**CCG LETTER TO THE PRIME MINISTER ON**

**DISTURBING DEVELOPMENTS IN LAKSHADWEEP**

**5 June 2021**

The Hon’ble Prime Minister of India

Cc: The Hon’ble Minister for Home Affairs, Govt. of India

Cc: The Hon’ble Minister for Environment & Forests, Govt. of India

Dear Prime Minister,

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 write to you today to register our deep concern over disturbing developments taking place in the pristine Union Territory (UT) of Lakshadweep in the name of ‘development’.

Lakshadweep occupies a unique place in India’s geographic and cultural diversity. It is an ecologically sensitive coral archipelago located off the Malabar coast consisting of 36 islands (of which 10 are inhabited and one developed as a tourist resort) spread out over 32 sq. kms. in the Indian Ocean, with a Muslim majority population of around 65,000 that is matrilineal, largely egalitarian, and ethnically close to Kerala, from where it was ruled through much of its history. According to the Scheduled Castes and Scheduled Tribes list (modification orders), 1956, the inhabitants of Lakshadweep are treated as Scheduled Tribes.

Mindful of the intimate and symbiotic bonds between the land, climate, culture and livelihoods of the local population, the Central government has, over the decades, tried to pursue an environmentally sound and people-centric development policy towards the islands through a centrally appointed Administrator guided by a specially constituted Island Development Authority for the island territories of India, chaired by the Prime Minister. In 1988, the Authority approved a framework for development of India’s island territories that concluded that: *“An environmentally sound strategy for both island groups hinges on better exploitation of marine resources coupled with much greater care in the use of land resources.”*

Since then, scientists and climate experts have been documenting the threats to the coral atolls protecting the islands, from increasing human activity, climate change and rising sea levels, and warning that the coral reefs around some of the islands such as Kavaratti are declining beyond their power of regeneration and threatening their very existence. The need to pursue environment and climate sensitive policies in fragile ecologies becomes even more relevant with the Prime Minister himself reaffirming India’s commitment to climate change and the upcoming COP 26 meeting in the UK.

Although there have been pressures for more aggressive development over the years at the cost of the islanders, and the administration of the islands, staffed at higher levels by officers from the AGMUT cadre, is open to the charge of paternalism, this island sensitive pattern of development has held so far. The assumption of additional charge of Administrator of Lakshadweep by Shri P.K. Patel, Administrator of Dadra and Nagar Haveli, Daman and Diu in December 2020 threatens to undo this paradigm entirely. Since taking charge, he has introduced drafts of three regulations – **the Lakshadweep Development Authority Regulation (LDAR), the Lakshadweep Prevention of Anti-Social Activities Regulation (commonly known as PASA or the Goonda Act elsewhere), and the Lakshadweep Animal Preservation Regulation (LAPR)** – as well as an amendment to the **Lakshadweep Panchayat Regulations** that have generated widespread anxiety in Lakshadweep and the nation at large. These drafts have been introduced without local consultation and are presently with the Ministry of Home Affairs, Government of India for necessary approvals.

It is clear that each of these draft regulations is part of a larger agenda that is against the ethos and interests of the islands and islanders. Claiming that there has been no development in Lakshadweep for the past seventy years, the **LDAR** reflects a model of land and tourism development which includes resorts, hotels and beachfronts on the ‘Maldives model’ unmindful of the differences between the two island groups in size, population, number of islands and their spread. Draft provisions that permit “*building, engineering, mining, quarrying or other operations in, on, over or under land, the cutting of a hill or any portion thereof or the making of any material change in any building or land or in the use of any building including sub-division of any land*” for highways etc. in small islands that barely exceed 3-4 kms in length, constitute a serious threat to the fragile ecosystem of Lakshadweep.

Besides ignoring the unique geography of the UT and its community life, the **LADR** also vests arbitrary and draconian powers in the Administrator to acquire, alter, and transfer properties and/or remove or relocate islanders from their property, for town planning or any developmental activity that he decides is necessary, threatening the islanders’ rights to possess and retain their property. The administration has already razed beach huts, storing boats, nets and other fishing equipment of local fishermen, presumably to clear beaches for tourism development, alleging that they had encroached onto government land and citing violations of the Coastal Regulation Zone rules and the Coast Guard Act, even though the fishermen were exempt from Coastal Regulation Zone rules.

Concerns over dispossession of land, predatory corporate development and destruction of the environment have been compounded by the draft **PASA,** a preventive detention regulation that enables the Administrator to detain any person for up to a year for common crimes (like anti-social behaviour, smuggling contraband drugs and liquor, involvement in immoral traffic, land grabbing, cyber-crimes, sexual offences or damaging the environment). National security concerns in a sensitive maritime area, including infiltration of terrorists and arms, have also been cited in support of the Regulation. In a territory where, according to the National Crime Records Bureau, crime rates are very low compared to the rest of India, it has generated fears that the real purpose of the Regulation is to smother dissent or protests against the policies and actions of the Administrator or on any other issue.

Other regulations proposed by the Administrator target food and dietary habits and religious injunctions of the local islanders, 96.5% of whom are Muslims. The **LAPR** will, if passed into law, effectively ban the killing of bovine animals and prohibit the consumption, storage, transport or sale of cattle meat in an island environment where there are inherent limits to livestock development. No such prohibitions apply to several states in the North-East and even the state of Kerala next door. Inexplicably, a government run dairy farm producing milk for the islanders has been shut down by the Administrator. Stringent conditions for fitness certificates for animals to be slaughtered will make the slaughtering of any animal very difficult.

In addition, in an island territory where fruits, vegetables, cereals and pulses have to be supplied and distributed from the mainland by sea and are frequently not fresh, where fishing is risky during the monsoon months, and meat is part of their daily diet, non-vegetarian food has been arbitrarily removed from mid-day school meals. A ban on the sale and consumption of alcohol in keeping with the religious sensitivities of the overwhelmingly Muslim population has been lifted, once again ostensibly to promote tourism, giving both the beef ban and lifting of prohibition on alcohol an avoidable communal colour in a sensitive maritime region where communal disharmony could harm national security.

The changes being proposed by the **Lakshadweep Panchayat Regulation, 2021** for elections to gram panchayats that will disqualify candidates with more than two children from contesting seats for the gram panchayat toohave been proposed without any local consultation or taking into account local sensitivities. Other arbitrary actions like the shutting down of schools in the islands ‘to reduce public expenditure’ and terminating employment of youth working in different departments before the completion of their tenure, have added to the unhappiness of the islanders with the Administrator. Another inexplicable recent modification excludes Beypore port (Kozhikode) from the three ports connecting Lakshadweep to the mainland (Kochi and Mangaluru being the others), compounding the perennial problem of connectivity of the dispersed north-south island chain with the mainland.

The District Dweep Panchayat led by the ‘President cum Chief Counsellor’ is the only elected local body in Lakshadweep in an archipelago already perceived to be ruled by remote central administrators, with whom there exists a linguistic barrier. Rather than undermining its status and sanctity, the Dweep Panchayat is the obvious forum for consultation for new legislation, particularly those as disruptive as the **LDAR**, **PASA** and **LAPR**. It could be empowered instead of being ridden rough shod over. Without such consultations with local bodies, the Lakshadweep Development Authority and the powers vested in it, will be seen as just grabbing land for real estate and tourism interests.

The arrival of the Administrator has also aggravated problems relating to COVID. Until his appointment in December 2020, Lakshadweep did not report a single case of COVID-19. With his arrival and occasional visits, mandatory quarantine guidelines and SOPs for those arriving from the mainland (taking into account its small island character, density of population and rudimentary health facilities) have been relaxed, leading to the first reported case of COVID-19 on 18 January 2021, the first Covid death on 24 February 2021, 8479 cumulative cases and 35 deaths as of date, leading to a total lockdown situation until recently.

Each of these measures smacks not of development but of alien and arbitrary policy making, in violation of established practices that respect the environment and society of Lakshadweep. Taken together, the actions and far-reaching proposals of the Administrator, without due consultation with the islanders, constitute an onslaught on the very fabric of Lakshadweep society, economy and landscape as if the islands were just a piece of real estate for tourists and tourism investors from the outside world. They threaten to deprive the local population of their lands and livelihoods for an alien and exploitative model of development for the benefit of others in which they may at best occupy the lowest rung of service providers, thatwill disrupt traditional lifestyles, food, customs, society and social harmony and impose alien lifestyles, seriously and irreversibly damage the island’s fragile ecology, and threaten the peace and tranquillity of the island. There have already been protests against these policies by the islanders as well as political figures from the island, neighbouring Kerala and political parties.

The present Administrator’s various measures, including the introduction of the three new Regulations and the modification of an existing Regulation, seem entirely misconceived, opening the islands to predatory development and threatening to disrupt and displace a peaceful island community and change their lives for the worse. We urge that these measures be withdrawn forthwith, the UT be provided with a full-time, people-sensitive and responsive Administrator, and that an appropriate development model that emphasises access to safe and secure healthcare, education, just governance, food security and livelihood options linked to the ecosystem, in consultation with islanders, be put in place, building on the achievements thus far. Such a model of sustainable development of the coral atolls will highlight our commitment to environmental conservation while also improving the living standards of the people of Lakshadweep. That our letter to you is sent on World Environment Day is an affirmation of our unshakeable conviction that human life is firmly tied to the earth.

**SATYAMEVA JAYATE**

Yours sincerely.

**CONSTITUTIONAL CONDUCT GROUP**

(93 signatories, as below)

|  |  |  |  |
| --- | --- | --- | --- |
|  | Anita Agnihotri | IAS (Retd.) | Former Secretary, Department of Social Justice Empowerment, GoI |
|  | Salahuddin Ahmad | IAS (Retd.) | Former Chief Secretary, Govt. of Rajasthan |
|  | S.P. Ambrose | IAS (Retd.) | Former Additional Secretary, Ministry of Shipping & Transport, GoI |
|  | G. Balachandhran | IAS (Retd.) | Former Additional Chief Secretary, Govt. of West Bengal |
|  | Vappala Balachandran | IPS (Retd.) | Former Special Secretary, Cabinet Secretariat, GoI |
|  | Gopalan Balagopal | IAS (Retd.) | Former Special Secretary, Govt. of West Bengal |
|  | Chandrashekhar Balakrishnan | IAS (Retd.) | Former Secretary, Coal, GoI |
|  | Rana Banerji | IAS (Retd.) | Former Special Secretary, Cabinet Secretariat, GoI |
|  | Sharad Behar | IAS (Retd.) | Former Chief Secretary, Govt. of Madhya Pradesh |
|  | Aurobindo Behera | IAS (Retd.) | Former Member, Board of Revenue, Govt. of Odisha |
|  | Madhu Bhaduri | IFS (Retd.) | Former Ambassador to Portugal |
|  | K.V. Bhagirath | IFS (Retd.) | Former Secretary General, Indian Ocean Rim Association, Mauritius |
|  | Sudha Bhave | IAS (Retd.) | Former Secretary, Textiles, Govt. of Maharashtra |
|  | Meeran C Borwankar | IPS (Retd.) | Former DGP, Bureau of Police Research and Development, GoI |
|  | Ravi Budhiraja | IAS (Retd.) | Former Chairman, Jawaharlal Nehru Port Trust, GoI |
|  | Sundar Burra | IAS (Retd.) | Former Secretary, Govt. of Maharashtra |
|  | R. Chandramohan | IAS (Retd.) | Former Principal Secretary, Transport and Urban Development, Govt. of NCT of Delhi |
|  | Tishyarakshit Chatterjee | IAS (Retd.) | Former Secretary, Environment & Forests, GoI |
|  | Kalyani Chaudhuri | IAS (Retd.) | Former Additional Chief Secretary, Govt. of West Bengal |
|  | Gurjit Singh Cheema | IAS (Retd.) | Former Financial Commissioner (Revenue), Govt. of Punjab |
|  | Anna Dani | IAS (Retd.) | Former Additional Chief Secretary, Govt. of Maharashtra |
|  | P.R. Dasgupta | IAS (Retd.) | Former Chairman, Food Corporation of India, GoI |
|  | Pradeep K. Deb | IAS (Retd.) | Former Secretary, Deptt. Of Sports, GoI |
|  | Keshav Desiraju | IAS (Retd.) | Former Health Secretary, GoI |
|  | M.G. Devasahayam | IAS (Retd.) | Former Secretary, Govt. of Haryana |
|  | Sushil Dubey | IFS (Retd.) | Former Ambassador to Sweden |
|  | K.P. Fabian | IFS (Retd.) | Former Ambassador to Italy |
|  | Prabhu Ghate | IAS (Retd.) | Former Addl. Director General, Department of Tourism, GoI |
|  | Arif Ghauri | IRS (Retd.) | Former Governance Adviser, DFID, Govt. of the United Kingdom (on deputation) |
|  | Gourisankar Ghosh | IAS (Retd.) | Former Mission Director, National Drinking Water Mission, GoI |
|  | Suresh K. Goel | IFS (Retd.) | Former Director General, Indian Council of Cultural Relations, GoI |
|  | H.S. Gujral | IFoS (Retd.) | Former Principal Chief Conservator of Forests, Govt. of Punjab |
|  | Meena Gupta | IAS (Retd.) | Former Secretary, Ministry of Environment & Forests, GoI |
|  | Ravi Vira Gupta | IAS (Retd.) | Former Deputy Governor, Reserve Bank of India |
|  | Wajahat Habibullah | IAS (Retd.) | Former Secretary, GoI and former Chief Information Commissioner |
|  | Sajjad Hassan | IAS (Retd.) | Former Commissioner (Planning), Govt. of Manipur |
|  | Siraj Hussain | IAS (Retd.) | Former Secretary, Department of Agriculture, GoI |
|  | P.K. Lahiri | IAS (Retd.) | Former ED, Asian Development Bank & Former Revenue Secretary, GoI |
|  | Subodh Lal | IPoS (Resigned) | Former Deputy Director General, Ministry of Communications, GoI |
|  | B.B. Mahajan | IAS (Retd.) | Former Secretary, Deptt. of Food, GoI |
|  | Harsh Mander | IAS (Retd.) | Govt. of Madhya Pradesh |
|  | Amitabh Mathur | IPS (Retd.) | Former Special Secretary, Cabinet Secretariat, GoI |
|  | Aditi Mehta | IAS (Retd.) | Former Additional Chief Secretary, Govt. of Rajasthan |
|  | Dalip Mehta | IFS (Retd.) | Former Secretary to GoI & Dean, Foreign Service Institute |
|  | Rita Menon | IAS (Retd.) | Former CMD, India Trade Promotion Organisation, GoI |
|  | Shivshankar Menon | IFS (Retd.) | Former Foreign Secretary and Former National Security Adviser |
|  | Sonalini Mirchandani | IFS (Resigned) | GoI |
|  | Malay Mishra | IFS (Retd.) | Former Ambassador to Hungary |
|  | Avinash Mohananey | IPS (Retd.) | Former Director General of Police, Govt. of Sikkim |
|  | Jugal Mohapatra | IAS (Retd.) | Former Secretary, Department of Rural Development, GoI |
|  | Deb Mukharji | IFS (Retd.) | Former High Commissioner to Bangladesh and former Ambassador to Nepal |
|  | Shiv Shankar Mukherjee | IFS (Retd.) | Former High Commissioner to the United Kingdom |
|  | Gautam Mukhopadhaya | IFS (Retd.) | Former Ambassador to Myanmar |
|  | Nagalsamy | IA&AS (Retd.) | Former Principal Accountant General, Tamil Nadu & Kerala |
|  | T.K.A. Nair | IAS (Retd.) | Former Adviser to Prime Minister of India |
|  | Sobha Nambisan | IAS (Retd.) | Former Principal Secretary (Planning), Govt. of Karnataka |
|  | P. Joy Oommen | IAS (Retd.) | Former Chief Secretary, Govt. of Chhattisgarh |
|  | Amitabha Pande | IAS (Retd.) | Former Secretary, Inter-State Council, GoI |
|  | Niranjan Pant | IA&AS (Retd.) | Former Deputy Comptroller and Auditor General, GoI |
|  | Alok Perti | IAS (Retd.) | Former Secretary, Ministry of Coal, GoI |
|  | R. Poornalingam | IAS (Retd.) | Former Secretary, Ministry of Textiles, GoI |
|  | Rajesh Prasad | IFS (Retd.) | Former Ambassador to the Netherlands |
|  | Sharda Prasad | IAS (Retd.) | Former Director General (Employment and Training), Ministry of Labour and Employment, GoI |
|  | R.M. Premkumar | IAS (Retd.) | Former Chief Secretary, Govt. of Maharashtra |
|  | N.K. Raghupathy | IAS (Retd.) | Former Chairman, Staff Selection Commission, GoI |
|  | V.P. Raja | IAS (Retd.) | Former Chairman, Maharashtra Electricity Regulatory Commission |
|  | M.Y. Rao | IAS (Retd.) |  |
|  | Satwant Reddy | IAS (Retd.) | Former Secretary, Chemicals and Petrochemicals, GoI |
|  | Julio Ribeiro | IPS (Retd.) | Former Adviser to Governor of Punjab & Former Ambassador to Romania |
|  | Aruna Roy | IAS (Resigned) |  |
|  | Manabendra N. Roy | IAS (Retd.) | Former Additional Chief Secretary, Govt. of West Bengal |
|  | A.K. Samanta | IPS (Retd.) | Former Director General of Police (Intelligence), Govt. of West Bengal |
|  | Deepak Sanan | IAS (Retd.) | Former Principal Adviser (AR) to Chief Minister, Govt. of Himachal Pradesh |
|  | G. Sankaran | IC&CES (Retd.) | Former President, Customs, Excise and Gold (Control) Appellate Tribunal |
|  | Shyam Saran | IFS (Retd.) | Former Foreign Secretary and Former Chairman, National Security Advisory Board |
|  | S. Satyabhama | IAS (Retd.) | Former Chairperson, National Seeds Corporation, GoI |
|  | N.C. Saxena | IAS (Retd.) | Former Secretary, Planning Commission, GoI |
|  | A. Selvaraj | IRS (Retd.) | Former Chief Commissioner, Income Tax, Chennai, GoI |
|  | Ardhendu Sen | IAS (Retd.) | Former Chief Secretary, Govt. of West Bengal |
|  | Abhijit Sengupta | IAS (Retd.) | Former Secretary, Ministry of Culture, GoI |
|  | Ashok Kumar Sharma | IFoS (Retd.) | Former MD, State Forest Development Corporation, Govt. of Gujarat |
|  | Ashok Kumar Sharma | IFS (Retd.) | Former Ambassador to Finland and Estonia |
|  | Navrekha Sharma | IFS (Retd.) | Former Ambassador to Indonesia |
|  | Raju Sharma | IAS (Retd.) | Former Member, Board of Revenue, Govt. of Uttar Pradesh |
|  | Sujatha Singh | IFS (Retd.) | Former Foreign Secretary, GoI |
|  | Tirlochan Singh | IAS (Retd.) | Former Secretary, National Commission for Minorities, GoI |
|  | Jawhar Sircar | IAS (Retd.) | Former Secretary, Ministry of Culture, GoI, & former CEO, Prasar Bharati |
|  | Parveen Talha | IRS (Retd.) | Former Member, Union Public Service Commission |
|  | Thanksy Thekkekera | IAS (Retd.) | Former Additional Chief Secretary, Minorities Development, Govt. of Maharashtra |
|  | P.S.S. Thomas | IAS (Retd.) | Former Secretary General, National Human Rights Commission |
|  | Hindal Tyabji | IAS (Retd.) | Former Chief Secretary rank, Govt. of Jammu & Kashmir |
|  | Jawed Usmani | IAS (Retd.) | Former Chief Secretary, Govt. of Uttar Pradesh & former Chief Information Commissioner, Uttar Pradesh |
|  | Ramani Venkatesan | IAS (Retd.) | Former Director General, YASHADA, Govt. of Maharashtra |