

To
Hon'ble Shri Ram Nath Kovind,
President, Republic of India
26th June 2021

Subject: Request to ask for withdrawal of the draft Lakshadweep Development Authority Regulation 2021

Hon'ble President,

We the undersigned are researchers and lawyers writing to you to appraise you of our concerns regarding the proposed draft Lakshadweep Development Authority Regulation of 2021 (henceforth draft LDAR), with a sincere request to your good offices to intervene in the matter to ensure the withdrawal of the same in the interests of the well-being of the citizens of Lakshadweep. The draft LDAR is disassociated from the social, cultural, economic and environmental realities of the Lakshadweep islands. We find that the draft LDAR not only fails to address its stated purposes of good governance, the conservation and promotion of public health, safety and general welfare of the people, but rather goes against these and will facilitate land grab and ecological destruction on these special islands.

Our major concerns are the following:

1. Draft LDAR violates Fundamental Rights guaranteed to citizens under article 14 and 21 of constitution. The livelihood of islanders is directly dependent on the health of the lagoon and reef ecosystems. The procedural lapses and oversight in promulgation of the draft LDAR violates established principles of natural justice. The provisions in the LDAR are also in contravention of legal principles of reasonableness and non arbitrariness. The land acquisitions provisions proposed by the draft LDAR goes against the spirit of fairness, transparency and livelihood rehabilitation mandated as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
2. The proposed new authorities and their areas of jurisdiction restrict local community participation. A separate planning authority is redundant and supersedes the powers of the democratically elected Lakshadweep panchayats. The draft LDAR further centralises control over the ownership and use of land in Lakshadweep ignoring the customary laws and legal pluralism that shape the governance of land in the islands. Additionally, the draft LDAR 2021 prima facie violates recommendations of the Parliamentary Standing Committee (Report no 231 presented on 15.03.2021) by not consulting the elected representatives or the Member of Parliament from Lakshadweep in matters of planning and development.
3. The Hon'ble Supreme Court appointed Justice Raveendran commission had recommended that "Considering the fragile ecosystem, all forms of development by Government or otherwise (except any guarded development for carefully predetermined operational constructions), shall uniformly adhere to the IIMP". Subsequently, the Integrated Island Management Plans (IIMPs) were prepared by scientific bodies and approved and notified by the Ministry of Forest, Environment and Climate Change (MoEF&CC) vide order No.19011/16/91-IA.III dated 23-10-2015. The Draft LDAR ignores and overrides the IIMPs prepared under orders of the Hon'ble Supreme Court.

As a collective of researchers and lawyers working to secure livelihood security and sustainable development for India's communities, we respectfully request you to intervene to ask for the withdrawal of this draft law, through your constitutional powers and duties to ensure peace, progress and good governance for Lakshadweep. We also request you to urge the implementation of the recommendations of the Hon'ble Supreme Court appointed Justice Raveendran Committee for the sustainable development of the islands. We look up to you to urgently intervene to prevent the likely injustices that the proposed LDAR would propagate.

List of signatories

No	Name	Designation
1	Aarthi Sridhar	Social Scientist
2	Alphonsa Jojan	Lawyer and Researcher
3	Anil T Varghese	Social Worker
4	Arpitha Kodiveri	Environmental Lawyer
5	Avli Verma	Researcher
6	Bharath jairaj	researcher
7	Clifton D'Rozario	Lawyer
8	Deepak	Conservationist
9	Devanshi Kasana	Researcher
10	Devika .S	Lawyer
11	Dipani Sutaria	Ecologist
12	Himanshu Thakkar	Environmental researcher cum activist
13	Ikshaku Bezbaroa	Environment socio-legal/policy research
14	Ila Reddy	Development consultant
15	Jahnvi Sindhu	Lawyer
16	Jasoon C	Researcher
17	Kanchi Kohli	Environmental Researcher
18	Kankana Das	environmental researcher
19	Kartik Shanker	Scientist
20	Maanav Kumar	Lawyer
21	Madhuri Ramesh	Researcher
22	Mahaboob Khan CP	Researcher
23	Maitreyi Krishnan	Lawyer
24	Manju Menon	Environmental Researcher
25	Marianne Manuel	Researcher
26	Meenakshi Kapoor	Independent Researcher
27	Meera Gopal	Environmental lawyer
28	Meera Oommen	Geographer

29	Mridula Paul	Senior Policy Analyst
30	Nayana Udayashankar	researcher
31	Neha Sinha	Researcher
32	Nityanand Jayaraman	Writer
33	Noor Ameena	Researcher
34	P K Mahesh	Engineer
35	Pooja Kumar	Environmental Researcher
36	Raghav Srivastava	Graduate student
37	Rahul Muralidharan	PhD Candidate
38	Revati P.	Researcher
39	Rohan Arthur	Marine Biologist
40	Rucha Karkarey	Marine Ecologist
41	Sahana Manjesh	Advocate
42	Sanket Bhale	Environmental conservationist
43	Sarada Mahesh	Lawyer
44	Savita V	Researcher
45	Sharachchandra Lele	Researcher
46	Shimul Bijoor	Researcher
47	Shripad Dharmadhikary	Researcher
48	Shyama K	Independent legal researcher
49	Smaran Shetty	Environmental Lawyer
50	Smriti Jalihal	Researcher
51	Sreedhar Ramamurthi	Researcher
52	Srishti Agnihotri	Environmental Lawyer
53	Stella James	Lawyer
54	T.Mohan	Lawyer
55	Vijay Govind Nath	Researcher
56	Vineetha Venugopal	Researcher
57	Vivek Rakotu	Conservation Biologist
58	Zoya Tyabji	Researcher