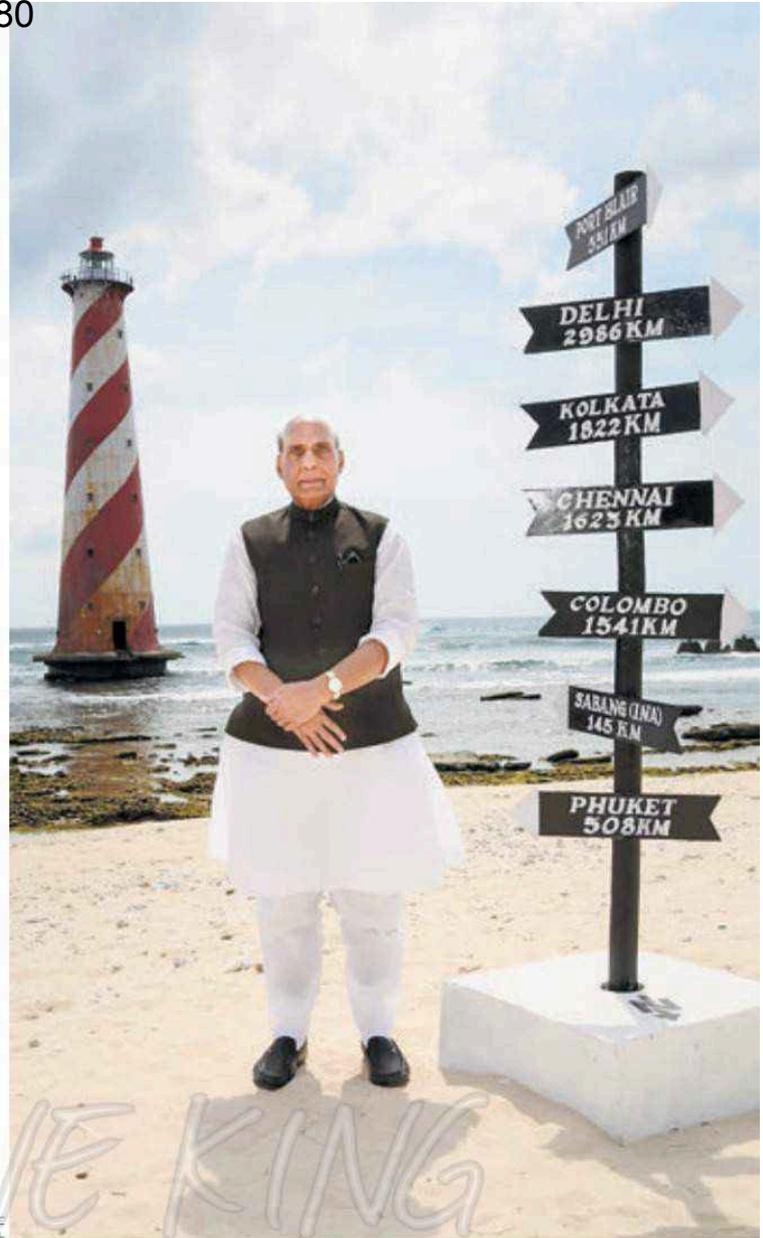
However, several questions need to be addressed with regard to creating institutional arrangements and governance mechanisms. One of the vexed questions pertains to the selection of sites for new infrastructure

and development projects in hazard-prone areas.

The internalisation of risk assessment in proposed projects remains very poor in most developing countries, where disaster consciousness is low, especially among project proponents and Ministries that grant clearances to projects. Many so-called development projects create new risks or exacerbate existing ones. This points to the need to establish critical linkages between development, disasters, and climate change. In academic terms, although these



PANKAJ SEKHSARIA  
PTI



**SUBMERGED PARTS** of Campbell Bay, a February 2006 picture. The Andaman–Nicobar region is extremely prone to natural disasters because of its geological location.

linkages are well-established, governance and decision-making within most line departments continue as usual, oblivious of climate change or disaster risk.

The proposed projects in Nicobar district serve as an example. These include an international container transshipment terminal, a greenfield international airport, a gas-based power plant, and a township complex spread over 166 sq km of pristine coastal systems and tropical forests. It is also expected that 6.5 lakh people will finally inhabit the island, whereas the current population is only 8,500 at Great Nicobar; the total population of the island chain across 1,000 km is less than 4.5 lakh.

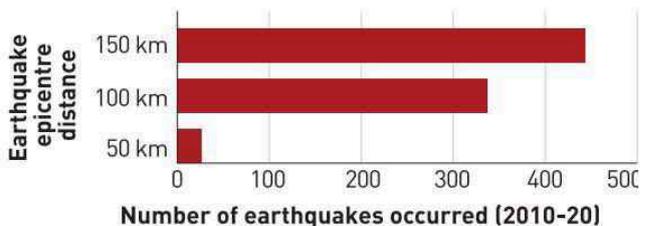
Environmentalists and those familiar with the islands raised several objections and red flags when feedback on the project was invited, but all of these have been disregarded by deflecting key concerns.

While the draft environment impact assessment (EIA) records the occurrence of earthquakes in this re-

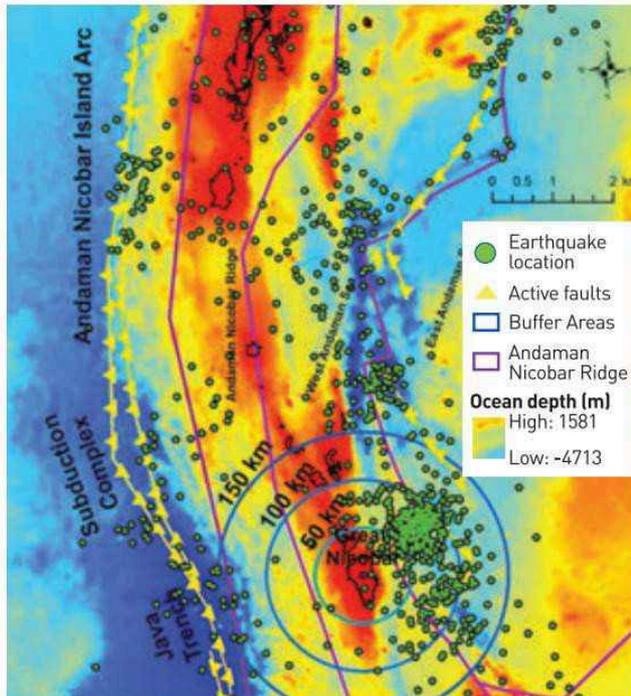
**DEFENCE MINISTER** Rajnath Singh at Indira Point on January 6. The coastline has seen a subsidence of nearly four metres, as the lighthouse surrounded by water shows.

gion at several places, the risk assessment element is missing in it, stating only the mechanisms for disaster response. A risk analysis was therefore strongly recommended before proceeding with the proposed projects with an estimated investment of Rs.72,000 crore.

The authors pointed out in a letter to the authorities that according to scientific evidence based on a simple



**THE NUMBER OF** earthquakes that occurred within 50 km, 100 km, and 150 km from the centre of Great Nicobar Island.



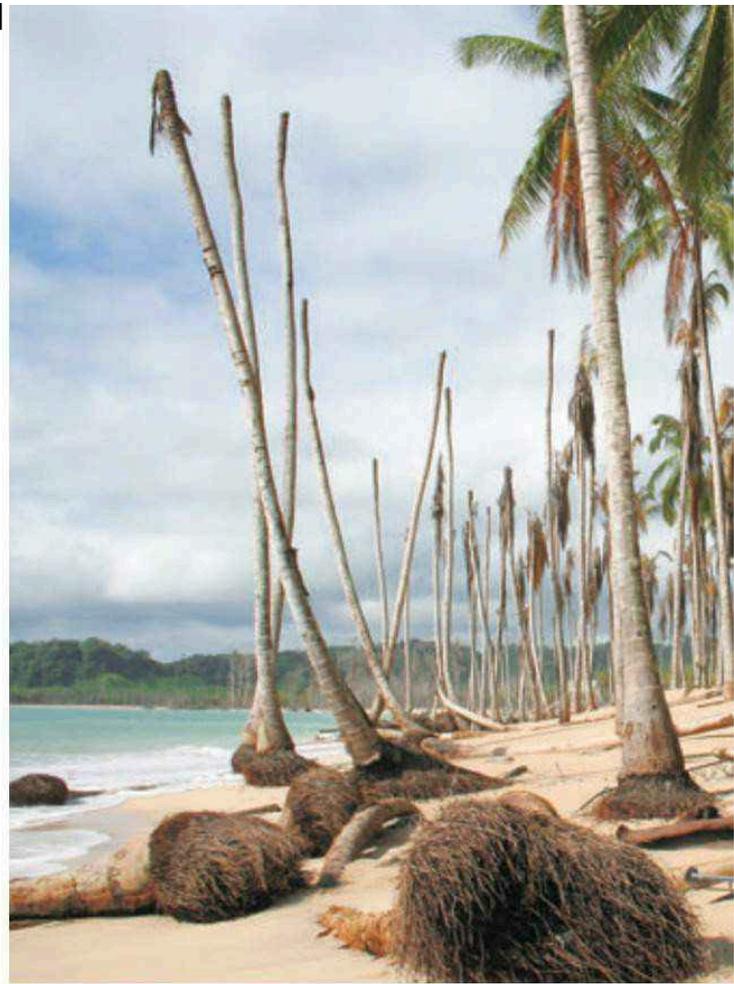
**EARTHQUAKE EPICENTRES** with oceanic elevation in the Andaman-Nicobar region in the past decade (2010-20). The blue circle indicates the epicentres' distance from the centre of Great Nicobar island. The yellow and violet lines denote active fault lines and subduction zones, and minor plate boundaries, respectively.

analysis of the seismic activity in the region, the proposed container terminal would be located at a site that experiences about 44 earthquakes every year (444 earthquakes in the past 10 years). In view of the instability of the island and the surrounding region, the project in its current form needs to be reconsidered. Should another major quake take place, the entire public investment on infrastructure would be at risk and the resultant oil and chemical spill would cause a major environmental disaster in an area that is renowned globally for its unrivalled biodiversity on our planet.

The letter reminded the government that the lighthouse at Indira Point, the southernmost tip of Great Nicobar Island, which was on high ground before the undersea earthquake of 2004, is now under water, indicating a land subsidence of about 4 metres.

### SEISMICALLY ACTIVE

The Andaman-Nicobar region is extremely prone to natural disasters such as earthquakes because of its geological location. The region located in the Himalayan collision zone is in the highest seismic-hazard zone (category V). The Andaman-Nicobar subduction system, which runs north-south, meets its onshore continuation, the Indo-Burmese arc (17-278 N), in the north. Scientists (Aswini et al., 2020; Li et al., 2008, Singh and Moeremans 2017) have demonstrated that the Indo-Burmese range, which lies at the intersection of the Sumatra-Andaman and Indian subduction zones, is structurally



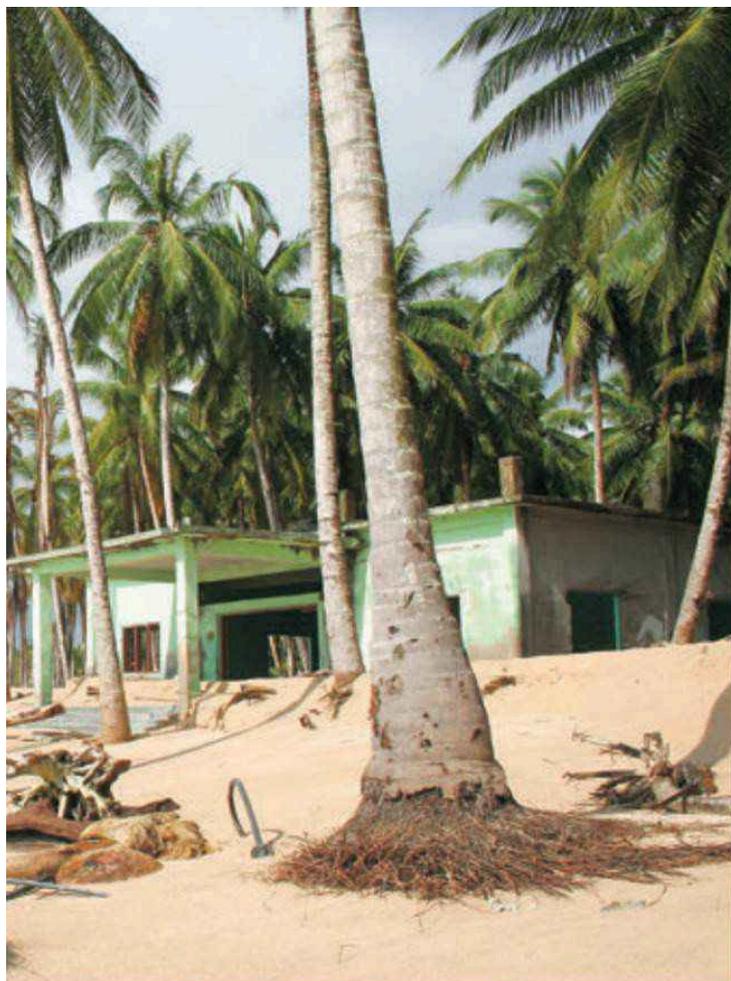
**THE SUBMERGED** coastline at Joginder Nagar, 11 km south of Campbell Bay. Many so-called development projects create new risks or exacerbate existing ones in hazard-prone areas.

complex and seismically active to depths of about 150 km.

In addition, the island has a heavily folded topography with a few longitudinal thrusts and a number of diagonal wrenches, or faults. Most of the valleys in the central part of the Great Nicobar region are attributed to fault lines (Curry, 2005). Therefore, the region experiences significant-damaging non-tsunami and tsunami earthquakes (Mishra et al., 2007).

According to data from the United States Geological Survey (USGS), 442 earthquakes occurred with a magnitude of 4.0 to 6.6 within a 150 km radius from the centre of the island between 2010 and 2020, resulting in an average rate of more than 42 earthquakes/year (USGS, 2010-2020). Most of the earthquakes (more than 80 per cent) occurred near the intersection of the Eastern Margin Fault (EMF), Diligent Fault (DF) (right lateral-fault), Andaman-Nicobar Fault (ANF), Great Sumatra Fault (GSF), and West Andaman Fault (WAF) as well as along the southern margin of the 'east and west Andaman sea' plate boundaries, which is located on the eastern side of the islands at close proximity to the site where the container terminal is proposed.

An earthquake's destructive potential is proportional to its energy. Most of the earthquakes originate in the margins of Great Nicobar Islands, and the epicentre depth and magnitudes range from 10-89 km and 4.0 to 6.6 mb



PANKAJ SEKHSARIA

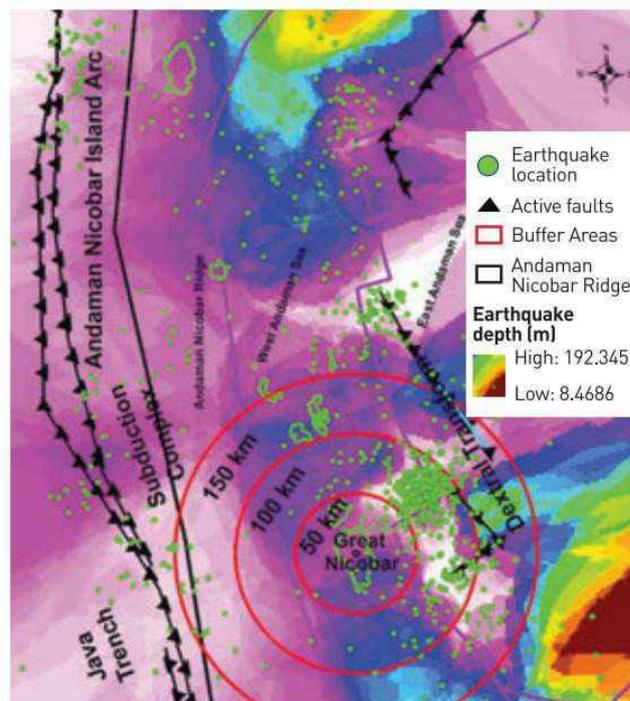
(body wave magnitude), respectively. Most of these seismic events consist of magnitudes ranging from 4.0 to 6.6. Earthquakes with magnitudes larger than 5.0 can potentially cause massive damage to infrastructure.

More than 80 per cent of the earthquakes originate within 100 km in the eastern margin in the Great Nicobar region, which might damage any infrastructure development significantly. Shallower earthquakes were also observed within a 100-km radius of the Great Nicobar region. According to USGS data, the increase in induced seismic activities in 2010-20, the potential for shallower origins and greater magnitudes should all be a matter of serious concern to officials responsible for public safety and welfare and those responsible for proposing such a large investment. The earthquakes can be potentially damaging and the country should certainly look into the nature and form of infrastructure and its design in that area.

Therefore, the recent increased rate of induced seismicity in Great Nicobar Islands points to the need for a systematic investigation into the very idea of a container terminal, the safety of the infrastructure, potential economic losses, and the environment damage caused by a large earthquake or a tsunami. The possible risks need to be factored in while considering any infrastructure development in the region.

### RE-EVALUATE DISASTER RISKS

It is necessary to systemically re-evaluate the disaster risks involved in infrastructure development plans proposed by NITI Aayog for the Great Nicobar Island.



**EARTHQUAKE CENTRES** with their depth (km) in the Andaman-Nicobar region in the past decade (2010-20).

We hope due attention will be paid to this aspect of possible damage and destruction of national property that could be caused by future earthquakes, volcanic eruptions, and tsunamis, especially when India has taken the lead in establishing a global Coalition of Disaster Resilient Infrastructure (CDRI). The obvious and logical action would be to undertake systematic risk assessment in order to undertake an analysis of whether the benefit accrued through this mega investment is worth the risk.

Strangely, the response of the project proponent was:

1. That all the structures for the development will adhere to the relevant standard codes to make them earthquake proof.
2. Detailed disaster management plan (DMP) in the event of an earthquake/tsunami (disaster).

Following building codes is one thing, but going ahead and building on a fault line is reckless.

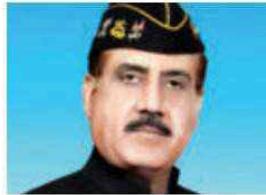
Clearly, the caution that should be exercised on the basis of scientific evidence seems to be lost, as there is no mention anywhere in the project of risk assessment, risk of climate change, or risk of tsunami and earthquakes in the region.

It is apparent that the government of India continues to be response-centric while repeatedly claiming to have shifted the paradigm towards prevention and mitigation. None of the projects seem to be risk-informed, and the government's claims ring hollow as public funds are invested in areas prone to severe hazards. □

*Janki Andharia is Professor at the Jamsetji Tata School of Disaster Studies (JTSDS), Tata Institute of Social Sciences (TISS), Mumbai. Dr V. Ramesh is Assistant Professor at JTSDS, and Dr Ravinder Dhiman is Chairperson, Centre for Geoinformatics.*

## COVER STORY

## GUEST COLUMN



AJAY KUMAR SINGH

# Hasten but with care

The Andaman and Nicobar Islands need development, but it should not come **at the cost of its unique ecology** and people.

THE ANDAMAN AND NICOBAR ISLANDS ARE one of India's key assets both in terms of strategic location and natural bounties. So far, we have endeavoured to preserve the islands through a policy of protectionism that is articulated through environmental restrictions and regulation of their societal and economic affairs. This policy has worked well to preserve the pristine nature of the islands as well as its avowedly nationalist citizens in a state of equilibrium. However, times have changed, and in step with the rest of the country, people of the islands now aspire to benefit from the government's development initiatives.

The islands, being located close to South-East Asia, have the potential to strengthen India's Look East-Act East policy. The Andaman and Nicobar Islands constitute just 0.2 per cent of India's landmass but account for 30 per cent of the country's 200-nautical-mile Exclusive Economic Zone (EEZ). The past decade has seen the arrival of new technologies which make it possible to harmonise progress with nature. This period also witnessed the rising geo-strategic importance of the islands. All-round progress of the islands is, therefore, a desirable goal.

I have travelled extensively all over the islands, visiting even the remotest areas. In my understanding, the Andaman and Nicobar Islands have four centres of gravity: the strategic nature of the islands, the people and their aspirations, the environment, and the original inhabitants, particularly the vulnerable tribes. If all these four centres are in harmony, nobody can stop the islands' progress. So, let's examine each of these aspects, their current status, and desirable future.

The Andaman and Nicobar islands, which stretch over 750 km in the Bay of Bengal, give India a tremendous

reach. They give India a commanding position over the Sea Lines of Communication (SLOCs) and the considerable traffic that flows to and fro between the Indian and Pacific Oceans through the Malacca Strait.

## STRATEGIC AND SECURITY ISSUES

Their strategic location enables India to play an important role in the region, both in disaster situations (as during the tsunami of 2004) and in dealing with maritime security threats. With these islands as their base, India in concert with other countries can be a net security provider to the region and the SLOCs. Fortunately, the basin countries of the Andaman Sea have resolved most of their issues amicably and the maritime boundaries are well delineated. This is in sharp contrast to the disputes that arise in the South China Sea; maybe there is a lesson for them based on the Andaman Sea resolutions.

Peacetime threats and challenges arise from illegal migration and human trafficking, poaching and subversive threats from the seas, which, though not very pronounced, cannot be discounted.

The security responsibility of the islands lies with the Andaman and Nicobar Command established in 2001, the Coast Guard, and the Andaman Police with its small maritime component. All these organisations are being strengthened as per a long-term Capability Development Plan based on infrastructure augmentation and force accretion. The security of the islands has to be a mix of human and technological surveillance to keep the vast coastline and uninhabited islands under constant check. There have been some issues with respect to environmental clearance for radar sites, especially at the Narcondum extinct volcano and on the west coast in tribal

areas, but I believe these have been resolved amicably. The disaster alert system is well-matured and has been incorporated into a regional framework.

#### DEVELOPMENT VS ENVIRONMENT

After Independence, the islands saw an influx of settlers, job-seekers, labourers, and migrants that has created socioeconomic problems periodically. The high cost of living, lack of employment opportunities, distance from the mainland, and social issues have led to a sense of negativity among the islanders. There is a tendency to view every development initiative with a sense of suspicion and fear. The spirit of free enterprise so essential for development is lacking in the islands.

During my tenure as Lieutenant Governor of the islands from 2013 to 2016, my vision was: “Promote sustainable and inclusive growth while being sensitive to the fragile ecosystem and the concerns of our indigenous tribes.” Health and education received major attention, with almost 18 per cent of our budget earmarked for them. We established a medical college despite manifold challenges within one year, with the Central government’s backing. One of the first medical insurance schemes in the country was also launched successfully, covering the bulk of the islanders. But this essay is not about my tenure, so I will not dwell on it further.



**LIVED REALITIES:** A woman carries fish to a market in Port Blair in May 2012.

So far, the parameters of administering the islands have been rooted in the imposition of regulatory restrictions upon its natural resources, strengthened in the past by highly committed environmentalists, anthropologists, and social scientists backed by Supreme Court orders. But structural limitations of the State machinery have aggravated the lack of development. This can be rectified if we find ways to rationalise progress with ecological-environmental preservation—the two aspects which can no longer be pursued in exclusivity. The latest expertise in technology and business practices must be harnessed in harmony with the socioeconomic potential of the islands. The change must respond to the increasing threats posed to their pristine environment by adversarial forces.

The islands have been in the news for the mega

project in the Great Nicobar Islands which has obtained environmental clearance recently. News reports suggest that under the Rs.72,000 crore project, the Campbell Bay area is to be developed in three phases over 30 years. This has raised great concerns about the ecology and rights of the primitive tribes, as also about the environmental vulnerability of the area. Much has been written on this issue so I won't repeat the same.

During my stint in Andamans, I received the first project report and visited the area. After deep consideration, we came to the conclusion that the project was fraught with major risks. We had recommended that before any decision is taken, a detailed study should be undertaken regarding various concerns and risk factors. It is pertinent to mention here that during the tsunami of 2004, the southern part of the island had sunk by half a metre. I learn that the study has since been completed and the government has given the go-ahead.

My advice to all stakeholders would be: “Hasten but with care, whilst remaining sensitive to environmental concerns, rights of the indigenous tribes who live there and the fragile nature of the seismic zone.”

#### PROTECTION OF INDIGENOUS TRIBES

The islands have been the home of aboriginal tribes for thousands of years. There are six scheduled tribes—the Andamanese, Onges, Jarawas, Sentinelese, Shompen, and Nicobarese. Excepting the Nicobarese (the majority), they are recognised as Particularly Vulnerable Tribal Groups (PVTGs). The Andaman And Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 provides for protection of the interests of the tribes and specifies the areas reserved for their exclusive community ownership. Despite this, there is constant friction among the local people, who continue to encroach into the reserved area.

There are two schools of thought as far as the future of the PVTGs is concerned. One holds that we should leave the tribes in splendid isolation, for any contact with modern civilisation has proved to be detrimental to their well-being. The other school argues, who are we to deny them the fruits of modernisation. To get clarity, we called for a conference of leading anthropologists and framed a pragmatic forward policy. Leading anthropologist Dr Vishwajit Pandya was appointed as adviser to the Lieutenant Governor. After much deliberation we decided that we will move forward, but only after determining the will of the tribes through specialists who understand them and could communicate with them in their language. It was a step-by-step approach, in tune with the tribes—how far they wanted to go and at what pace. To ensure the documentation of their heritage and encourage research, we established the Andaman Nicobar Island Tribal Research Institute during my tenure.

In conclusion, we can say that it is important to ensure that development agendas are not pursued at the cost of the original inhabitants of the islands. □

*Lt Gen Ajay Kumar Singh, former GOC of the Army's Southern Command, was Lt Governor of the Andaman and Nicobar Islands between 2013 and 2016.*

E A S Sarma

Former Commissioner (Tribal Welfare)

Govt of Andhra Pradesh (AP)

&

Former Secretary to Government of India

To

Smt Droupadi Murmu

President of India

Rashtrapati Bhawan

Respected Rashtrapati Ji,

Subject:- A mega Infrastructure project being undertaken by the government in Great Nicobar Island, without prior consultation with the NCST, would be violative of the Constitutional mandate and adversely impact the lives of the local tribals

I wish to express my utmost concern at the manner in which the Union Ministry of Shipping, and the Andaman Islands administration, are rushing through with the project, "**Integrated development of International Container Transshipment Terminal (ICTT) 14.2 Million TEU along with Greenfield International Airport (4000 Peak Hour) Passengers**". The project will adversely impact the local tribal groups and it is being undertaken without prior consultation with the National Commission for the Scheduled Tribes (NCST), as mandated in Article 338A(9).

At the instance of the Ministry of Shipping, the SPM Port Kolkata and the Andamans Islands administration have since jointly issued an Expression of Interest (EOI) for setting up the project in question and it appears that the project activity would be set in motion very soon.

There are two tribal communities on the island, namely, Shompens [**recognised as a Particularly Vulnerable Tribal Group (PVTG)**], and Nicobarese, both notified as members of the Scheduled Tribes under Article

342(1) of the Constitution, who have faced serious intrusions into their habitat over the years, from outsiders, including tourists.

The NCST, an authority set up under Article 338A(1) of the Constitution, has interacted with these tribal groups, studied them in detail ([https://ncst.nic.in/sites/default/files/2017/Seminar/Amit\\_Delhi\\_Presentation\\_on\\_Shompen\\_NCST\\_Seminar\\_June\\_2018.pdf](https://ncst.nic.in/sites/default/files/2017/Seminar/Amit_Delhi_Presentation_on_Shompen_NCST_Seminar_June_2018.pdf)) and is thus fully aware of their problems. The NCST has exhorted the government, time and again, to ensure that every possible measure is taken to address the local tribal groups' problems and extend protection to them in every respect.

A large influx of outside population into these islands, degradation of the local forests that constitute the habitat of the tribals and an overall disruption to their lives, will endanger their culture and their way of living. The NCST would be the most appropriate institution that can offer considered views in the matter.

Under Article 338A(9), it is mandatory that the Union and the States consult the NCST on all matters that concern the tribals.

Article 338A(9) reads as follows:

**“The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes”**

At no stage of processing of this mega project, had any Ministry cared to take the NCST into confidence.

The total area of Great Nicobar Islands is 92,100 hectares (ha), out of which 75,000 ha has been statutorily notified as a "tribal reserve". The mega project in question extends over 16610 ha, which constitutes 18% of the area of the island itself and it necessarily intrudes into the tribal reserve, which implies that the habitat of the tribals would get adversely affected. It will introduce irreversible changes to the tribal reserve and the lives of the tribals.

About 8410 ha of the Tribal Reserve (more than 11%) are being de-notified by the A&N administration to accommodate the project. The Shompen habitat in Great Nicobar island is an important biological hotspot. The Anthropological Survey of India (AnSI) has attempted a conceptual framework for laying out a comprehensive policy for promoting the well-being of the Shompens and it needs to be further followed up. Those who conceived the project unilaterally, had not cared to consult the AnSI at any stage of designing it.

**Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 overrides all other laws:**

As far as the statutory safeguards applicable to the islands are concerned, the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (PAT56) governs the same. This was a Regulation promulgated under Article 240 of the Constitution. Regulation 11 of this reads as follows:

***“The provisions of this Regulation and of any rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any such law, or in any usage or agreement, or in any decree or order of any court or other authority”***

This implies that PAT56 has an overriding effect over all other laws applicable elsewhere. Strictly, laws such as the Mines & Minerals (Development & Regulation) Act, 1957 (MMDRA57), Forest (Conservation) Act, 1980 (FCA80) and the Environment (Protection) Act, 1986 (EPA86) are not automatically applicable to A&N Islands, where PAT56 is in force and, under Regulation 11 of that Act, PAT56 overrides all other laws.

The Union Ministry of Environment, Forests & Climate Change (MEFCC) had cleared the mega project in an undue haste, without taking the local tribal groups into confidence, nor consulting the AnSI and, most important, without consulting the NCST. It is therefore prima facie violative of Article 338A(9) of the Constitution and PAT56, for MEFCC to have summarily issued clearances for this project, either under EPA86 or under FCA80. Had the MEFCC consulted the NCST and the Union Ministry of Tribal Affairs beforehand, they would have obtained valuable insights and been in a position to modify the project appropriately.

The haste in which the MEFCC had cleared the project, without respecting established environmental norms, could be appreciated by the Ministry's contrived attempt to justify the loss of 12187 ha of forests in Great Nicobar by satisfying itself with compensatory afforestation, as per the apex court's directions, in far away Haryana State! How can afforestation in Haryana compensate a Shompen's loss of his/her habitat in Great Nicobar?

Moreover, where there are traditional forest dwellers, the provisions of the

## **Scheduled Tribes And Other Traditional Forest Dwellers (Recognition Of Forest**

**Rights) Act, 2006 (FRA) get attracted, by which the Shompens and the**

**Nicobarese get both individual and community forest land occupation rights.**

**These provisions stand infringed in the case of the mega project in question.**

On many important matters concerning the tribals, of late, I find that the concerned Ministries have not been consulting the NCST.

For example, when MEFCC had unilaterally amended the Forest (Conservation) Rules in June this year, the NCST had objected to it and addressed a letter No. NCST-04/0mon/4/2022-RMDC dated 26-9-2022, expressing their concerns about the likely implications of the amendment for the tribals, asking the MEFCC to keep the Rules in abeyance. Apparently, the latter has not heeded NCST's advice.

There have been multiple violations of PAT56 itself. For example, the A&N administration had earlier issued the A & N Islands Minor Minerals Rules in 2007 under MMDRA57, which are prima facie non-compliant with Regulation 11 of PAT56. Under these Rules, the local administration has been issuing mining and quarrying licenses, which are not legally valid.

The project owes its origin to Niti Ayog's so-called "*Holistic Development of Great Nicobar Island at Andaman & Nicobar Islands Pre-Feasibility Report*", which was formulated without consulting the NCST and without obtaining inputs from the AnSI. How can there be any "holistic" development of the islands, without any consideration for the local tribals and their views?

Considering that the project involves an investment of around Rs 75,000 Crores, it would lead to a huge influx of outsiders, whose presence would impact the Tribal Reserve and hurt the interests of the local tribal groups. According to one estimate (<https://scroll.in/article/1038263/planned-destruction-of-ativasi-culture-and-lives-experts-raise-alarm-over-great-nicobar-project>), the project seeks to increase the population of the ecologically-sensitive island from the current 8,000 to more than 3.5 lakh in the next three decades. This is an increase of over 4000%. It is only marginally less than the entire population of the Andaman and Nicobar islands, which was 3.8 lakh as per the 2011 Census". Great Nicobar island with a UNESCO recognised large Biosphere of an extent of 73279 ha and a Tribal Reserve of 75100 ha cannot obviously carry such a population load

without affecting the biosphere and without affecting the tribal communities.

Those who are pushing forward this project in such haste may argue that the project has national security implications. While the security of the nation is no doubt of paramount importance, in a Parliamentary democracy like ours, governed by the rule of law embodied in the Constitution, there are formal systems of consultation with different Constitutional authorities and consultation with the local communities who are the most important stakeholders, that cannot be bypassed. The least that the Central government and its agencies ought to have done in this matter was to take them the NCST and the local tribals in confidence, prior to launching the project

A word in particular about the Shompens and the Nicobarese tribal communities who are yet to integrate with the rest of the people. They are small groups in terms of their population but are as important as anyone else in the country. Their views, explicitly expressed or otherwise, need to be given as much respect as anyone else's. Their development concerns need to be approached in a highly sensitive manner. Unilateral decisions in the name of security, that ignore their feelings and disrupt their lives, cannot be a part of either "holistic development" of the island, as contended by Niti Ayog, or can they be justified on considerations of national security, as the nation's security needs to be built assiduously on the security of each and every part of its people and their individual feeling of well-being.

Against this background, I would earnestly appeal to you to intervene in the matter and ensure that those dealing with this mega project are in compliance with the relevant Constitutional and statutory requirements and are in harmony with the basic norms of democracy.

Under the Constitution, the high office of the President of India has not only the authority but also the obligation to ensure the well-being of the tribals in every nook and corner of the country, irrespective of their numbers, and irrespective of whether they have raised their voice or not.

I am sure that your timely intervention would make every Shompen and every Nicobarese on Great Nicobar Island feel secure and protected. Only then, we can celebrate national security, firmly founded on a democratic system.

Respectfully,

E A S Sarma  
Visakhapatnam  
29-1-2023

E A S Sarma

Former Commissioner (Tribal Welfare)

Govt of Andhra Pradesh (AP)

&

Former Secretary to Government of India

To

Smt Droupadi Murmu

President of India

Rashtrapati Bhawan

Respected Rashtrapati Ji,

Subject:- A mega Infrastructure project being undertaken by the government in Great Nicobar Island & a recent representation from the Tribal Council of Little & Great Nicobar Islands

Kindly refer to my letter of today (<http://eassarma.in/sites/default/files/public/Great-Nicobar-Mega-Project-Letter-to-President.pdf>) on the above subject, especially the likely adverse impacts of the mega infrastructure project being initiated in Great Nicobar Island on the lives of the Shompens and the Nicobarese tribal communities there, and the multiple violations that it involved in respect of the Constitutional provisions and the law of the land.

I have since received a copy of a representation submitted to the Andaman administration by the Tribal Council of Little & Great Nicobar Islands, who were "**rehabilitated**" away from their habitat, post-Tsunami of 2004, appealing to the Andaman administration to "relocate" them back to their habitat. The representation needs to be considered by the

local administration on priority and the wishes of the Nicobarese people respected, in view of the problems they are facing at present and the special status they have under the Constitution.

The said representation also corroborates what I had said in my earlier letter addressed to you on the long-term adverse impacts that the proposed mega infrastructure project would have on the lives and the culture of the local tribal communities.

Madam Rashtrapatiji, may I take the liberty of seeking your urgent intervention on the Tribal Council's representation (a copy of which the Tribal Council had submitted to your office already), as well as on my earlier letter on the mega project?

Respectfully,

E A S Sarma  
Visakhapatnam  
29-1-2023

**CCG Open Letter to Hon'ble President of India --  
Undesirable Development of Great Nicobar Island**

22 January 2023

Hon'ble Rashtrapatiji, Smt. Droupadi Murmu,

We are a group of former civil servants of the All India and Central Services who have worked with the Central and State Governments in the course of our careers. As a group, we have no affiliation with any political party but believe in impartiality, neutrality and commitment to the Constitution of India.

We are heartened by your recent words at the Human Rights Day celebrations on 10 December 2022, wherein you stated that the concept of justice should be expanded to include the environment. You said *“just as the concept of human rights exhorts us to consider every human being as no different from ourselves, we should treat the whole living world and its habitat with respect”*.

However, even as you say this, the Government of India is all set to destroy one of the most pristine habitats in the country, one which is home to various rare and endemic species, as well as to an extremely vulnerable tribe, the Shompens of Great Nicobar.

The plans for a massive development project on the island of Great Nicobar consist of an international container transshipment terminal, a large green field international airport, a township, and a solar and gas based power plant, to be set up over 16610 hectares. Considering that the entire island of Great Nicobar covers 103870 hectares, almost 16% of the island will be given over to the project. Of the total area of the island, 75100 hectares have been statutorily notified as a Tribal Reserve for the Shompen tribe, a Particularly Vulnerable Tribal Group (PVTG). These shy and isolated tribal people, who are almost on the brink of extinction, need to be handled with extreme care and sensitivity, not carelessly removed from their existing home territory and resettled elsewhere on the island to make room for the 'development project'. The Shompens have, from time to time, experienced serious incursions by outsiders into their area. The National Commission for Scheduled Tribes is aware of this matter and has instructed the government to prevent such intrusions. Instead of taking heed of this, the government itself is now all set to make a major intrusion.

Apart from the human dimensions, there is no denying the immense adverse impact that the project will have on the ecology of the island. Great Nicobar covers a variety of unique and threatened eco systems – tropical, wet evergreen forests, mountain ranges reaching 642 metres above sea level and coastal plains. It is home to myriad species of angiosperms, gymnosperms, ferns and bryophytes, as well as to hundreds of species of fauna, many of which are rare and threatened species, not found anywhere else in the world. These include endemic or endangered species such as the crab eating macaque, the Nicobar tree shrew, the dugong, the Nicobar megapode, the salt water crocodile, the Nicobar cricket frog

and several others. All these are seriously threatened and will quite possibly be rendered extinct by the enormous 'development project' proposed to be taken up.

Although an Environment Impact Assessment (EIA) was carried out for the project, it is clear from the published reports that the scope of the analysis was limited. The persons involved with the environmental appraisal were reportedly advised that the project was a "given" and were asked to try and minimise the impact. The airfield, being a defence project, was not even part of the mandate. No one was authorised to check if alternative arrangements and/or relocation of the project were feasible. The entire exercise seemed to presume that the project would be good for the islands and the country and lead to rapid development. We strongly believe that this presumption may not be valid.

We are pained to learn that the Ministry of Environment, Forests and Climate Change has not only granted environmental and coastal regulation zone (CRZ) clearance with certain conditions, it has also given an 'in principle' clearance for diversion of 13075 hectares of forest land, with compensatory afforestation to be carried out in the State of Haryana. The idea of replacing the virgin forests of Great Nicobar with planted forests in Haryana would be laughable if it weren't so tragic: 13075 acres of rich, evergreen, rain forests teeming with extraordinary flora and fauna species to be compensated with newly planted trees in the dry Aravalli hills of Haryana!

Several recent occurrences should have discouraged the government from undertaking such a major environment-destroying project. The first is the decision taken on 19 December 2022 at the Conference of Parties for the Convention for Biological Diversity, at which it was agreed, among other things, to halt and reverse biodiversity loss by 2030; also, specifically, to protect 30% of the world's lands, inland waters, coastal areas and oceans with emphasis on areas of particular importance for biodiversity and ecosystem functioning and services. This decision which was ratified by nearly 200 countries, including India, specifically mentions '*reducing to near zero the loss of areas of high biodiversity importance, including ecosystems of high ecological integrity*'. Considering such a commitment, it is baffling how India can even consider the loss of such an enormously ecologically important area like Great Nicobar.

The all too palpable change in the climate of India – unbelievably hot temperatures in summer, erratic rainfall, repeated cyclones, mild winters in most of the country but sharp falls in temperature in the north, should also have sent alarm signals to the government. The changes in climate throughout the country and all over the world have made it apparent to even the casual observer that a warmer world is here to stay; and that urgent measures need to be taken by the government and the people to keep the increase in temperatures to a minimum. Stopping the denudation of existing forests, especially rich, virgin rainforests and adding to the existing forest cover are obviously the major steps needed.

The subsidence of land in Joshimath is a glaring indication of the damage that unthinking development can do to the country. Destroying the forests and the ecology of Great Nicobar to set up container terminals and airports would be a mistake of the same order. The frequent prevalence of undersea quakes that occur in the oceans of that region and the resultant subsidence of land in the islands is also a major risk.

Our opposition to the proposed development in Great Nicobar should not be construed as opposition to development or technology in general. It is because of the particular vulnerability of Great Nicobar that we are concerned. Experience has shown that what starts out as a small 'development project' in a vulnerable locality keeps expanding inexorably, leading to a total destruction of the environment in which it is situated. The ecology and tribal people of Great Nicobar are far too precious to India and the world at large to be sacrificed on the altar of "development".

The Andaman and Nicobar archipelago is a group of rare volcanic islands with among the very few surviving rainforests in the world. Its preservation, and the conservation of some of the rarest surviving pristine tribal communities anywhere in the world, has earned for our country and our government a standing as champions of the environment in an ecologically threatened world. This carefully nurtured reputation will be totally lost in one fell swoop if this project goes forward

Having assumed the leadership of the G-20 group of nations this year, India should surely demonstrate that economic development does not, and should not, have to be at the expense of the environment, and that protecting the environment is the wisest of economic decisions.

We earnestly request you to advise your government to immediately stop the commencement of destructive projects in Great Nicobar.

**SATYAMEVA JAYATE**

**Yours faithfully,**

**Constitutional Conduct Group** (87 signatories, as below)

1.	V.S. Ailawadi	IAS (Retd.)	Former Vice Chairman, Delhi Development Authority
2.	S.P. Ambrose	IAS (Retd.)	Former Additional Secretary, Ministry of Shipping & Transport, GoI
3.	Anand Arni	RAS (Retd.)	Former Special Secretary, Cabinet Secretariat, GoI
4.	J.L. Bajaj	IAS (Retd.)	Former Chairman, Administrative Reforms and Decentralisation Commission, Govt. of Uttar Pradesh
5.	G. Balachandhran	IAS (Retd.)	Former Additional Chief Secretary, Govt. of West Bengal
6.	Vappala Balachandran	IPS (Retd.)	Former Special Secretary, Cabinet Secretariat, GoI
7.	Gopalan Balagopal	IAS (Retd.)	Former Special Secretary, Govt. of West Bengal
8.	Chandrashekar Balakrishnan	IAS (Retd.)	Former Secretary, Coal, GoI
9.	T.K. Banerji	IAS (Retd.)	Former Member, Union Public Service Commission
10.	Sharad Behar	IAS (Retd.)	Former Chief Secretary, Govt. of Madhya Pradesh
11.	Aurobindo Behera	IAS (Retd.)	Former Member, Board of Revenue, Govt. of Odisha
12.	Madhu Bhaduri	IFS (Retd.)	Former Ambassador to Portugal
13.	Ravi Budhiraja	IAS (Retd.)	Former Chairman, Jawaharlal Nehru Port Trust, GoI
14.	Sundar Burra	IAS (Retd.)	Former Secretary, Govt. of Maharashtra
15.	R. Chandramohan	IAS (Retd.)	Former Principal Secretary, Transport and Urban Development, Govt. of NCT of Delhi

16.	Rachel Chatterjee	IAS (Retd.)	Former Special Chief Secretary, Agriculture, Govt. of Andhra Pradesh
17.	Kalyani Chaudhuri	IAS (Retd.)	Former Additional Chief Secretary, Govt. of West Bengal
18.	Gurjit Singh Cheema	IAS (Retd.)	Former Financial Commissioner (Revenue), Govt. of Punjab
19.	F.T.R. Colaso	IPS (Retd.)	Former Director General of Police, Govt. of Karnataka & former Director General of Police, Govt. of Jammu & Kashmir
20.	Anna Dani	IAS (Retd.)	Former Additional Chief Secretary, Govt. of Maharashtra
21.	Surjit K. Das	IAS (Retd.)	Former Chief Secretary, Govt. of Uttarakhand
22.	Vibha Puri Das	IAS (Retd.)	Former Secretary, Ministry of Tribal Affairs, GoI
23.	P.R. Dasgupta	IAS (Retd.)	Former Chairman, Food Corporation of India, GoI
24.	Pradeep K. Deb	IAS (Retd.)	Former Secretary, Deptt. Of Sports, GoI
25.	Nitin Desai		Former Chief Economic Adviser, Ministry of Finance, GoI
26.	M.G. Devasahayam	IAS (Retd.)	Former Secretary, Govt. of Haryana
27.	Sushil Dubey	IFS (Retd.)	Former Ambassador to Sweden
28.	A.S. Dulat	IPS (Retd.)	Former OSD on Kashmir, Prime Minister's Office, GoI
29.	K.P. Fabian	IFS (Retd.)	Former Ambassador to Italy
30.	Prabhu Ghate	IAS (Retd.)	Former Addl. Director General, Department of Tourism, GoI
31.	Arif Ghauri	IRS (Retd.)	Former Governance Adviser, DFID, Govt. of the United Kingdom (on deputation)
32.	Gourisankar Ghosh	IAS (Retd.)	Former Mission Director, National Drinking Water Mission, GoI
33.	Suresh K. Goel	IFS (Retd.)	Former Director General, Indian Council of Cultural Relations, GoI
34.	S.K. Guha	IAS (Retd.)	Former Joint Secretary, Department of Women & Child Development, GoI
35.	H.S. Gujral	IFoS (Retd.)	Former Principal Chief Conservator of Forests, Govt. of Punjab
36.	Meena Gupta	IAS (Retd.)	Former Secretary, Ministry of Environment & Forests, GoI
37.	Wajahat Habibullah	IAS (Retd.)	Former Secretary, GoI and former Chief Information Commissioner
38.	Siraj Hussain	IAS (Retd.)	Former Secretary, Department of Agriculture, GoI
39.	Kamal Jaswal	IAS (Retd.)	Former Secretary, Department of Information Technology, GoI
40.	Sudhir Kumar	IAS (Retd.)	Former Member, Central Administrative Tribunal
41.	Subodh Lal	IPoS (Resigned)	Former Deputy Director General, Ministry of Communications, GoI
42.	Harsh Mander	IAS (Retd.)	Govt. of Madhya Pradesh
43.	Amitabh Mathur	IPS (Retd.)	Former Special Secretary, Cabinet Secretariat, GoI
44.	Aditi Mehta	IAS (Retd.)	Former Additional Chief Secretary, Govt. of Rajasthan
45.	Sonalini Mirchandani	IFS (Resigned)	GoI
46.	Avinash Mohananey	IPS (Retd.)	Former Director General of Police, Govt. of Sikkim
47.	Deb Mukharji	IFS (Retd.)	Former High Commissioner to Bangladesh and former Ambassador to Nepal
48.	Shiv Shankar Mukherjee	IFS (Retd.)	Former High Commissioner to the United Kingdom

49.	Gautam Mukhopadhaya	IFS (Retd.)	Former Ambassador to Myanmar
50.	Surendra Nath	IAS (Retd.)	Former Member, Finance Commission, Govt. of Madhya Pradesh
51.	P. Joy Oommen	IAS (Retd.)	Former Chief Secretary, Govt. of Chhattisgarh
52.	S.K. Pachauri	IAS (Retd.)	Former Director General, National Productivity Council, GoI
53.	Amitabha Pande	IAS (Retd.)	Former Secretary, Inter-State Council, GoI
54.	Maxwell Pereira	IPS (Retd.)	Former Joint Commissioner of Police, Delhi
55.	G.K. Pillai	IAS (Retd.)	Former Home Secretary, GoI
56.	Gurnihal Singh Pirzada	IAS (Resigned)	Former MD, Punjab State Electronic Development & Production Corporation, Govt. of Punjab
57.	Rajesh Prasad	IFS (Retd.)	Former Ambassador to the Netherlands
58.	Rajdeep Puri	IRS (Resigned)	Former Joint Commissioner of Income Tax, GoI
59.	S.Y. Quraishi	IAS (Retd.)	Former Chief Election Commissioner
60.	T.R. Raghunandan	IAS (Retd.)	Former Joint Secretary, Ministry of Panchayati Raj, GoI
61.	N.K. Raghupathy	IAS (Retd.)	Former Chairman, Staff Selection Commission, GoI
62.	V.P. Raja	IAS (Retd.)	Former Chairman, Maharashtra Electricity Regulatory Commission
63.	K. Sujatha Rao	IAS (Retd.)	Former Health Secretary, GoI
64.	M.Y. Rao	IAS (Retd.)	
65.	Satwant Reddy	IAS (Retd.)	Former Secretary, Chemicals and Petrochemicals, GoI
66.	Vijaya Latha Reddy	IFS (Retd.)	Former Deputy National Security Adviser, GoI
67.	Julio Ribeiro	IPS (Retd.)	Former Adviser to Governor of Punjab & former Ambassador to Romania
68.	Aruna Roy	IAS (Resigned)	
69.	Manabendra N. Roy	IAS (Retd.)	Former Additional Chief Secretary, Govt. of West Bengal
70.	A.K. Samanta	IPS (Retd.)	Former Director General of Police (Intelligence), Govt. of West Bengal
71.	Deepak Sanan	IAS (Retd.)	Former Principal Adviser (AR) to Chief Minister, Govt. of Himachal Pradesh
72.	G.V. Venugopala Sarma	IAS (Retd.)	Former Member, Board of Revenue, Govt. of Odisha
73.	N.C. Saxena	IAS (Retd.)	Former Secretary, Planning Commission, GoI
74.	A. Selvaraj	IRS (Retd.)	Former Chief Commissioner, Income Tax, Chennai, GoI
75.	Ardhendu Sen	IAS (Retd.)	Former Chief Secretary, Govt. of West Bengal
76.	Abhijit Sengupta	IAS (Retd.)	Former Secretary, Ministry of Culture, GoI
77.	Aftab Seth	IFS (Retd.)	Former Ambassador to Japan
78.	Ashok Kumar Sharma	IFS (Retd.)	Former Ambassador to Finland and Estonia
79.	Navrekha Sharma	IFS (Retd.)	Former Ambassador to Indonesia
80.	Raju Sharma	IAS (Retd.)	Former Member, Board of Revenue, Govt. of Uttar Pradesh

81.	Tara Ajai Singh	IAS (Retd.)	Former Additional Chief Secretary, Govt. of Karnataka
82.	Tirlochan Singh	IAS (Retd.)	Former Secretary, National Commission for Minorities, GoI
83.	Parveen Talha	IRS (Retd.)	Former Member, Union Public Service Commission
84.	Anup Thakur	IAS (Retd.)	Former Member, National Consumer Disputes Redressal Commission
85.	P.S.S. Thomas	IAS (Retd.)	Former Secretary General, National Human Rights Commission
86.	Geetha Thoopal	IRAS (Retd.)	Former General Manager, Metro Railway, Kolkata
87.	Ramani Venkatesan	IAS (Retd.)	Former Director General, YASHADA, Govt. of Maharashtra



**Binoy Viswam**

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**To**  
**Shri Narendra Modi ji**  
**Hon'ble Prime Minister**  
**Government of India**

**Date:** 11.11.2022

**Respected Shri Narendra Modi ji,**

I write this letter to strongly condemn the in-principle clearance provided by the Ministry of Environment, Forest, and Climate Change for the diversion of forest area covering 130.75sq km in the Great Nicobar Island.

The Great Nicobar Island is one of the best-preserved tropical forests in the world till date with 650 species of Flora and 330 species of Fauna including endemic species. With the government's decision to chop down 8.5 lakh trees, a significant part of this pristine forest, will be perished forever. This will damage the ecological balance of the region and the future of these flora and fauna will be in jeopardy.

The government's justification of compensatory afforestation is ill-advised as the ecological wealth destroyed from this project due to government's indiscriminate need to deforestation cannot be created elsewhere. The time has come for the government to stop this practice of treating the environment as a commodity under its ownership and to understand that we are merely it's 'possessors'. It is our duty to preserve the environment for future generations. The government obsession for the 'Easing of Doing Business' in this manner will cost the 'Right to Life' guaranteed by Article 21 of our Constitution. The capital city of Delhi holds testament to this sad reality.

I draw your attention to the BJP Manifesto for General Election 2014 wherein you had promised the country to "Set up fool proof mechanisms for protection and preservation of wildlife" and "nurture the environment, institutions, people". India being a country that stood in the forefront for the Paris agreement, has a duty to fulfil our commitment to climate justice. The world should not ask us that whether this is India's gift to the ongoing Cairo Summit on climate action.

In light of above, I strongly urge you to ensure that the clearance provided is revoked at the earliest in the interest of our environment.

Yours sincerely

**Binoy Viswam**

Leader of CPI Parliamentary Party &  
Secretary, National Council



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REFERENCE: CERD/EWUAP/106<sup>th</sup> session/2022/MJ/CS/ks

29 April 2022

Excellency,

I write to inform you that in the course of its 106<sup>th</sup> session, the Committee on the Elimination of Racial Discrimination considered information received under its early warning and urgent action procedure, related to the situation of (i) Particularly Vulnerable Tribal Groups in Andaman and Nicobar Islands and (ii) Chakma and Hajong communities in Arunachal Pradesh State in India.

(i) Particularly Vulnerable Tribal Groups in Andaman and Nicobar Islands

According to the information before the Committee, the Government of India has developed two mega projects in the Andaman and Nicobar Islands – the “Holistic Development of Great Nicobar Island” and the “Sustainable Development of Little Andaman Island Vision Document” – which would have a harmful impact on five Particularly Vulnerable Tribal Groups (PVTGs) that inhabit these islands and are already on the verge of extinction (Great Andamanese, Jarawas, Onges, Shompens and Sentinelese).

The Committee has been informed that the “Holistic Development of Great Nicobar Island” project comprises four major development projects: an International Container Transshipment Terminal, a Greenfield International Airport, a Power Plant and a Township envisaging 650,000 people to inhabit the island by 2050. It has also been informed that the “Sustainable Development of Little Andaman Island Vision Document” entails building a new greenfield coastal city in the pristine forest of the island, home to the Onge tribes.

It is also alleged that the project in Nicobar Island will impose a significant ecological pressure on the island and its surroundings and that the project in Andaman Island will require de-reserving 32% of the forest reserves and de-notifying 31% of the tribal reserves, with detrimental consequences for the PVTGs of the islands. It is further alleged that these projects violate the existing laws and policies of the State party that protects PVTGs and their habitats, *i.e.*, the Shompen Policy of 2015, which establishes prioritization of tribal rights over large scale development projects, the Forest Conservation Act of 1980, the Andaman and Nicobar Islands Protection of Aboriginal Tribe Regulation of 1956 and the Indian Forest Act of 1927.

His Excellency Mr. Indra Mani Pandey  
Permanent Representative of India  
to the United Nations Office  
Geneva  
Email: [india.geneva@mea.gov.in](mailto:india.geneva@mea.gov.in)

(ii) The situation of Chakma and Hajong in Arunachal Pradesh State

According to the information before the Committee, in August 2021, Chief Minister of Arunachal Pradesh State announced that the Chakmas and Hajongs, who were settled in the State in 1960's, will be relocated outside the State. The information received further indicates that, in order to implement this plan, Deputy Commissioner of Changlang district of Arunachal Pradesh informed in November 2021, that a special census of Chakmas and Hajongs will be conducted for reporting to the State Government of Arunachal Pradesh.

It is alleged that such special census constitutes an act of racial discrimination and profiling directed only to these communities with a view to deporting Chakmas and Hajongs from Arunachal Pradesh State.

The information received also indicates that in 1996, the Supreme Court of India declared the Chakmas and Hajongs as citizens and directed the Government of India and the State of Arunachal Pradesh to process their citizenship applications, but that these applications were never processed (*National Human Rights Commission v. State of Arunachal Pradesh and Another, 1996 SCC (1) 742*). It further notes that in 2015, the Supreme Court again directed the Government of India and the State of Arunachal Pradesh to process the citizenship applications, but that no application has been processed (*Committee for C.R. of C.A.P. & Ors vs State of Arunachal Pradesh & Ors [Writ Petition (Civil) No.510 of 2007]*).

In accordance with Article 9 (1) of the Convention and article 65 of its Rules of Procedure, the Committee would like to request the State party to provide a response to the allegations outlined above, by 15 July 2022. In particular, the Committee requests the State Party to provide information on:

- (a) The measures adopted to prevent any adverse and irreparable impact of the above-mentioned mega projects on the Particularly Vulnerable Tribal Groups (PVTGs) that inhabit the Andaman and Nicobar Islands, including the impact on the ecosystem, biodiversity, the livelihood and existence of these PVTGs;
- (b) The steps taken to ensure the strict observance of the existing domestic laws and policies relating to the protection of the PVTGs of Andaman and Nicobar Islands as well as the State party's international obligations, in particular those under the ICERD;
- (c) The steps taken to prevent and halt any measures directed at deporting or relocating the Chakma and Hajong communities, including the above-mentioned special census;
- (d) The measures adopted to prevent and combat racial profiling or racial discrimination against the persons belonging to the Chakma and Hajong communities;
- (e) The implementation of the judgements of the Supreme Court of India in the cases *National Human Rights Commission v. State of Arunachal Pradesh and Another, 1996 SCC (1) 742* and *Committee for C.R. of C.A.P. & Ors vs State of Arunachal Pradesh & Ors [Writ Petition (Civil) No.510 of 2007]*.



Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of India, with a view to ensuring the effective implementation of the Convention.

Yours sincerely,

A handwritten signature in blue ink, reading "Verene Shepherd".

Verene Shepherd  
Chair  
Committee on the Elimination of Racial Discrimination

कुलदीप राय शर्मा

संसद सदस्य

(लोक सभा)

अंडमान व निकोबार द्वीप

MP/ANI/2022/ 216



KULDEEP RAI SHARMA

MEMBER OF PARLIAMENT

(LOK SABHA)

ANDAMAN &amp; NICOBAR ISLANDS

Ref No

Dated 22.10.2022

To

The Hon'ble Lt Governor  
Andaman and Nicobar Islands  
Port Blair

Subject:- Request for resolving the grievances of Tribal Council of Little and Great Nicobar Islands – Reg.

Hon'ble Sir,

With profound respect I would like to inform you that during my tour to Great Nicobar, Campbell Bay on 11<sup>th</sup> & 12<sup>th</sup> October 2022, the representatives of Tribal Council, Little & Great Nicobar met me and raised some burning issues mainly meant for welfare and development of their region are mentioned below for your kind intervention to resolve their grievances at the earliest. The written representation received from them as enclosed herewith is the self-explanatory.

1. Speed boat to be stationed at Campbell Bay permanently for safe journey of children, senior citizens etc. for various purpose including medical treatment etc. between far flung islands to Campbell Bay.
2. Construction of foot bridge at Polopatia village, Little Nicobar
3. Availability of electricity supply between 5 PM to 5 AM regularly to all the remote villages. Due to supply of power in a limited time, the tribal people including Sr. citizens and children are facing tremendous hardship.
4. Purchase and supply of a boat to the Tribal Council for transshipment of various goods from Campbell Bay to villages of Afra Bay, Plo –Ulo, Pulo bha, Pulo Paja, Makachua etc.
5. Transportation of food grains supply on free of cost from Campbell Bay to the various villages adjoining the Campbell Bay.
6. Posting of a tribal ANM namely Miss. Roselene at Sub-Cetre, Pulo Panja village to enable her to perform duty as she is tribal girl from same village.

Contd..P/2

**Member**: Standing Committee on Personnel, Public Grievances, Law & Justice

**Member**: Consultative Committee for Home Affairs

**Member**: Central Advisory Committee for National Cadet Corps (NCC)

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MP House : H/96, Near Haddo Circuit House, Post Haddo, Port Blair- 744 102, Andaman  
Residence : MB-167, M G Road, Jungli Ghat, Port Blair, Andaman & Nicobar Islands-744 103, Ph.: (O) 03192-232032  
(R) 03192-233195, Mob.: 9434266877, 9932086877, 9013997531  
E-mail : krsharma mp ani@gmail.com, kuldeeprai.mp@sansad.nic.in

कुलदीप राय शर्मा

संसद सदस्य

(लोक सभा)

अंडमान व निकोबार द्वीप

MP/ANI/2022/ 217

Ref. No.: .....



KULDEEP RAI SHARMA

MEMBER OF PARLIAMENT

(LOK SABHA)

ANDAMAN & NICOBAR ISLANDS

22.10.2022

Dated: .....

To

The Hon'ble Lt Governor  
Andaman and Nicobar Islands  
Raj Niwas, Port Blair

Subject:- Request for relocation of Tribal family at their respective villages/Islands as demanded by the Tribal Council of Little and Great Nicobar Islands – Reg.

Hon'ble Sir,

With profound respect I would like to inform you that while I was on tour to Great Nicobar, Campbell Bay on 11<sup>th</sup> & 12<sup>th</sup> October 2022, the Chairman of Tribal Council, Little & Great Nicobar Islands during interaction informed that the Chairman/Chief Captain along with the Headmans of all the villages under Great Nicobar Islands jointly submitted an appeal to the A&N Administration on 20.08.2022 regarding relocation of the Nicobarese of Great Nicobar Islands to their pre Tsunami villages where they were originally settled and residing in the respective villages/Islands prior to Tsunami 2004. The copy of joint representation dated 20.08.2022 submitted by them at various levels is forwarded herewith for your kind perusal, which is self-explanatory.

May I requests to your honour to kindly consider their long pending grievances for their relocation at their respective villages.

Yours faithfully,

(Kuldeep Rai Sharma)

Copy to :-

1. The Chairman, Tribal Council, Little and Greate Nicobar Islands
2. The Deputy Commissioner, Nicobar District, Car Nicobar
3. The Assistant Commissioner, Campbell Bay
4. All Village Captains Little & Greate Nicobar Islands, C/ Bay.

**Member** Standing Committee on Personnel, Public Grievances, Law & Justice

**Member** Consultative Committee for Home Affairs

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**E-mail** : krsharma.mp.ani@gmail.com, kuldeeprai.mp@sansad.nic.in

To: Inspector General (Wildlife)  
ESZ Division, Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhavan, Jor Bhagh Road, Aliganj, New Delhi - 110003

14 June 2021

Sir/Madam,

**Subject:** In response to the proposed development plans for Little Andaman Island and Great Nicobar Island, and the threats to leatherback turtle nesting sites and the stability of ecological hotspots.

**1. Key Leatherback nesting sites**

Both Little Andaman Island and Great Nicobar Island host vital *and important nesting grounds for leatherback turtles*, being one of the few global hotspots and India's index leatherback nesting sites.

Within Little Andaman Island, there are two leatherback nesting beaches at **South bay** and **West bay**. Both the sites are part of the ongoing marine turtle research projects for the past **14 years**, set up in 2008 by the:

- Andaman Nicobar Environment Team (ANET),
- Dakshin Foundation, Bangalore
- Indian Institute of Science, Bangalore
- A&N Forest Department.

These long-term research projects provide evidence that the number of turtles nesting here is *significant*. This information paired with satellite telemetry research has revealed migration patterns of leatherback turtles travelling across the Indian ocean every year, making *these nesting sites globally significant and internationally important for marine ecological health and global leatherback numbers in the Indian Ocean and the Western Pacific Ocean*.

Besides Little Andaman Island, Great Nicobar Island holds one of the most important global leatherback nesting sites: **Galathea Bay**, within the Galathea Bay wildlife sanctuary. India's **National Marine Turtle Action Plan** released on February 1, 2021 has listed Galathea Bay as one of the '*Important Coastal and Marine Biodiversity Areas*' and '*Important Marine Turtle Habitats*' in the country and was classified as an Ecologically Sensitive Area (ESA) under the Coastal Regulation Zone one (CRZ)-I with *maximum protection*.

The new development plans for these sites pose a significant threat to all **these crucial nesting sites**.

In Little Andaman Island, two sites where key components of tourism are being planned are both leatherback nesting sites — South Bay along the southern coast of the island and West Bay along its western coast. These pristine beaches and nesting sites are *extremely sensitive to external change* and the habitat and ecological parameters will be at risk.

The **Galathea Bay wildlife sanctuary**, while being recognized as an important ecological hotspot by the *scientific community and by government decree* has been **denotified** by the **Standing Committee of the National Board for Wildlife**, at its 60th meeting on January 5 under the chairmanship of the Environment Minister, for the “*construction as well as operational phases of the International Shipment Project*”. The scale of the project and the investment proposed could signal the *end of a crucial leatherback nesting site*, and the ecological richness of the last remnants of untouched tropical forests and marine ecosystems in India.

## 2. Ecological costs of the proposed developmental plans

On January 18, an **Environment Ministry expert committee** approved a “**zero extent**” Ecologically Sensitive Zone (ESZ) for the Galathea NP to allow use of land in the south-eastern and south-western part of the island for the developmental plan proposed. However, the October 2020 draft notification for this zero extent ESZ has, in juxtaposition, *listed out and acknowledged in great detail the park’s ecological uniqueness* – that it is a part of a UNESCO World Heritage Site, houses a range of forest types, has one of the best preserved tropical rainforests in the world, is home to **648** species of flora and hosts **330** species of fauna including rare and endemic ones such as the *Nicobar wild pig*, *Nicobar tree shrew*, the *Great Nicobar crested serpent eagle*, *Nicobar paradise flycatcher* and the *Nicobar megapode*. It also notes that the park is home to the indigenous *Shompen community*. Actions taken, thus, seem to be *in contrast to the existing scientific knowledge base and evidence on the ecological wealth* and importance of the bay and surrounding ecosystems.

The scale of ecological change, and the scale of proposed *damages* resulting from these changes can have an *impact on the ecological wellbeing of the beaches and forests as a whole*. In Great Nicobar Island, the proposed extent of the island to be worked on amounts to nearly **18%** of the 910 sq. km. island, and will cover nearly a **quarter of its coastline**. The overall plan envisages the use of about **244 sq. km.** – *a major portion being pristine forest and coastal systems*. In Little Andaman Island the proposed 'sustainable development of Little Andaman' of this virtually untouched island, has sought the de-reservation of over **200 sq km** of pristine rainforest and also of about **140 sq km** of the **Onge Tribal Reserve**.

In a note dated September 26, 2020, the **Divisional Forest Officer**, Little Andaman Island, raised serious *concerns* about this vision on grounds of *ecological fragility*, indigenous rights and *vulnerability* to earthquakes and tsunamis. The note said such large diversion of forest land would cause obvious *environmental loss* leading to **irreversible damage** (more than **2 million trees** stand in the forest land sought for these projects), and that habitats of various wild animals including endangered sea turtles would be affected.

The islands and the coastlines of the Andaman and Nicobar Islands have *global significance* for the health of leatherback populations and to the incredible diversity found within the pristine biomes on its protected shores. The *wealth and the pivotal ecological role of these islands cannot be overstated*. Moreover, in a time of *global ecological destruction*, **ethically** it is in our hands to protect and conserve what little treasures remain, especially when the *value of these islands and beaches have been recognized for decades by both the government and by science*.

The proposed changes suggested by NITI Aayog's vision documents, and the steps taken towards a phased growth plan, run the risk of *destabilizing and disintegrating* these crucial and sensitive ecological zones.

**Thus, in this pivotal time of a pandemic, resource scarcity, and a climate crisis, we turtle conservation organizations from around India strongly appeal to you to reconsider the proposed plans for now and for the future. Furthermore, we urge that the formerly protected Galathea wildlife sanctuary be reinstated with the original levels of protection, and be protected and safe guarded for the future of humanity and all life on this planet.**

Sincerely,

Adhith Swaminathan, Senior Research Assistant, Dakshin Foundation, Bangalore

Akila Balu, Founder Trustee, Student's Sea Turtle Conservation Network (SSTCN), Chennai

Arun V, Founder Trustee, Student's Sea Turtle Conservation Network (SSTCN), Chennai

Ashis Senapati, Freelancer, Project Swarajya; Adviser of Gahirmatha Marine Turtles and Mangrove Conservation Society

Prof.(Retd) B.C.Choudhury, Member IUCN SSC MTSG Member And Vice Chair for South Asia Region

Bijaya Kumar Kabi, Director, Action for Protection of Wild Animals (APOWA), Odisha

Dineshgiri D. Goswami, President, Prakruti nature club, Gujarat

James NJ, Executive Director, Green Habitat, Kerala

Jignesh M. Gohil, Vice President, Prakruti nature club, Gujarat

Kartik Shanker, Professor, Centre for Ecological Sciences, Indian Institute of Science (IISc), Bangalore

Mangaraj Panda, Secretary, UAA ODISHA

M.Ramesh Babu, Ujwla (NGO), Vizianagaram

Muralidharan.M, Field Director, Dakshin Foundation, Bangalore

Naveen Namboothri, Director, Dakshin Foundation, Bangalore

Pradeep Kumar Nath, Founder/President, Visakha Society for Protection and Care of Animals,  
Visakhapatnam

Romulus Earl Whitaker, Founder, Madras Crocodile Bank Trust, Chennai

Sudheerkumar P V, Neithal Kadalama Samrakshana Sanghatana, Neeleswaram, Kerala

Venkatesh Charloo, Founder Trustee, Coastal Impact

**Copied to:**

1. Secretary, Ministry of Environment, Forests and Climate Change  
Indira Paryavaran Bhavanı, Jor Bhagh Road, Aliganj, New Delhi - 110003
2. Special/Additional Secretary  
ESZ Division, Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhavanı, Jor Bhagh Road Aliganj, New Delhi - 110003
3. Adviser (in charge of ESZ)  
Ministry of Environment, Forest and Climate Change  
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4. Director, Ministry of Environment Forest and Climate Change  
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5. Vice Chairman, NITI-AYOG,  
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6. Lieutenant Governor,  
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Andaman & Nicobar Islands
7. Chief Secretary  
O/o Secretary (GA), Andaman and Nicobar administration, Secretariat,  
Port Blair - 744101, Andaman & Nicobar Islands
8. Principal Chief Conservator of Forests & Chief Wildlife Warden  
Office of The Principal Chief Conservator of Forest  
Van Sadan, P.O Haddo, Port Blair - 744102, Andaman & Nicobar Islands
9. The Chairperson,  
Environmental Appraisal Committee (EAC), MoEFCC,  
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