# **Nicobar Port Plan From No-Go Zone to Permitted Area**

For Prelims: <u>Great Nicobar Project</u>, <u>NITI Aayog</u>, <u>National Green Tribunal</u>, <u>International Container Trans-</u> shipment Terminal, <u>Malacca Strait</u>, <u>Environmental Impact</u> <u>Assessment</u>, <u>Coastal Regulation Zone</u>

For Mains: Significance and Concerns Related to Great Nicobar Island Project, Coastal Regulation Zone, Conservation

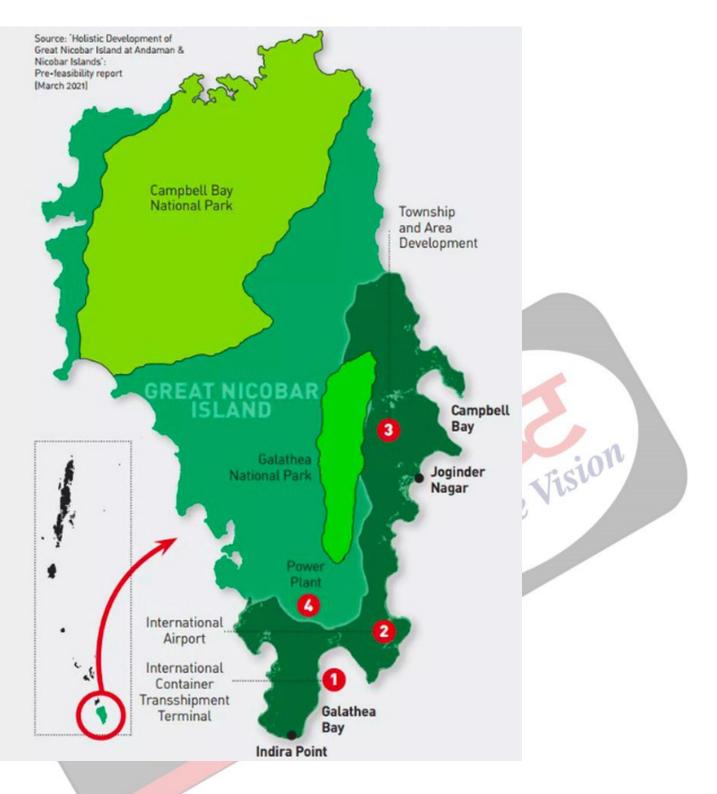
#### Source: IE

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# Why in News?

The <u>Great Nicobar 'Holistic Development' Project</u>, spearheaded by the <u>NITI Aayog (National Institution for Transforming India)</u> has stirred considerable debate. Initially flagged for potentially falling within a no-go zone, the project has now been deemed permissible by a high-powered committee (HPC) appointed by the <u>National</u> <u>Green Tribunal (NGT)</u>.

# What is the Great Nicobar 'Holistic Development' Project?



- Project Overview: Launched in 2021, the Great Nicobar Island (GNI) project is a mega infrastructure initiative aimed at transforming the southern end of the <u>Andaman and Nicobar</u> islands.
- Components:
  - **Trans-shipment Port:** An **International Container Trans-shipment Terminal (ICTT)** expected to bolster regional and global maritime economy.
  - Greenfield International Airport: Facilitating global connectivity.
  - **Township Development:** New urban development that may include a <u>Special Economic</u> <u>Zone</u>.
  - **Power Plant:** A 450 MVA gas and solar-based power plant.
- Strategic Location: Positioned near the <u>Malacca Strait</u>, a key maritime route connecting the Indian Ocean to the Pacific Ocean.
  - The project aims to facilitate the deployment of additional military forces, larger

warships, aircraft, missile batteries, and troops.

- Close to the Malacca Strait, the upgrade is crucial for India's strategic interests, particularly
- against the backdrop of increasing Chinese presence and influence in the region. Project Impact on Environment:
- - Deforestation: The project will involve the felling of approximately 8.5 lakh trees in the rich rainforests of Great Nicobar.
  - Wildlife Displacement: The de-notification of the Galathea Bay Wildlife Sanctuary and the declaration of a "zero extent" eco-sensitive zone for Galathea National Park threaten critical habitats.
  - Ecological Destruction: Home to unique and threatened tropical evergreen forest ecosystems, the construction may cause irreversible damage to the island's biodiversity, including endemic species like the Nicobar Megapode and leatherback turtles.
  - Biodiversity Protection: The project contradicts India's commitments under the **Convention for Biological Diversity** to halt and reverse biodiversity loss by 2030 and protect areas of high ecological importance.
- Concerns of the Local Tribes: The <u>Shompen</u> and <u>Nicobarese tribes</u>, primary inhabitants of the island, face significant displacement and cultural disruption.
  - Despite claims of protecting tribal interests, local communities have not received adequate responses to their concerns and requests for relocation.
  - Local communities withdrew their consent for the project in November 2022, which is necessary for its implementation as the land is part of the tribal reserve.
- Technical and Legal Issues:
  - Seismic Risks: Great Nicobar rests on a major fault line and is prone to earthquakes and tsunamis. There has been no comprehensive risk assessment conducted for these natural hazards.
  - Inadequate Reports: The Environmental Impact Assessment (EIA) report lacks compliance with several Terms of Reference and fails to address critical environmental and social impacts.
  - Legal Challenges: Many approvals and exemptions granted under various laws protecting forests, tribal rights, and coastal ecosystems could face legal challenges in courts and tribunals.

# Why was the Project Previously Flagged in a No-Go Zone?

- Initial Information: The Andaman & Nicobar Coastal Management Authority stated that the port, airport, and township spanned 7 sq km in the Island Coastal Regulation Zone-IA (ICRZ-IA), where port activities are prohibited.
- Environmental Concerns: The ICRZ-IA areas ecologically sensitive zones including mangroves, corals, coral reefs, sand dunes, mudflats, marine parks, wildlife habitats, salt marshes, turtle and bird nesting grounds
  - Permitted Activities in ICRZ-IA: Eco-tourism activities like mangrove walks and natural trails, Roads and roads-on-stilts for defence and strategic projects, with necessary permits.

# What is the Island Coastal Regulation Zone (ICRZ)?

- The Central Government has declared certain coastal stretches of the Andaman & Nicobar Islands and Lakshadweep as Island Protection Zone (IPZ) under the Environment Protection Act. 1986.
- In response to representations from various stakeholders, the Ministry of Environment, Forest and Climate Change (MoEF&CC) has revised the IPZ Notification, 2011, establishing the Island Coastal Regulation Zone (ICRZ), 2011 to regulates activities within 500m of the High Tide Line (HTL) and 100m along banks of creeks, estuaries, backwaters and rivers subject to tidal fluctuations.
  - $\circ\,$  HTL means the line on the land up to which the highest water line reaches during the spring tide. Low Tide Line (LTL) similarly, it means the line on the land up to which the lowest water line reaches during the spring tide.
- The ICRZ is divided into four categories, and the notification imposes restrictions on setting up and expansion of industries or processing plants in the ICRZ.

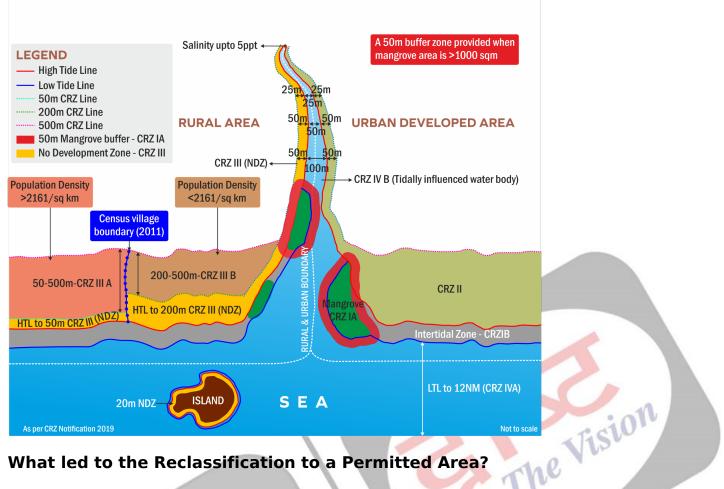
- ICRZ-I: Ecologically sensitive areas and areas between the LTL and HTL.
  - ICRZ-IA Ecologically sensitive and important areas such as <u>national</u> <u>parks/marine parks</u>, sanctuaries, reserve forests, wild habitats, <u>mangroves</u>, <u>corals/coral reefs</u>.

areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty, historical and heritage areas, areas rich in genetic biodiversity, areas likely to be **inundated due to rise in sea level consequent upon global warming**, and such areas as may be declared by the authorities.

- ICRZ-IB (intertidal zones) areas between the Low Tide Line and High Tide Line.
  - Between LTL and HTL in areas which are not ecologically sensitive, the following may be permitted: exploration and extraction of natural gas; construction of basic amenities for traditional inhabitants living within the biosphere reserves; salt harvesting by solar evaporation of seawater; desalination plants; storage of nonbasardous carea such as edible ail, fartilizers within patified parts.
  - hazardous cargo such as edible oil, fertilizers within notified ports.
- ICRZ-II: Areas that are already developed up to or close to the shoreline.
   ICRZ-III: Relatively undisturbed areas not falling into CRZ-I or II, including both developed and undeveloped areas.
- ICRZ-IV: Coastal stretches in the Andaman and Nicobar Islands, Lakshadweep, and small islands, except those designated as CRZ-I, II, or III.

Note: The Coastal Regulation Zone (CRZ) covers coastal areas influenced by tidal action, extending up to 500 meters from the HTL and includes land between the LTL and HTL.

 The ICRZ pertains to the Andaman and Nicobar Islands and Lakshadweep, addressing their specific ecological and developmental challenges.



# What led to the Reclassification to a Permitted Area?

- The High-Powered Committee (HPC) appointed by the National Green Tribunal (NGT) concluded that no part of the project falls in the ICRZ-IA area based on a "groundtruthing exercise" by the National Centre for Sustainable Coastal Management (NCSCM).
  - The NCSCM concluded that no part of the project fell under the ICRZ-IA area, confirming it was within the permissible Island Coastal Regulation Zone-IB (ICRZ-IB) area.
- HPC's Conclusions and Recommendations:
  - Coral Colonies: The HPC agreed with the Zoological Survey of India's recommendation to translocate 16.150 out of 20.668 coral colonies. Continuous observation of sedimentation for the remaining 4,518 colonies was recommended.
  - Baseline Data Collection: The HPC determined that one-season baseline data collection (excluding the monsoon season) was adequate for assessing the environmental impact of the project, as per the **EIA notification**, 2006.
  - Environmental Compliance: The HPC's findings were submitted to the NGT bench by the Andaman and Nicobar Islands Integrated Development Corporation (ANIIDCO).
    - ANIIDCO assured that no activity is proposed within the ICRZ-IA area, in line with specific and general conditions of the environmental clearance.
    - ANIIDCO did not disclose the minutes of HPC's meetings, citing the project's defence and strategic nature.

Note: ANIIDCO was incorporated in 1988 under the Companies Act 1956 for rapid economic growth of the Islands. The main objective of the Corporation is to develop and commercially exploit the natural resources for the balanced and environment friendly development of the territory.

# What are the Stakeholders' Responses to the Project?

- **NGT's Role:** A special bench of the NGT formed the HPC to revisit the project's environmental clearance, addressing concerns raised by environmentalists.
- Activist's Plea: Environmental activists filed a plea seeking the exclusion of the project's activities from ICRZ-IA and disclosure of HPC's recommendations and meeting minutes.
- Government Response: The Andaman & Nicobar administration has yet to respond to gueries regarding changes in the project's siting and differing information about its extent in ICRZ areas.
- Political and Public Outcry: Political leaders guestioned the change in land categorization and demanded transparency regarding the new information that led to this change.
  - There are demands for a thorough impartial review of the proposed projects, including by concerned Parliamentary committees.

National Green Tribunal

- The NGT has been established in 2010 under the National Green Tribunal Act 2010 to effectively and expeditiously dispose of cases relating to environmental protection, conservation and compensation for damages to persons and property and for matters connected therewith or incidental thereto.
- The Tribunal shall not be bound by the procedure laid down under the <u>Code of Civil Procedure</u>. **1908**, but shall be guided by **principles of natural justice**.
- The Tribunal is mandated to make an endeavor for disposal of applications or appeals finally within 6 months of filing of the same.
- The Vision New Delhi is the Principal Place of Sitting of the Tribunal and Bhopal, Pune, Kolkata and Chennai shall be the other four places of sitting of the Tribunal.

# Way Forward

- A comprehensive and transparent EIA should be conducted by an independent body to assess the project's full environmental and social implications.
- Effective measures to minimize the project's environmental impact, such as habitat restoration, carbon offsetting, and wildlife conservation, should be implemented.
- A participatory approach involving the Shompen and Nicobarese tribes is essential. Fair and equitable resettlement plans should be developed.
  - Regular public consultations and disclosure of project information are crucial to building trust.
- Explore alternative development models that prioritize sustainability and minimize environmental impact.
  - Establish a robust monitoring system to track the project's environmental and social impacts.

#### Drishti Mains Question:

Q. Analyze the objectives of the Great Nicobar Project and its environmental impacts on biodiversity and ecosystems, and propose mitigation measures.

## Read more: Reimagining Andaman and Nicobar Islands

# **UPSC Civil Services Examination, Previous Year Questions (PYQs)**

# **Prelims**

Q. Which one of the following regions of India has a combination of mangrove forest, evergreen forest and deciduous forest? (2015)

- (a) North Coastal Andhra Pradesh
- (b) South-West Bengal
- (c) Southern Saurashtra
- (d) Andaman and Nicobar Islands

#### Ans: (d)

#### Q. Which of the following have coral reefs? (2014)

- 1. Andaman and Nicobar Islands
- 2. Gulf of Kachchh
- 3. Gulf of Mannar
- 4. Sunderbans

#### Select the correct answer using the code given below:

(a) 1, 2 and 3 only

- (b) 2 and 4 only
- (c) 1 and 3 only
- (d) 1, 2, 3 and 4

## Ans: (a)

Q. In which one of the following places is the Shompen tribe found? (2009)

- (a) Nilgiri Hills
- (b) Nicobar Islands
- (c) Spiti Valley
- (d) Lakshadweep Islands

#### Ans: (b)

# Q. The National Green Tribunal Act, 2010 was enacted in consonance with which of the following provisions of the Constitution of India? (2012)

Right to healthy environment, construed as a part of Right to life under Article 21

Provision of grants for raising the level of administration in the Scheduled Areas for the welfare of Scheduled Tribes under Article 275(1)

Powers and functions of Gram Sabha as mentioned under Article 243(A)

#### Select the correct answer using the codes given below:

(a) 1 only
(b) 2 and 3 only
(c) 1 and 3 only
(d) 1, 2 and 3

#### Ans: (a)

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