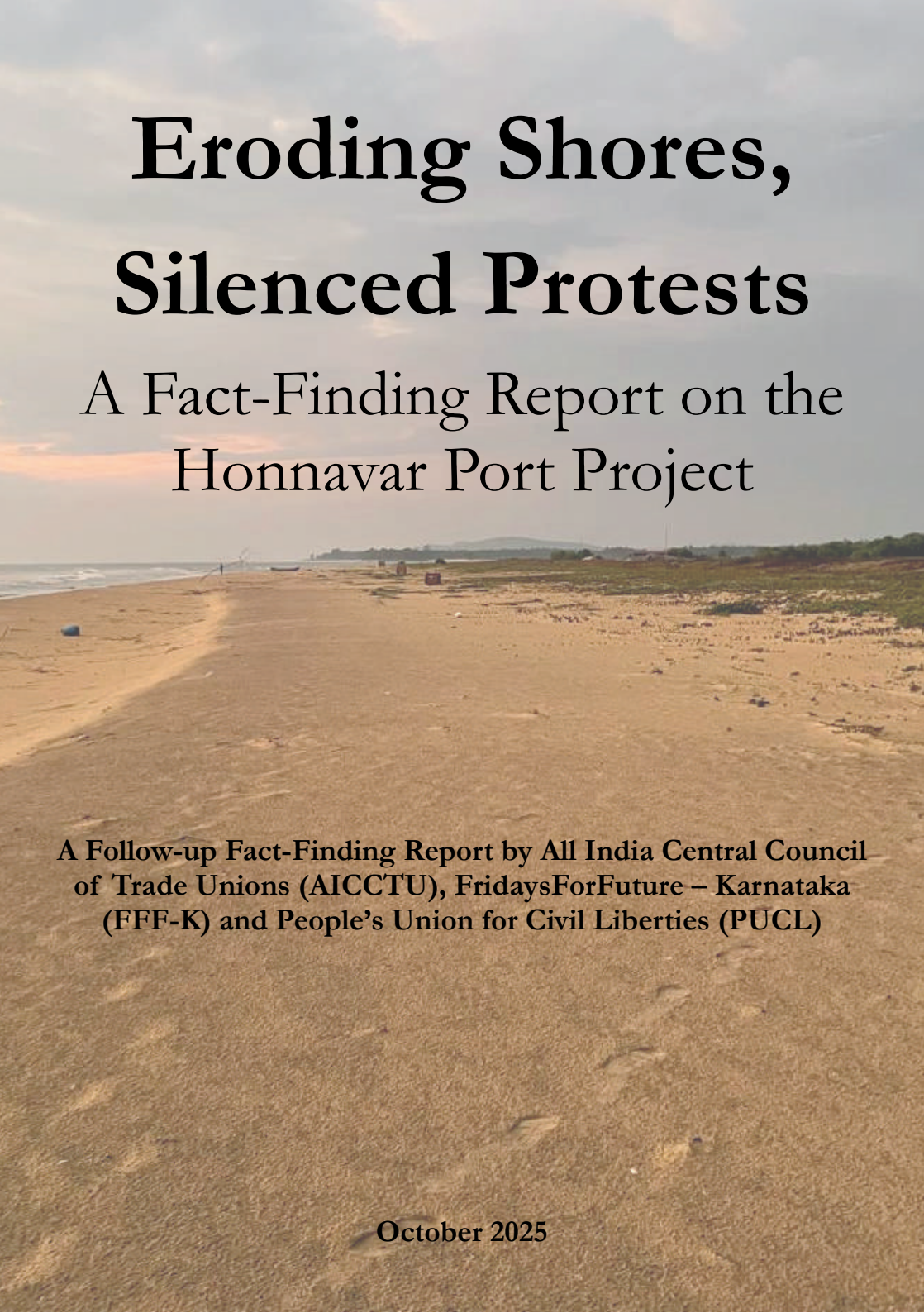
Eroding Shores, Silenced Protests

A Fact-Finding Report on the Honnavar Port Project



A Follow-up Fact-Finding Report by All India Central Council of Trade Unions (AICCTU), FridaysForFuture – Karnataka (FFF-K) and People's Union for Civil Liberties (PUCL)

October 2025

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A Follow-up Fact-Finding Report[1] by All India Central Council of Trade Unions (AICCTU), FridaysForFuture – Karnataka (FFF-K) and People's Union for Civil Liberties (PUCL)

[1] 'A Port on a Sandpit' (2024): https://bit.ly/3SpF6v1

First edition: November 2025, 100 copies
Published by: All India Central Council of Trade Unions (AICCTU), FridaysForFuture – Karnataka (FFF-K) and People's Union for Civil Liberties (PUCL)
Cover page design and layout by: Aishwarya R.

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Executive Summary

Honnavar, a coastal taluk in the Uttara Kannada district of Karnataka, is a beautiful landscape. Nestled between the Sharavathi River and the Arabian Sea, it harbours an estuarine ecosystem and is home to endangered species such as the Olive Ridley turtle. It supports a thriving traditional fishing economy and a vibrant community whose lives and livelihoods are inextricably tied to this coastline.

Since 2010, when Honnavar Port Private Limited (HPPL) was granted permission to develop a commercial port in Kasarkod, the region has witnessed growing unease and resistance. The port is planned across 44 hectares of land belonging to five fishing villages -Tonka 1, Tonka 2, Pavinkurva, Mallukurva and Honnavar Rural - without the consent of the local community or adherence to constitutionally mandated environmental safeguards.

A 2024 fact-finding report had already laid bare a pattern of procedural lapses and human rights violations. However, developments in 2025 - including intensified police action, land surveys and the construction of an access road through coastal commons - have escalated the crisis. What emerges is a textbook case of how development, when driven by private interests and state complicity, can systematically dismantle ecological safeguards and community rights.

This follow-up fact-finding was initiated by a coalition of civil society organizations - All India Central Council of Trade Unions (AICCTU), Fridays For Future Karnataka (FFF-K), and People's Union for Civil Liberties (PUCL) - to document more recent violations and bring the widest possible attention to the resilience and demands of the Honnavar fisher community. Through on-ground interviews, site visits, and engagement

with the state authorities, the team recorded instances of state repression, legal evasions and deepening socio-ecological distress.

This report presents an updated account of the ongoing situation in Honnavar - documenting the Community's sustained opposition and the response of the state and corporate interests involved.

Findings

1. Road Construction

The road connecting the proposed port site to NH66 is a four-lane access road sanctioned under the Bharatmala programme. While the National Highways Authority of India (NHAI) is the implementing agency, the responsibility for acquiring encumbrance-free land falls on Honnavar Port Private Limited (HPPL), as per a tripartite agreement with the Government of Karnataka.

Construction has begun despite pending identification of private property holders and absence of land titles for most residents, many of whom have lived in the area for decades. Official records note the presence of 101 structures in the proposed road alignment, of which only 18 have formal title deeds. While forest clearance for a segment of the road has been obtained, the broader alignment traverses ecologically sensitive zones, including CRZ-I and CRZ-III areas.

The road also cuts across community-used spaces, such as fish drying grounds in addition to the homes of the fisherfolk.

2. Protest on 25th February

On 25th February 2025, community members organised a peaceful protest in response to an official land survey for the road. What followed was a disproportionate response from the police, including lathi charges, detentions and the filing of criminal cases under false charges against protestors. Several first-hand accounts describe beatings, abusive language and the targeting of minors and women.

One of the most widely circulated testimonies came from a 15-year-old girl, Apeksha, who questioned the silence of elected representatives and the absence of institutional protection for the fisherfolk. Following her statement to the media, police officials arrived at her residence and demanded she retract her comments. When she refused, the members of her family, including her brother, were physically assaulted and detained. Several other protestors reported similar experiences, including threats, confiscation of phones and deletion of recorded videos.

In the aftermath, 45 individuals were booked under serious criminal charges, including rioting, criminal conspiracy and even attempted murder. Among those named were individuals who were not even present in Honnavar at the time of the protest.

In a distressing episode, nearly 40 people from the community attempted to walk into the sea in protest. Many had to be rescued by police and were later taken into custody or hospitalized. The psychological and emotional toll of these events has had lasting effects, including trauma-related conditions in some individuals.

3. Community's Continued Resistance

The resistance against the port project is not new. Since a decade, community members have consistently opposed its construction through public protests, legal challenges and petitions. The demolition of fish drying

sheds in 2016 marked a turning point and triggered a sustained mobilisation by fisherfolk, including women-led sit-ins and multiple representations to administrative offices. No substantive action was taken to address their concerns.

Community leaders and members continue to face harassment and intimidation. Many individuals named in protest-related FIRs have had to seek anticipatory bail or avoid returning to their homes for extended periods. Still, the resistance remains strong, with collective action cutting across religious, caste and class divisions within the fisherfolk.

The community's position remains clear: the proposed port and road threaten their homes, livelihoods, the integrity of the coastal environment and the commons they have stewarded for generations.

4. Livelihoods

The proposed port and its associated infrastructure pose a significant threat to the livelihoods of Honnavar's fishing communities. These impacts are not speculative. They are being felt already and similar patterns have been documented in other parts of the country.

In Honnavar, fishing is the basis of the local economy and a shared way of life. The community includes boat owners, fish vendors, petty fishers, dry fish processors and workers involved in packing, transporting and selling fish. Each of these roles contributes to a local system that is interdependent, with both women and men participating in different stages of the fishing process. Women, in particular, play a central role in the dried fish trade, a sector that has been heavily impacted since the land used for fish drying was fenced off in 2019 to make way for the port project.

The loss of access to drying grounds and coastal spaces has meant job losses for the women and a steady decline in income for many families. Younger members of the community are being forced to seek informal work elsewhere, often without security or support. As the construction continues, the uncertainty grows.

Officials have maintained that the port will not affect local livelihoods. However, community members and fisheries experts challenge this claim. The proposed port is located within an estuarine zone, a highly productive ecosystem on which small-scale fishing depends. According to Professor R.C. Bhatta, a fisheries economist, the construction of breakwaters and large-scale infrastructure disrupts sediment movement and accelerates coastal erosion, which directly threatens nearby settlements like Tonka and Kasarkod. Similar outcomes have been observed in other coastal regions.

Beyond Honnavar, case studies from across India - such as Vizhinjam, Dhamra, Vadhavan, and Karwar - demonstrate that port-led development has frequently displaced fishing communities, reduced fish catch, restricted access to the sea and offered few meaningful economic alternatives. The Honnavar case reflects a broader pattern and policy orientation that prioritises capital-intensive infrastructure over decentralised, sustainable, community-based economies. Government support for the traditional systems of fishing, including credit, infrastructure and land recognition, remains minimal.

Law and Policy

Legal challenges have significantly shaped the recent trajectory of the project. In 2021, the Hasimeenu Vyaparastara Sangha filed a writ petition before the Karnataka High Court, questioning the validity of the Environmental Clearance granted to the project. The petition highlighted the presence of CRZ-I areas, the lack of proper forest clearances and the

impact on turtle nesting grounds. The Court, while declining to examine the location or necessity of the port itself, directed the authorities to ensure that all clearances were in place and that no harm was caused to endangered species. However, it placed the responsibility for oversight on regulatory bodies, without ordering a stay or substantive review.

A second challenge was brought before the National Green Tribunal (NGT) in 2022 regarding the access road to the port. Petitioners argued that the road had been constructed without CRZ clearance, and through areas classified as No Development Zones. The NGT acknowledged that the road passed through forest land and that clearances had not been fully obtained. However, it allowed the road to continue on an "as is where is" basis, directing the regulatory authorities to revisit the issue during future clearance renewals.

Both cases point to a pattern: judicial and regulatory processes have deferred key decisions to technical authorities and post-facto assessments, rather than applying the precautionary and participatory principles in environmental law. The reliance on a flawed ecological assessment by the National Centre for Sustainable Coastal Management (NCSCM) - conducted during a non-nesting season - further undermined the legal safeguards meant to protect ecologically significant areas.

Institutionally, both the Karnataka State Coastal Zone Management Authority (KSCZMA) and the State Environmental Impact Assessment Authority (SEIAA) have failed to act with rigour. Their actions have contributed to a climate in which violations are regularised and where concerns raised by communities are sidelined.

Parallel to these institutional failures is the growing use of state machinery to suppress community resistance. Peaceful protests have been met with police deployment, arrests and intimidation. FIRs filed against protestors,

often under serious and unrelated charges, have created a chilling effect on dissent. The use of state force to secure private infrastructure projects, while bypassing constitutional guarantees of consultation has become an established pattern.

Coastal commons, traditionally used by fishing communities for generations, are treated as vacant land. Local institutions such as gram panchayats are bypassed, and environmental protections under the CRZ Notification and EIA process are weakened through procedural short-cuts.

The Honnavar port is part of a larger trajectory in coastal governance, where regulatory bodies, courts and the state increasingly accommodate infrastructure interests at the expense of environmental resilience and local rights. It raises fundamental concerns about who development serves, and at what cost.

In 2025, two fresh appeals were filed before the NGT challenging the renewal of the Environmental Clearance for the port project. These appeals raised concerns about the absence of a public hearing, the project's location along an eroding coast, and the inadequacy of the environmental impact assessment. The Tribunal dismissed the appeals, stating that the issues raised had already been addressed in previous proceedings. It held that no new concerns were presented and that a fresh public hearing was not required as the scope of the project had not changed. The challenge against the NGT's decision filed in the Supreme Court has also come to be dismissed summarily while encouraging that the issue be decided back by the SEIAA.

Recommendations

To the State Government and District Administration: The Government of Karnataka must immediately revoke the Environmental Clearance granted

to HPPL and initiate a fresh, independent and participatory environmental and social impact assessment that fully considers the concerns of the local fishing community. All ongoing construction and road work connected to the project must be halted until legal and procedural requirements are complied with. The government must also conduct a formal survey of residential and occupational land in Tonka 1 and Tonka 2, and take steps to recognise and formalise land and housing rights of residents who have lived there for decades. Further, it must unconditionally withdraw all criminal cases filed against residents and protestors in relation to peaceful demonstrations against the port and road. Lastly, it must take proactive steps to restore access to the fish drying grounds and support the revival of Honnavar's dried fish economy through investment in infrastructure, access to credit and protection from industrial disruption.

To the Ministry of Environment, Forest and Climate Change (MoEFCC): The Ministry must review the conduct of the SEIAA and KSCZMA in relation to this project, with particular attention to the granting of clearances based on inadequate assessments and the failure to act on statutory violations. It must also consider reforms to strengthen public accountability in the environmental clearance process, especially in projects located in ecologically sensitive coastal areas.

To the Karnataka State Coastal Zone Management Authority (KSCZMA) and SEIAA: The KSCZMA and SEIAA must revisit all permissions granted to HPPL, including for the access road, with a full review of their compliance with CRZ regulations and public consultation requirements. These bodies must also ensure that all relevant documents - including CRZ maps and inspection reports - are made publicly accessible and available in Kannada to allow for meaningful public scrutiny and participation in decision-making.

To the Police Department: The police must cease the use of force and intimidation against residents and protestors in Honnavar. FIRs and charges filed against members of the community in connection with peaceful protests, including those invoking unrelated and disproportionate penal provisions, must be withdrawn. The Department must also initiate internal inquiries into the incidents of police violence and the unlawful confiscation and deletion of digital evidence. Accountability for these actions must be established through appropriate departmental proceedings.

To the Karnataka State Human Rights Commission and the District Legal Services Authority (DLSA): The Karnataka State Human Rights Commission and the DLSA must take suo motu cognizance of the human rights violations reported in this context. They must ensure independent investigation and follow-up on these complaints. Additionally, they should organize legal aid camps and rights awareness programmes in the affected villages, so that residents have access to legal recourse as they continue to assert their rights.

To Civil Society Organisations (CSOs): Civil society organisations must extend solidarity to the Honnavar fisher community and to similar movements across the Karnataka coast. It is also important that they continue to document and amplify local resistance, particularly the roles played by women, youth and small-scale fish workers, whose experiences are often left out of dominant policy narratives. CSOs can play a key role in building alliances between coastal communities across regions who are confronting similar patterns of displacement, ecological degradation and shrinking democratic space.

ಸಂಶೋಧನಾ ವರದಿಯ ಸಾರಾಂಶ

ಹೊನ್ನಾವರ, ಕರ್ನಾಟಕದ ಉತ್ತರ ಕನ್ನಡ ಜಿಲ್ಲೆಯ ತೀರದಲ್ಲಿರುವ ಒಂದು ತಾಲ್ಲೂಕು. ಶರಾವತಿ ನದಿ ಮತ್ತು ಅರೆಬಿಯನ್ ಸಮುದ್ರದ ನಡುವೆ ಸ್ಥಿತವಾಗಿರುವ ಈ ಪ್ರದೇಶ, ಒಲಿವ್ ರಿಡ್ಲಿ ಕಪ್ಪೆಯಂತಹ (olive riddly turtle) ಅಪರೂಪದ ಜೀವಿಗಳ ನಿವಾಸವಾಗಿದೆ. ಮೀನುಗಾರಿಕೆ ಆಧಾರಿತ ಆರ್ಥಿಕ ವ್ಯವಸ್ಥೆ ಹಾಗೂ ಇದರಿಂದ ಪೋಷಿತವಾಗುತ್ತಿರುವ ಸಮುದಾಯದ ಬದುಕುಗಳು ಈ ತೀರದೊಂದಿಗೆ ಆಳವಾಗಿ ಸಂಬಂಧಿತವಾಗಿವೆ.

2010ರಲ್ಲಿ ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈವೇಟ್ ಲಿಮಿಟೆಡ್ (HPPL) ಕಂಪನಿಗೆ, ಕಾಸರಕೋಡಿನಲ್ಲಿ ವಾಣಿಜ್ಯ ಬಂದರು ನಿರ್ಮಿಸಲು ಅನುಮತಿ ನೀಡಿದಾಗಿನಿಂದ, ಈ ಪ್ರದೇಶದಲ್ಲಿ ಆತಂಕ ಮತ್ತು ವಿರೋಧ ದಿನೇ ದಿನೆಗೆ ಹೆಚ್ಚುತ್ತಿದೆ. ಈ ಬಂದರು ಯೋಜನೆ - ಐದು ಮೀನುಗಾರಿಕೆ ಹಳ್ಳಿಗಳಾದ ಟೊಂಕಾ 1, ಟೊಂಕಾ 2, ಪಾವಿನಕುರ್ವಾ, ಮಲ್ಲುಕುರ್ವಾ ಮತ್ತು ಹೊನ್ನಾವರ ಗ್ರಾಮಾಂತರ ಹೊಂದಿರುವ 44 ಹೆಕ್ಟೇರ್ ಭೂಮಿಯ ಮೇಲೆ ರೂಪುಗೊಂಡಿದ್ದು, ಈ ಹಳ್ಳಿಗಳ ಜನರ ಒಪ್ಪಿಗೆ ಇಲ್ಲದೇ ಮತ್ತು ಸಂವಿಧಾನಬದ್ಧ ಪರಿಸರ ರಕ್ಷಣಾ ನಿಯಮಗಳನ್ನು ಲಂಘಿಸಿ ಮಾಡಲಾಗಿದೆ.

2024 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಒಂದು ಸತ್ಯ-ಸಂಶೋಧನೆ ವರದಿ (fact-finding report), ಈಗಾಗಲೇ ಕ್ರಮಪಾಲನೆಗೆ ಸಂಬಂಧಿಸಿದ ಅನೇಕ ಲೋಪಗಳು ಹಾಗೂ ಇಲ್ಲಿ ನಡೆದ ಮಾನವ ಹಕ್ಕು ಉಲ್ಲಂಘನೆಗಳ ಮಾದರಿಯನ್ನು ಬಹಿರಂಗಪಡಿಸಿದೆ. ಅದಾಗಿಯೂ, 2025 ರಲ್ಲಿ ನಡೆದ ಪೊಲೀಸ್ ದೌರ್ಜನ್ಯಗಳನ್ನು ಒಳಗೊಂಡಂತೆ, ಭೂಮಾಪನೆ, access ರಸ್ತೆ ನಿರ್ಮಾಣದಂತಹ ಹೊಸ ಬದಲಾವಣೆಗಳು, ಈ ಪರಿಸ್ಥಿತಿಯನ್ನು ಮತ್ತಷ್ಟು ಗಂಭೀರವಾಗಿಸಿವೆ. ಈ ಎಲ್ಲದರಿಂದ ಬೆಳಕಿಗೆ ಬರುವ ಸಂಗತಿ ಎಂದರೆ: ಖಾಸಗಿ

ಲಾಭದಾಸೆಯೊಂದಿಗೆ ಸರ್ಕಾರಿ ಪಾತ್ರ ಕೂಡ ಸೇರಿಕೊಂಡಾಗ, ಅಭಿವೃದ್ಧಿಯ ಹೆಸರಿನಲ್ಲಿ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಕ್ರಮಗಳು ಮತ್ತು ಸಮುದಾಯ ಹಕ್ಕುಗಳನ್ನು ಹೇಗೆ ಕ್ರಮಬದ್ಧವಾಗಿ ಧ್ವಂಸ ಮಾಡಲಾಗುತ್ತದೆ ಎಂಬುದರ ಉದಾಹರಣೆ.

ಈ ಅನಂತರದ ಸತ್ಯಸಂಗ್ರಹವನ್ನು ಸಿವಿಲ್ ಸೊಸೈಟಿ ಸಂಸ್ಥೆಗಳ ಒಕ್ಕೂಟವಾದ: ಅಖಿಲ ಭಾರತ ಸೆಂಟ್ರಲ್ ಕೌನ್ಸಿಲ್ ಆಫ್ ಟ್ರೇಡ್ ಯೂನಿಯನ್ಸ್ (AICCTU), ಫ್ಯೆಡೇಸ್ ಫಾರ್ ಫ್ಯೂಚರ್ - ಕರ್ನಾಟಕ (FFF-K), ಮತ್ತು ಪೀಪಲ್ಸ್ ಯೂನಿಯನ್ ಫಾರ್ ಸಿವಿಲ್ ಲಿಬರ್ಟೀಸ್ (PUCL)ರ ಮೇಲ್ವಿಚಾರಣೆಯಡಿಯಲ್ಲಿ ಪ್ರಾರಂಭಿಸಲಾಯಿತು. ಈ ತಂಡವು, ಸ್ಥಳೀಯ ಸಂದರ್ಶನಗಳು, ಸ್ಥಳದ ಭೇಟಿ ಮತ್ತು ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳೊಂದಿಗೆ ಸಂವಾದಗಳ ಮೂಲಕ, ಸರ್ಕಾರದ ದಮನಾತ್ಮಕ ನಡವಳಿಕೆ, ಕಾನೂನು ಲೋಪಗಳು ಮತ್ತು ಪರಿಸರ-ಸಮಾಜ ಸಂಕಟಗಳ ತೀವ್ರತೆಗಳನ್ನು ದಾಖಲಿಸಿದೆ.

ಈ ವರದಿ, ಹೊನ್ನಾವರದಲ್ಲಿ ನಡೆಯುತ್ತಿರುವ ಪರಿಸ್ಥಿತಿಯ ನವೀಕರಿಸಿದ ಖಾತೆಯನ್ನು ಒದಗಿಸುತ್ತದೆ. ಇದು, ಸಮುದಾಯದ ನಿರಂತರ ವಿರೋಧ, ರಾಜ್ಯದ ಪ್ರತಿಕ್ರಿಯೆ ಮತ್ತು ಸಾಂಸ್ಥಿಕ ಹಿತಾಸಕ್ತಿಗಳನ್ನು ದಾಖಲಿಸುತ್ತದೆ.

ವರದಿಯ ಆವಿಷ್ಕಾರಗಳು

1. ರಸ್ತೆ ನಿರ್ಮಾಣ:

ನಿಯೋಜಿತ ಬಂದರು ಸ್ಥಳವನ್ನು ರಾಷ್ಟ್ರೀಯ ಹೆದ್ದಾರಿ 66ರೊಂದಿಗೆ ಸಂಪರ್ಕಿಸುವ ನಾಲ್ಕು ಲೇನ್‌ಗಳ ಪ್ರವೇಶದ ರಸ್ತೆಯನ್ನು ಭಾರತಮಾಲಾ ಯೋಜನೆಯಡಿ ಅನುಮೋದಿಸಲಾಗಿದೆ. ಈ ಯೋಜನೆಯನ್ನು ಜಾರಿಗೆ ತರುವ ಜವಾಬ್ದಾರಿ, ರಾಷ್ಟ್ರೀಯ ಹೆದ್ದಾರಿ ಪ್ರಾಧಿಕಾರ (National Highways Authority of India / NHAI)ದಾದರೂ,

ಕರ್ನಾಟಕ ಸರ್ಕಾರದೊಂದಿಗೆ ಮಾಡಿಕೊಂಡಿದ್ದ ತ್ರಿಪಕ್ಷೀಯ ಒಪ್ಪಂದದಂತೆ, ಜಂಜಾಟರಹಿತ (encumbrance free) ಭೂಮಿ ಪಡೆದು ಕೊಡುವ ಹೊಣೆ ಹೊನ್ನಾವರ ಪೋರ್ಟ್ ಪ್ರೈವೇಟ್ ಲಿಮಿಟೆಡ್ (HPPL) ಮೇಲೆ ಇದೆ.

ಈ ಪ್ರದೇಶದ ಹಲವಾರು ನಿವಾಸಿಗಳಿಗೆ ಭೂಹಕ್ಕು ದಾಖಲೆಗಳು ಇಲ್ಲದಿರುವಾಗಲೂ ಮತ್ತು ಖಾಸಗಿ ಆಸ್ತಿ ಹಕ್ಕುದಾರರನ್ನು ಗುರುತಿಸುವ ಪ್ರಕ್ರಿಯೆ ಇನ್ನೂ ಪೂರ್ಣಗೊಳ್ಳದಿರುವುದಾಗಿಯೂ ಇದ್ದರೂ, ರಸ್ತೆ ನಿರ್ಮಾಣವನ್ನು ಆರಂಭಿಸಲಾಗಿದೆ. ಅಧಿಕಾರಿಗಳು ದಾಖಲಿಸಿದ ಮಾಹಿತಿಯ ಪ್ರಕಾರ, ಯೋಜಿತ ರಸ್ತೆ ಮಾರ್ಗದೊಳಗೆ 101 ಕಟ್ಟಡಗಳಿರುವುದು ದಾಖಲಾಗಿದ್ದು, ಇವುಗಳಲ್ಲಿ ಕೇವಲ 18ಕ್ಕಷ್ಟೇ ಅಧಿಕೃತ ಖಾತಾ ದಾಖಲೆಗಳಿವೆ. ರಸ್ತೆ ಮಾರ್ಗದ ಒಂದು ಭಾಗಕ್ಕೆ ಅರಣ್ಯ ಅನುಮತಿ ದೊರೆತಿದೆಯಾದರೂ, ಬೃಹತ್‌ಮಟ್ಟದ ರಸ್ತೆ ಮಾರ್ಗವು ಪರಿಸರದ ದೃಷ್ಟಿಯಿಂದ ಸೂಕ್ಷ್ಮ ಪ್ರದೇಶಗಳಾದ CRZ-I ಮತ್ತು CRZ-III ಪ್ರದೇಶಗಳನ್ನೂ ಹೊಳಹುತ್ತದೆ.

ಈ ರಸ್ತೆ, ಮೀನು ಒಣಗಿಸಲು ಸಮುದಾಯ ಉಪಯೋಗಿಸುತ್ತಿರುವ ಸ್ಥಳಗಳು ಮತ್ತು ಬಹು ತಲೆಮಾರುಗಳಿಂದ ಅಲ್ಲೇ ಇರುವ ಮೀನುಗಾರ ಕುಟುಂಬಗಳ ಮನೆಗಳಂತಹ ಸಮುದಾಯದ ಸಾಮೂಹಿಕ ಸ್ಥಳಗಳನ್ನೂ ಕಡಿತಗೊಳಿಸುತ್ತದೆ.

2. 2025ರ ಫೆಬ್ರವರಿ 25ರ ಪ್ರತಿಭಟನೆ:

ಫೆಬ್ರವರಿ 25 ರಂದು, ರಸ್ತೆಗಾಗಿ ನಡೆಯುತ್ತಿದ್ದ ಅಧಿಕೃತ ಭೂಮಾಪನೆಗೆ ಪ್ರತಿಕ್ರಿಯೆ ನೀಡುತ್ತಾ, ಸ್ಥಳೀಯ ಸಮುದಾಯದ ಸದಸ್ಯರು ಒಂದು ಶಾಂತಪೂರ್ಣ ಪ್ರತಿಭಟನೆಯನ್ನು ಆಯೋಜಿಸಿದರು. ಆದರೆ, ಇದಕ್ಕೆ ಪೊಲೀಸ್ ಇಲಾಖೆ ನೀಡಿದ ಪ್ರತಿಕ್ರಿಯೆ ಅತಿರೇಕವಾಗಿತ್ತು. ಲಾಠಿಚಾರ್ಜ್, ಬಂಧನಗಳು ಮತ್ತು ಪ್ರತಿಭಟನಾಕಾರರ ವಿರುದ್ಧ ತಪ್ಪು ಆರೋಪಗಳಡಿ ಕ್ರಿಮಿನಲ್ ಮೊಕದ್ದಮೆಗಳನ್ನು ದಾಖಲಿಸುವಂತಹ ಕ್ರಮಗಳನ್ನು ಒಳಗೊಂಡಿತ್ತು. ಸಮುದಾಯದವರ ಮೇಲೆ ಹಲ್ಲೆ, ನಿಂದಾಸ್ಪದ ಪದಬಳಕೆ ಹಾಗೂ

ಮಕ್ಕಳನ್ನು, ಮಹಿಳೆಯರನ್ನು ಗುರಿಯಾಗಿಸಿ ನಡೆಸಲಾದ ದೌರ್ಜನ್ಯಗಳು, ಹಲವರ ಹೇಳಿಕೆಯಿಂದ ತಿಳಿದುಬಂದಿತು.

ಇದರಲ್ಲಿ ಅತ್ಯಂತ ವ್ಯಾಪಕವಾಗಿ ಹರಡಿದ ಸಾಕ್ಷ್ಯವೊಂದನ್ನು, 15 ವರ್ಷದ ಅಪೇಕ್ಷಾ ಎಂಬ ಯುವತಿ ನೀಡಿದ್ದು, ಅವರು ಜನಪ್ರತಿನಿಧಿಗಳ ನಿಶ್ಶಬ್ದತೆಯನ್ನೂ ಮತ್ತು ಮೀನುಗಾರರಿಗೆ ಸಾಂಸ್ಥಿಕ ರಕ್ಷಣೆಯ ಅನುಪಸ್ಥಿತಿಯನ್ನು ಪ್ರಶ್ನಿಸಿದರು. ಮಾಧ್ಯಮಗಳಿಗೆ ಈ ಹೇಳಿಕೆಯನ್ನು ನೀಡಿದ ಬಳಿಕ, ಪೊಲೀಸ್ ಅಧಿಕಾರಿಗಳು ಅಪೇಕ್ಷಾ ಅವರ ನಿವಾಸಕ್ಕೆ ಬಂದು, ತಮ್ಮ ಹೇಳಿಕೆಯನ್ನು ಹಿಂತೆಗೆದುಕೊಳ್ಳುವಂತೆ ಒತ್ತಾಯಿಸಿದರು. ಅವರು ನಿರಾಕರಿಸಿದಾಗ, ಅವರ ಕುಟುಂಬದ ಸದಸ್ಯರನ್ನು - ಸಹೋದರನನ್ನು ಒಳಗೊಂಡಂತೆ - ಶಾರೀರಿಕವಾಗಿ ಹಲ್ಲೆ ಮಾಡಿ ಬಂಧಿಸಲಾಯಿತು. ಅನೇಕ ಪ್ರತಿಭಟನಾಕಾರರು ಕೂಡ ಇದೇ ರೀತಿಯ ಅನುಭವಗಳನ್ನೇ ಹೇಳಿಕೊಂಡಿದ್ದಾರೆ - ಬೆದರಿಕೆ, ಮೊಬೈಲ್‌ಗಳನ್ನು ವಶಪಡಿಸಿಕೊಳ್ಳುವುದು ಹಾಗೂ ದಾಖಲೆ ಮಾಡಿದ್ದ ವೀಡಿಯೋಗಳನ್ನು ಅಳಿಸುವಂತಹ ಘಟನೆಗಳು ನಡೆದಿದೆ.

ಈ ಘಟನೆಗಳ ಬಳಿಕ, 45 ಜನರ ವಿರುದ್ಧ ಗಂಭೀರ ಕ್ರಿಮಿನಲ್ ಆರೋಪಗಳನ್ನು ದಾಖಲಿಸಲಾಯಿತು - ಇದರಲ್ಲಿ ಗಲಭೆ, ಅಪರಾಧ ಸಂಬಂಧಿತ ಸದ್ದುಗಟ್ಟುವಿಕೆ, ಹಾಗೂ ಕೊಲೆಗೆ ಯತ್ನಿಸುವಂತಹ ಆರೋಪಗಳು ಕೂಡ ಸೇರಿವೆ. ಈ ಪಟ್ಟಿಯಲ್ಲಿ, ಪ್ರತಿಭಟನೆಯ ಸಮಯದಲ್ಲಿ ಹೊನ್ನಾವರದಲ್ಲೇ ಇರದಿದ್ದ ಕೆಲವು ವ್ಯಕ್ತಿಗಳ ಹೆಸರೂ ಸೇರಿಸಲಾಗಿತ್ತು.
ಅತ್ಯಂತ ಮನವಿದ್ರವಕ ಘಟನೆಯೊಂದರಲ್ಲಿ, ಸಮುದಾಯದ ಸುಮಾರು 40 ಜನರು ಸಮುದ್ರದೊಳಗೆ ನಡೆದು ಹೋಗಿ ಆತ್ಮಹತ್ಯೆಗೆ ಯತ್ನಿಸಿದರು. ಅವರನ್ನು ಪೊಲೀಸರು ರಕ್ಷಿಸಿ, ಬಳಿಕ ಬಂಧನದಲ್ಲಿಟ್ಟರು ಅಥವಾ ಆಸ್ಪತ್ರೆಗೆ ಕರೆದೊಯ್ಯಲಾಯಿತು. ಈ ಘಟನೆಯ

ಮಾನಸಿಕ ಮತ್ತು ಭಾವನಾತ್ಮಕ ಪರಿಣಾಮಗಳು ದೀರ್ಘಕಾಲದವರೆಗೂ ಉಳಿದುಕೊಂಡಿದ್ದು, ಕೆಲವರಲ್ಲಿ trauma ಸಂಬಂಧಿತ ಸಮಸ್ಯೆಗಳಾಗಿ ರೂಪಗೊಂಡಿವೆ.

3. ಸಮುದಾಯದ ನಿರಂತರ ಪ್ರತಿರೋಧ:

ಈ ಬಂದರು ಯೋಜನೆಯ ವಿರುದ್ಧದ ಪ್ರತಿರೋಧವು ಹೊಸದೇನಲ್ಲ. ಕಳೆದ ಒಂದು ದಶಕದವರೆಗೆ ಸಮುದಾಯದ ಸದಸ್ಯರು, ಸಾರ್ವಜನಿಕ ಪ್ರತಿಭಟನೆಗಳು, ಕಾನೂನು ಹೋರಾಟಗಳು ಹಾಗೂ ಅರ್ಜಿಗಳ ಮೂಲಕ ಈ ಬಂದರಿನ ನಿರ್ಮಾಣಕ್ಕೆ ನಿರಂತರವಾಗಿ ವಿರೋಧ ವ್ಯಕ್ತಪಡಿಸುತ್ತಿದ್ದಾರೆ. 2016ರಲ್ಲಿ ಮೀನು ಒಣಗಿಸುವ ಕಟ್ಟಡಗಳನ್ನು ಕೆಡವಿದ ಘಟನೆ, ಈ ಹೋರಾಟದಲ್ಲಿ ಪ್ರಮುಖ ತಿರುವು ಮಾಡಿಕೊಟ್ಟಿದ್ದು, ಮಹಿಳೆಯರು ಮುಂಚೂಣಿಯಲ್ಲಿದ್ದ ಧರಣಿಗಳು ಹಾಗೂ ಇಲಾಖೆಗಳಿಗೆ ಮಾಡಿದ ಹಲವಾರು ಪ್ರಾತಿನಿಧ್ಯಗಳಿಗೆ ಚಾಲನೆ ನೀಡಿತು. ಇವುಗಳಿಗೆ ತಾತ್ವಿಕ ಸ್ಪಂದನೆಯೇ ದೊರೆತಿಲ್ಲ.

ಸಮುದಾಯದ ನಾಯಕರು ಮತ್ತು ಸದಸ್ಯರು ಇನ್ನೂ ಹಲವಾರು ರೀತಿಯ ಕಿರುಕುಳ ಮತ್ತು ಬೆದರಿಕೆಗಳನ್ನು ಎದುರಿಸುತ್ತಿದ್ದಾರೆ. ಪ್ರತಿಭಟನೆಗೆ ಸಂಬಂಧಿಸಿದ FIRಗಳಲ್ಲಿ ಹೆಸರಿದ್ದ ಹಲವರು ಮುಂಜಾಗ್ರತಾ ಜಾಮೀನು (anticipatory bail) ಪಡೆಯಬೇಕಾಯಿತು. ಆದರೂ, ಈ ಪ್ರತಿರೋಧ ದಿನದಿಂದ ದಿನಕ್ಕೆ ಬಲಿಷ್ಠವಾಗುತ್ತಲೇ ಇದೆ - ಮೀನುಗಾರ ಸಮುದಾಯದೊಳಗಿನ ಧರ್ಮ, ಜಾತಿ ಮತ್ತು ವರ್ಗಗಳ ಅಂತರವನ್ನು ಮೀರಿ, ಸಮೂಹ ಹೋರಾಟ ಮುಂದುವರಿದಿದೆ.

ಸಮುದಾಯದ ನಿಲುವು ಸ್ಪಷ್ಟವಾಗಿದೆ: ಈ ಯೋಜಿತ ಬಂದರು ಮತ್ತು ರಸ್ತೆ, ಅವರ ಮನೆಗಳು, ಬದುಕುಡುಕಿಗೆ ಅವಶ್ಯಕವಾದ ಸಂಪತ್ತುಗಳು, ತೀರ ಪರಿಸರದ ಸಮಗ್ರತೆ ಮತ್ತು ಅವರು ಕಾಪಾಡಿಕೊಂಡಿರುವ ಸಾಮೂಹಿಕ ಸಂಪತ್ತಿಗೆ ಅಪಾಯವಾಗಿದೆ.

4. ಉದ್ಯೋಗ ಮತ್ತು ಜೀವಾಧಾರ

ನಿಯೋಜಿತ ಬಂದರು ಹಾಗೂ ಸಂಬಂಧಿತ ಮೂಲಸೌಕರ್ಯಗಳು, ಹೊನ್ನಾವರದ ಮೀನುಗಾರ ಸಮುದಾಯಗಳ ಉದ್ಯೋಗಕ್ಕೆ ಗಂಭೀರವಾದ ಅಪಾಯವನ್ನುಂಟುಮಾಡುತ್ತಿವೆ. ಈ ಪರಿಣಾಮಗಳು ಕೇವಲ ಊಹಾತ್ಮಕವಾಗಿಲ್ಲ. ಇಂತಹ ಮಾದರಿಗಳನ್ನು ದೇಶದ ಇತರ ಭಾಗಗಳಲ್ಲಿ ಈಗಾಗಲೇ ದಾಖಲು ಮಾಡಲಾಗಿದೆ.

ಹೊನ್ನಾವರದಲ್ಲಿ ಮೀನುಗಾರಿಕೆ, ಸ್ಥಳೀಯ ಆರ್ಥಿಕ ವ್ಯವಸ್ಥೆ ಮತ್ತು ಬದುಕಿನ ಶೈಲಿಗೆ ಆಧಾರವಾಗಿದೆ. ಈ ಸಮುದಾಯದಲ್ಲಿ ದೋಣಿ ಮಾಲೀಕರು, ಮೀನು ಮಾರಾಟಗಾರರು, ಸಣ್ಣ ಮಟ್ಟದ ಮೀನುಗಾರರು, ಒಣ ಮೀನು ತಯಾರಿಕೆಯಲ್ಲಿ ತೊಡಗಿರುವವರು ಮತ್ತು ಪ್ಯಾಕಿಂಗ್, ಸಾರಿಗೆ ಹಾಗೂ ಮಾರಾಟ ಕಾರ್ಯದಲ್ಲಿ ತೊಡಗಿರುವ ಕಾರ್ಮಿಕರಿದ್ದಾರೆ. ಈ ಎಲ್ಲ ಪಾತ್ರಗಳು, ಪರಸ್ಪರ ಅವಲಂಬಿತವಾದ ಸ್ಥಳೀಯ ವ್ಯವಸ್ಥೆಯೊಂದನ್ನು ರೂಪಿಸುತ್ತವೆ. ಇದರಲ್ಲಿ ಮಹಿಳೆಯರೂ ಪುರುಷರೂ ಮೀನುಗಾರಿಕೆಯ ವಿವಿಧ ಹಂತಗಳಲ್ಲಿ ಪಾಲ್ಗೊಳ್ಳುತ್ತಾರೆ. ವಿಶೇಷವಾಗಿ ಮಹಿಳೆಯರು ಒಣ ಮೀನು ವ್ಯಾಪಾರದ ಕ್ಷೇತ್ರದಲ್ಲಿ ಪ್ರಮುಖ ಪಾತ್ರವಹಿಸಿದ್ದಾರೆ, ಈ ವಲಯವು 2019ರಿಂದ, ಮೀನು ಒಣಗಿಸುವ ಭೂಮಿ ಬಂದರು ಯೋಜನೆಯಿಗಾಗಿ ಬೇಲಿ ಹಾಕಿ ನಿರ್ಬಂಧಿತಗೊಳಿಸಿದ ನಂತರದಿಂದ ತೀವ್ರವಾಗಿ ಪರಿಣಾಮಿತವಾಗಿದೆ.

ಮೀನೂಣಗಿಸುವ ಜಾಗಗಳು ಮತ್ತು ತೀರದ ಸ್ಥಳಗಳಿಗೆ ಪ್ರವೇಶವನ್ನು ಕಳೆದುಕೊಂಡಿರುವುದರಿಂದ, ಅನೇಕ ಮಹಿಳೆಯರು ಉದ್ಯೋಗವನ್ನು ಕಳೆದುಕೊಂಡಿದ್ದಾರೆ ಮತ್ತು ಹಲವಾರು ಕುಟುಂಬಗಳ ಆದಾಯದಲ್ಲಿ ನಿರಂತರ ಕುಸಿತ ಕಂಡುಬಂದಿದೆ. ಸಮುದಾಯದ ಯುವ ಸದಸ್ಯರು ಅನೌಪಚಾರಿಕ ಮತ್ತು ಭದ್ರತೆ ಇಲ್ಲದ

ಕೆಲಸದ ಹುಡುಕಾಟಕ್ಕಾಗಿ ಬೇರೆಡೆಗೆ ಹೋಗಲು ಒತ್ತಡ ಅನುಭವಿಸುತ್ತಿದ್ದಾರೆ. ನಿರ್ಮಾಣ ಕಾರ್ಯ ಮುಂದುವರಿಯುತ್ತಿರುವಂತೆ ಈ ಅನಿಶ್ಚಿತತೆ ಹೆಚ್ಚುತ್ತಲೇ ಹೋಗುತ್ತಿದೆ.

ಅಧಿಕಾರಿಗಳು - ಬಂದರು ಯೋಜನೆಯು, ಸ್ಥಳೀಯ ಜೀವನೋಪಾಯದ ಮೇಲೆ ಯಾವುದೇ ಪರಿಣಾಮ ಬೀರುವುದಿಲ್ಲವೆಂದೇ ಹೇಳಿಕೊಂಡಿದ್ದಾರೆ. ಆದರೆ ಈ ಹೇಳಿಕೆಯನ್ನು ಸಮುದಾಯದ ಸದಸ್ಯರು ಮತ್ತು ಮೀನುಗಾರಿಕಾ ತಜ್ಞರು ಪ್ರಶ್ನಿಸಿದ್ದಾರೆ. ಯೋಜಿತ ಬಂದರು ಸ್ಥಿತಿಯಾಗಿರುವ ಪ್ರದೇಶವು ನದಿ-ಸಮುದ್ರ ಸಂಧಿಯ ಪರಿಸರ (estuarine zone), ಅಂದರೆ ಸಣ್ಣ ಮಟ್ಟದ ಮೀನುಗಾರಿಕೆಗೆ ಅತ್ಯಂತ ಹತ್ತಿರದ ಮತ್ತು ಉತ್ಪಾದಕ ಪರಿಸರವಾಗಿದೆ. ಮೀನುಗಾರಿಕಾ ಆರ್ಥಿಕ ತಜ್ಞರಾದ ಪ್ರೊ. ಆರ್.ಸಿ. ಭಟ್ಟರವರ ಪ್ರಕಾರ, breakwater-ಗಳ ಮತ್ತು ದೊಡ್ಡ-ಪ್ರಮಾಣದ ಮೂಲಸೌಕರ್ಯಗಳ ನಿರ್ಮಾಣವು, ಸೆಡಿಮೆಂಟ್ ಚಲನೆಯನ್ನು ಅಡ್ಡಿಪಡಿಸುತ್ತದೆ ಮತ್ತು ಕರಾವಳಿ ಸವೆತವನ್ನು ವೇಗಗೊಳಿಸುತ್ತದೆ. ಇದು ಟೊಂಕಾ ಮತ್ತು ಕಾಸರಕೋಡಿನಂತಹ ಸಮೀಪದ ನಿವಾಸ ಪ್ರದೇಶಗಳಿಗೆ ನೇರ ಅಪಾಯವನ್ನುಂಟುಮಾಡುತ್ತದೆ. ಇಂತಹ ಪರಿಣಾಮಗಳನ್ನು ಇತರ ಕರಾವಳಿ ಪ್ರದೇಶಗಳಲ್ಲಿಯೂ ಕಾಣಲಾಗಿದೆ.

ಹೊನ್ನಾವರ ಹೊರತಾಗಿಯೂ, ಭಾರತದಲ್ಲಿ - ವಿಳಿನ್ಯಮ್, ಧಾಮ್ರಾ, ವಧಾವನ್ ಮತ್ತು ಕಾರವಾರ ಮೊದಲಾದ ಸ್ಥಳಗಳಲ್ಲಿ, ಬಂದರು ಆಧಾರಿತ "ಅಭಿವೃದ್ಧಿ"ಯು ಮೀನುಗಾರ ಸಮುದಾಯಗಳನ್ನು ಸ್ಥಳಾಂತರ ಗೊಳಿಸಿದೆ, ಮೀನುಹಿಡಿಯುವಿಕೆ ಪ್ರಮಾಣವನ್ನು ಕಡಿಮೆ ಮಾಡಿದೆ ಮತ್ತು ಸಮುದ್ರಕ್ಕೆ ಪ್ರವೇಶವನ್ನು ನಿರ್ಬಂಧಿಸಿದೆ. ಯಾವುದೇ ಸಮರ್ಥ ಆರ್ಥಿಕ ಆಯ್ಕೆಗಳನ್ನುಸಹ ಒದಗಿಸಿಲ್ಲ. ಇದು, ಒಂದು ವ್ಯವಸ್ಥಿತ ನಷ್ಟದ ಮಾದರಿಯಾಗಿದೆ. ಮೀನುಗಾರಿಕೆಗೆ, ಸರಕಾರದಿಂದ ಲಭ್ಯವಿರುವ ಬೆಂಬಲಗಳಾದ ಸಾಲ, ಮೂಲಸೌಕರ್ಯ, ಮತ್ತು ಭೂ ಮಾನ್ಯತೆಯ ಅಂಶಗಳು ಕಡಿಮೆಯೇ ಉಳಿದಿವೆ.

ಕಾನೂನು ಮತ್ತು ನೀತಿನಿರ್ಮಾಣ

ಈ ಬಂದರರಿನ ಬೆಳವಣಿಗೆಯನ್ನು, ಹಲವಷ್ಟು ಕಾನೂನು ದಾಖಲಾತಿಗಳು ರೂಪಿಸಿವೆ. 2021ರಲ್ಲಿ, ಹಸಿಮೀನು ವ್ಯಾಪಾರಸ್ಥರ ಸಂಘವು ಕರ್ನಾಟಕ ಹೈಕೋರ್ಟ್‌ನಲ್ಲಿ ಮನವಿ ಸಲ್ಲಿಸಿ, ಯೋಜನೆಗೆ ನೀಡಲಾಗಿದ್ದ ಪರಿಸರ ಅನುಮತಿಯ ಮಾನ್ಯತೆಯನ್ನು ಪ್ರಶ್ನಿಸಿತು. ಅರ್ಜಿಯಲ್ಲಿ, CRZ-I ಪ್ರದೇಶಗಳ ಉಪಸ್ಥಿತಿ, ಸರಿಯಾದ ಅರಣ್ಯ-ಅನುಮತಿಗಳ ಕೊರತೆ ಮತ್ತು ಆಮೆ ಗೂಡುಕಟ್ಟುವ ಮೈದಾನದ (turtle nesting site) ಮೇಲೆ ಯೋಜನೆಯ ಪ್ರಭಾವವನ್ನು ಉಲ್ಲೇಖಿಸಿದೆ. ನ್ಯಾಯಾಲಯ, ಬಂದರಿನ ಸ್ಥಳ ಅಥವಾ ಅಗತ್ಯತೆಯ ಕುರಿತು ಪರಿಶೀಲನೆ ಮಾಡದೆ, ಕಾನೂನಿನಡಿಯಲ್ಲಿನ ಎಲ್ಲಾ ಅನುಮತಿಗಳನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳಬೇಕೆಂದು ಮತ್ತು ಅಳಿವಿನ ಅಪಾಯದಲ್ಲಿರುವ ಆಮೆಗಳ ಮೇಲೆ ಯಾವುದೇ ಹಾನಿಯಾಗದಂತೆ ನೋಡಿಕೊಳ್ಳಬೇಕೆಂದು ಅಧಿಕಾರಿಗಳಿಗೆ ನಿರ್ದೇಶನ ನೀಡಿತು. ಆದರೆ, ನ್ಯಾಯಾಲಯ, ಪ್ರಕ್ರಿಯೆಯ ಮೇಲಿನ ನಿಗಾವಹಿಸುವ ಜವಾಬ್ದಾರಿಯನ್ನು ಕೇವಲ ನಿಯಂತ್ರಣ ಸಂಸ್ಥೆಗಳ ಮೇಲೆ ಇತ್ತೀತೇ ಹೊರತು, ಯಾವುದೇ ತಾತ್ವಿಕ ನಿಲುವು ಅಥವಾ ತಡೆ ಆದೇಶ ನೀಡಲಿಲ್ಲ.

2022ರಲ್ಲಿ, ಬಂದರು ಪ್ರವೇಶದ ರಸ್ತೆಯ ಬಗ್ಗೆ, ರಾಷ್ಟ್ರೀಯ ಹಸಿರು ನ್ಯಾಯಮಂಡಳಿಯ (National Green Tribunal / NGT) ಮುಂದೆ ಎರಡನೇ ಅರ್ಜಿ ದಾಖಲಾಯಿತು. ಅರ್ಜಿದಾರರು, ಈ ರಸ್ತೆ CRZ ಅನುಮತಿಯಿಲ್ಲದೇ ಹಾಗೂ "No Development Zone" ಎಂದು ವರ್ಗೀಕರಿಸಲಾದ ಪ್ರದೇಶಗಳ ಮೂಲಕ ನಿರ್ಮಿಸಲಾಗಿದೆಯೆಂದು ವಾದಿಸಿದರು. NGT, ಈ ರಸ್ತೆಯು ಅರಣ್ಯ ಭೂಮಿಯ ಮೂಲಕ ಹೋಗುವುದೆಂದು, ಹಾಗು ಪೂರ್ಣ ಪ್ರಮಾಣದ ಅನುಮತಿಗಳನ್ನು ಪಡೆಯಲಾಗಿಲ್ಲವೆಂದು ಕಂಡುಕೊಂಡಿತು. ಆದರೂ ಸಹ, "as is where is" ಆಧಾರದ ಮೇಲೆ ರಸ್ತೆ ನಿರ್ಮಾಣ

ಮುಂದುವರೆಯಬಹುದೆಂದು ಹೇಳಿ, ಮುಂದಿನ ಅನುಮತಿ ನವೀಕರಣದ ಸಂದರ್ಭದಲ್ಲಿ ವಿಷಯವನ್ನು ಪುನಃ ಪರಿಶೀಲಿಸಲು ನಿರ್ದೇಶಿಸಿತು.

ಎರಡೂ ಪ್ರಕರಣಗಳು ಒಂದು ನಿರ್ದಿಷ್ಟ ಧೋರಣೆಯನ್ನೇ ಸೂಚಿಸುತ್ತವೆ: ಪರಿಸರ ಕಾನೂನಿನಲ್ಲಿ ಒಳಗೊಂಡಿರುವ ಮುನ್ನೆಚ್ಚರಿಕೆಯ ತತ್ತ್ವ ಮತ್ತು ಪಾಲ್ಗೊಳ್ಳುವಿಕೆಯ ತತ್ತ್ವಗಳನ್ನು ಅನ್ವಯಿಸುವ ಬದಲಾಗಿ, ನ್ಯಾಯಾಂಗ ಹಾಗೂ ನಿಯಂತ್ರಣಾತ್ಮಕ ಪ್ರಕ್ರಿಯೆಗಳು ನಿರ್ಣಯವನ್ನು ತಾಂತ್ರಿಕ ಸಂಸ್ಥೆಗಳ ಮೇರೆಗೆ ಮತ್ತು ನಂತರದ ಹಂತದ ಮೌಲ್ಯಮಾಪನಗಳ ಆಧಾರವಾಗಿ ಬಿಡುತ್ತಿವೆ. ನೆಲೆಸಿಲ್ಲದ ಕಾಲದಲ್ಲಿ ನಡೆಸಲ್ಪಟ್ಟ National Centre for Sustainable Coastal Management (NCSCM) ಮೌಲ್ಯಮಾಪನದ ಮೇಲಿನ ಅವಲಂಬನೆಯು, ಪರಿಸರ ರಕ್ಷಿಸಲು ಉದ್ದೇಶಿಸಿರುವ ಕಾನೂನು ಸುರಕ್ಷತೆಗಳನ್ನು ಮತ್ತಷ್ಟು ದುರ್ಬಲಗೊಳಿಸಿದೆ. ಸಂಸ್ಥಾತ್ಮಕವಾಗಿ, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ಪ್ರದೇಶ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರ (KSCZMA) ಮತ್ತು ರಾಜ್ಯ ಪರಿಸರ ಪರಿಣಾಮ ಮೌಲ್ಯಮಾಪನ ಪ್ರಾಧಿಕಾರ (SEIAA)ಗಳು ಗಂಭೀರತೆಯಿಂದ ಕಾರ್ಯನಿರ್ವಹಿಸಿಲ್ಲ.

ಇವುಗಳ ಜೊತೆಗೆ, ಸಮುದಾಯದ ಪ್ರತಿರೋಧವನ್ನು ನಿಗ್ರಹಿಸಲು ರಾಜ್ಯ ಯಂತ್ರೋಪಕರಣಗಳ ಬಳಕೆಯು ಹೆಚ್ಚುತ್ತಿದೆ. ಶಾಂತಿಪೂರ್ಣ ಪ್ರತಿಭಟನೆಗಳಿಗೆ ಪೊಲೀಸ್ ನಿಯೋಜನೆ, ಬಂಧನಗಳು ಮತ್ತು ಬೆದರಿಕೆಗಳ ಮೂಲಕ ಪ್ರತಿಕ್ರಿಯಿಸಲಾಗಿದೆ. ಪ್ರತಿಭಟಕರ ವಿರುದ್ಧ, ತೀವ್ರವಾದ ಮತ್ತು ಸಂಬಂಧವಿಲ್ಲದ ಆರೋಪಗಳ ಅಡಿಯಲ್ಲಿ FIRಗಳನ್ನು ದಾಖಲಿಸಲಾಗಿದ್ದು, ಇದು ಭಿನ್ನಮತ ವ್ಯಕ್ತಪಡಿಸುವ ಮನೋಭಾವದ ಮೇಲೆ ಭಯದ ಛಾಯೆ ಬೀರಿದೆ. ಖಾಸಗಿ ಯೋಜನೆಗಳಿಗೆ ರಕ್ಷಣೆ ನೀಡಲು ರಾಜ್ಯ ಬಲವನ್ನು ಬಳಸುವ ಈ ಮಾದರಿ, ಸಂವಿಧಾನಾತ್ಮಕ ಸಲಹೆ ಮತ್ತು ಸಹಭಾಗಿತ್ವದ ತತ್ವಗಳನ್ನು ಬಿಟ್ಟುಹೋಗಿದೆ. ಸಮುದಾಯಗಳ ತಲೆಮಾರುಗಳಿಂದ ಉಪಯೋಗಿಸುತ್ತಿರುವ

ಭೂಮಿಗಳನ್ನು, ಖಾಲಿ ಭೂಮಿಗಳಂತೆ ಪರಿಗಣಿಸಲಾಗುತ್ತಿದೆ. ಗ್ರಾಮ ಪಂಚಾಯತಿ ಮತ್ತಿತರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳನ್ನು ಕಡೆಗಣಿಸಲಾಗಿದೆ, ಮತ್ತು ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಕಾರ್ಯವಿಧಾನದ ಶಾರ್ಟ್-ಕಟ್ಗಳ ಮೂಲಕ ದುರ್ಬಲಗೊಳಿಸಲಾಗಿದೆ. 2025ರಲ್ಲಿ, ಬಂದರು ಯೋಜನೆಗೆ ನೀಡಲ್ಪಟ್ಟ ಪರಿಸರ ಅನುಮತಿಯ ನವೀಕರಣವನ್ನು ಪ್ರಶ್ನಿಸಿ ಎರಡು ಹೊಸ ಅರ್ಜಿಗಳು NGTನ ಮುಂದೆ ಸಲ್ಲಿಸಲಾಯಿತು. ಈ ಅರ್ಜಿಗಳು ಸಾರ್ವಜನಿಕ ವಿಚಾರಣೆಯ ಅನುಪಸ್ಥಿತಿ, ಯೋಜನೆಯು ಸವೆತವಾಗುತ್ತಿರುವ ಕರಾವಳಿಯಲ್ಲಿರುವ ಸ್ಥಿತಿಗತಿಯು, ಮತ್ತು ಪರಿಸರ ಪರಿಣಾಮ ಮೌಲ್ಯಮಾಪನದ ಅಸಮರ್ಪಕತೆಯ ವಿಷಯಗಳನ್ನು ಪ್ರಶ್ನಿಸಿದವು. NGT, ಈ ಅರ್ಜಿಗಳನ್ನು ತಿರಸ್ಕರಿಸಿ, ಈ ವಿಷಯಗಳು ಹಿಂದಿನ ವಿಚಾರಣೆಯಲ್ಲಿಯೇ ತೀರ್ಮಾನಿಸಲಾಗಿದ್ದವೆಂದೂ, ಯೋಜನೆಯ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಯಾವುದೇ ಹೊಸ ಬದಲಾವಣೆಗಳಿಳು ಕಂಡುಬಂದಿರದ ಕಾರಣ, ಮತ್ತೆ ಹೊಸ ಸಾರ್ವಜನಿಕ ವಿಚಾರಣೆಯು ಕಡ್ಡಾಯವಿಲ್ಲವೆಂದೂ ಹೇಳಿದೆ. NGTಯ ತೀರ್ಪಿನ ವಿರುದ್ಧವಾಗಿ ಸುಪ್ರೀಂ ಕೋರ್ಟ್‌ನಲ್ಲಿ ಸಲ್ಲಿಸಲಾದ ಆಕ್ಷೇಪಣೆಯು ಸಹ ಸಂಕ್ಷಿಪ್ತವಾಗಿ ತಿರಸ್ಕರಿಸಲ್ಪಟ್ಟಿದ್ದು, ವಿಷಯವನ್ನು ಎಸ್.ಇ.ಐ.ಎ.ಎ (SEIAA) ಮರುಪರಿಶೀಲಿಸಲು ಉತ್ತೇಜಿಸಲಾಗಿದೆ.

ಶಿಫಾರಸುಗಳು

<u>ರಾಜ್ಯ ಸರ್ಕಾರ ಮತ್ತು ಜಿಲ್ಲಾಡಳಿತಕ್ಕೆ</u>: ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ತಕ್ಷಣವೇ HPPLಗೆ ನೀಡಿರುವ Environmental Clearance-ಅನ್ನು (ಪರಿಸರ ಮಂಜೂರಿ) ಹಿಂಪಡೆಯಬೇಕು. ಸ್ಥಳೀಯ ಮೀನುಗಾರರ ಚಿಂತನೆಗಳನ್ನು ಪೂರ್ಣವಾಗಿ ಪರಿಗಣಿಸುವ, ಸ್ವತಂತ್ರ ಮತ್ತು ಭಾಗವಹಿಸುವ ಪರಿಸರ ಹಾಗೂ ಸಾಮಾಜಿಕ ಪರಿಣಾಮ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಹೊಸದಾಗಿ ಪ್ರಾರಂಭಿಸಬೇಕು. ಯೋಜನೆಗೆ ಸಂಬಂಧಿಸಿದ ಎಲ್ಲ ರಸ್ತೆ ನಿರ್ಮಾಣ ಮತ್ತು

ಕಾಮಗಾರಿ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು, ಕಾನೂನು ಮತ್ತು ಕ್ರಮಪೂರ್ವ ನಿರ್ಧಿಷ್ಟತೆಗಳನ್ನು ಪೂರೈಸುವ ತನಕ ನಿಲ್ಲಿಸಬೇಕು. ಸರ್ಕಾರವು ಟೊಂಕ 1 ಮತ್ತು ಟೊಂಕ 2 ಪ್ರದೇಶಗಳಲ್ಲಿ ವಾಸಿಸುವವರ ಮನೆ ಮತ್ತು ಉದ್ಯೋಗ ಸಂಬಂಧಿತ ಭೂಮಿಯ ಅಧಿಕೃತ ಸಮೀಕ್ಷೆ ನಡೆಸಬೇಕು ಮತ್ತು ದಶಕಗಳಿಂದ ಇಲ್ಲಿ ವಾಸಿಸುತ್ತಿರುವವರ ಭೂಮಿ ಹಾಗೂ ಗೃಹ ಹಕ್ಕುಗಳನ್ನು ಮಾನ್ಯಗೊಳಿಸಿ ಕಾನೂನುಬದ್ಧಗೊಳಿಸುವ ಕ್ರಮ ಕೈಗೊಳ್ಳಬೇಕು. ಅದಲ್ಲದೆ, ಬಂದರು ಹಾಗೂ ರಸ್ತೆಯ ವಿರುದ್ಧ ಶಾಂತಿಯುತ ಪ್ರತಿಭಟನೆಯಲ್ಲಿ ಪಾಲ್ಗೊಂಡ ನಿವಾಸಿಗಳ ಮೇಲೆ ದಾಖಲಿಸಿರುವ ಎಲ್ಲಾ ಕ್ರಿಮಿನಲ್ ಕೇಸುಗಳನ್ನು ಹಿಂತೆಗೆದುಕೊಳ್ಳಬೇಕು. ಕೊನೆಗೆ, ಮೀನು ಒಣಹಾಕುವ ನೆಲಗಳಿಗೆ ಪ್ರವೇಶವನ್ನು ಪುನಃಸ್ಥಾಪಿಸಲು ಮತ್ತು ಒಣಮೀನು ಆರ್ಥಿಕತೆಯನ್ನು ಪುನರಾಶ್ರಯಿಸಲು ಮೂಲಸೌಕರ್ಯ, ಸಾಲ ಸೌಲಭ್ಯ ಮತ್ತು ಕೈಗಾರಿಕಾ ಅಡ್ಡಿ ವಿರೋಧಿ ರಕ್ಷಣಾ ಕ್ರಮಗಳ ಮೂಲಕ ಸರ್ಕಾರವು, ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕು.

<u>ಕೇಂದ್ರ ಪರಿಸರ, ಮತ್ತು ಅರಣ್ಯ ಸಚಿವಾಲಯಕ್ಕೆ (MoEFCC):</u> ಈ ಯೋಜನೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ SEIAAದ ಮತ್ತು KSCZMAರ ವರ್ತನೆಗೆ ಸಚಿವಾಲಯವು ಕ್ರಮ ಕೈಗೊಳ್ಳಬೇಕು. ವಿಶೇಷವಾಗಿ ಅಸಮರ್ಪಕ ಮೌಲ್ಯಮಾಪನದ ಆಧಾರದಲ್ಲಿ ನೀಡಲಾದ ಅನುಮತಿಗಳು ಹಾಗೂ ಕಾನೂನು ಉಲ್ಲಂಘನೆಗಳಿಗೆ ಕ್ರಮ ಕೈಗೊಳ್ಳದಿರುವ ಕುರಿತಾಗಿ ಪರಿಶೀಲನೆ ನಡಿಸಬೇಕು.

<u>ಕರ್ನಾಟಕ ರಾಜ್ಯ ತೀರಾಭದ್ರತಾ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರ (KSCZMA) ಮತ್ತು ರಾಜ್ಯ ಪರಿಸರ ಪ್ರಭಾವ ಮೌಲ್ಯಮಾಪನ ಪ್ರಾಧಿಕಾರ (SEIAA) ಗೆ</u>: HPPLಗೆ ನೀಡಿರುವ ಎಲ್ಲ ಅನುಮತಿಗಳನ್ನು ಪುನರ್ ಪರಿಶೀಲನೆ ಮಾಡಬೇಕು. ಈ ಅನುಮತಿಗಳು CRZ ನಿಯಮಾವಳಿಗಳು ಮತ್ತು ಸಾರ್ವಜನಿಕ ಸಮಾಲೋಚನೆ ಅನಿವಾರ್ಯತೆಗಳನ್ನು

ಪಾಲಿಸುತ್ತವೆಯೇ ಎಂಬುದರ ಸಂಪೂರ್ಣ ಮೌಲ್ಯಮಾಪನ ಮಾಡಬೇಕು. CRZ ನಕ್ಷೆಗಳು, ಪರಿಶೀಲನೆ ವರದಿಗಳು ಸೇರಿದಂತೆ ಸಂಬಂಧಿಸಿದ ಎಲ್ಲ ದಾಖಲೆಗಳನ್ನು ಸಾರ್ವಜನಿಕವಾಗಿ ಕನ್ನಡದಲ್ಲಿ ಲಭ್ಯವಾಗುವಂತೆ ಮಾಡಬೇಕು. ಸಾರ್ವಜನಿಕ ಪರಿಶೀಲನೆಗೆ ಮತ್ತು ಭಾಗವಹಿಸುವಿಕೆಗೆ ಇದು ನೆರವಾಗುತ್ತದೆ.

ಪೊಲೀಸ್ ಇಲಾಖೆಗೆ: ನಿವಾಸಿಗಳ ಮತ್ತು ಪ್ರತಿಭಟಕರ ವಿರುದ್ಧ ಬಲಪ್ರಯೋಗ ಮತ್ತು ಬೆದರಿಕೆ ಉಪಯೋಗಿಸುವುದನ್ನು ಪೊಲೀಸರು ತಕ್ಷಣ ನಿಲ್ಲಿಸಬೇಕು. ಶಾಂತಿಯುತ ಪ್ರತಿಭಟನೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಸಮುದಾಯದ ಸದಸ್ಯರ ಮೇಲೆ ದಾಖಲಾದ FIRಗಳನ್ನು, ಅದರಲ್ಲೂ, ಅನ್ವಯಿಸದ ಹಾಗೂ ಅನಾವಶ್ಯಕವಾದ ಕಾನೂನು ವಿಧಾನದಡಿ, ದಾಖಲಿಸಿರುವುದನ್ನು ಹಿಂಪಡೆಯಬೇಕು. ಪೊಲೀಸರ ಹಿಂಸಾತ್ಮಕ ವರ್ತನೆಗಳು ಹಾಗೂ ಡಿಜಿಟಲ್ ಸಾಕ್ಷ್ಯಗಳನ್ನು ಕಬಳಿಸಿ ಅಕ್ರಮವಾಗಿ ಅಳಿಸಿದ ಘಟನೆಗಳ ಕುರಿತು ಇಲಾಖೆಯು ತನಿಖೆ ಆರಂಭಿಸಬೇಕು.

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾನವ ಹಕ್ಕು ಆಯೋಗ ಮತ್ತು ಜಿಲ್ಲಾ ಕಾನೂನು ಸೇವಾ ಪ್ರಾಧಿಕಾರ (DLSA) ಗೆ: ಮಾನವ ಹಕ್ಕುಗಳ ಉಲ್ಲಂಘನೆಗೆ ಸಂಬಂಧಿಸಿದ ವರದಿಗಳನ್ನು ರಾಜ್ಯ ಮಾನವ ಹಕ್ಕು ಆಯೋಗ ಮತ್ತು DLSA, ಸ್ವಯಂಪ್ರೇರಿತವಾಗಿ ಗಮನಿಸಬೇಕು. ಈ ದೂರುಗಳ ಕುರಿತು ಸ್ವತಂತ್ರ ತನಿಖೆ ನಡೆಸಿ ಕ್ರಮ ಕೈಗೊಳ್ಳಬೇಕು. ಜೊತೆಗೆ, ಪೀಡಿತ ಗ್ರಾಮಗಳಲ್ಲಿ ಕಾನೂನು ನೆರವು ಶಿಬಿರಗಳು ಮತ್ತು ಹಕ್ಕುಗಳ ಅರಿವು ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಆಯೋಜಿಸಬೇಕು. ಇದು ಗ್ರಾಮಸ್ಥರ ಜಾಗೃತೀಕರಣಕ್ಕೆ ನೆರವಾಗುತ್ತದೆ.

ನಾಗರಿಕ ಸಮಾಜ ಸಂಘಟನೆಗಳಿಗೆ (Civil Society Organizations): ನಾಗರಿಕ ಸಮಾಜ ಸಂಘಟನೆಗಳು ಹೊನ್ನಾವರದ ಮೀನುಗಾರ ಸಮುದಾಯಕ್ಕೆ ಮತ್ತು ಕರ್ನಾಟಕದ ತೀರದ ಇತರ ಹೋರಾಟಗಳಿಗೆ ಬೆಂಬಲ ಸೂಚಿಸಬೇಕು. ಅವರು, ಸ್ಥಳೀಯ ಪ್ರತಿರೋಧವನ್ನು ದಾಖಲಿಸುವುದು ಮತ್ತು ವರ್ಧಿಸುವುದನ್ನು ಮುಂದುವರಿಸುವುದು ಸಹ ಮುಖ್ಯವಾಗಿದೆ. ವಿಶೇಷವಾಗಿ - ಮಹಿಳೆಯರು, ಯುವಕರು ಮತ್ತು ಸಣ್ಣ ಮಟ್ಟದ ಮೀನುಗಾರರ ಪಾತ್ರಗಳು, ಯಾವವು ಬಹುಪಾಲು ಸಂಕಥನಗಳಲ್ಲಿ ಕಾಣೆಯಾಗುತ್ತವೆಯೋ, ಅವುಗಳನ್ನು ಉಲ್ಲೇಖಿಸುವಲ್ಲಿ ಪ್ರಮುಖ ಪಾತ್ರವಹಿಸಬೇಕು. ನಾಗರಿಕ ಸಂಘಟನೆಗಳು, ತೀರಪ್ರದೇಶದ ಸಮುದಾಯಗಳ ನಡುವೆ ಸಂಬಂಧ ಬೆಳೆಸುವಲ್ಲಿ ಪ್ರಮುಖ ಪಾತ್ರ ವಹಿಸಬಹುದಾಗಿದೆ. ಈ ಸಮುದಾಯಗಳು ಕೂಡ, ಸ್ಥಳಾಂತರ, ಪರಿಸರ ನಾಶ ಮತ್ತು ಕುಗ್ಗುತ್ತಿರುವ ಪ್ರಜಾಪ್ರಭುತ್ವ ಸ್ಥಳದ ಮಾದರಿಗಳಿಗೆ ಪ್ರತಿಸ್ಪಂದಿಸುತ್ತಿವೆ.

Introduction

Ever since the Honnavar Port Private Limited was granted permission to develop the Honnavar Port in 2010, the coastal town of Kasarkod has been engulfed in anxieties about their future. The port is being developed on land belonging to five fishing villages of Kasarkod - Tonka 1, Tonka 2, Pavinkurva, Mallukurva and Honnavar rural.

Without adhering to constitutionally mandated procedures that ensure transparency, environment impact assessment and informed consent of the public, all approvals have been granted for the project to commence. The port threatens the livelihoods, homes and survival of the fisherfolk, and the survival of the rare and endangered Olive Ridley Turtle species too.

Last year, a fact-finding team comprising Pamela Philipose, senior journalist and activist; Amit Sengupta, senior journalist and Lara Jesani, Advocate, had visited Honnavar in March 2023 and published the report in 2024 titled '**A Port on a Sandspit**: **How it Spells the Destruction of Kasarkod's Fishing Community and Ecosystem in Honnavar Taluk**'. The report detailed out the procedural lapses in the project as well as human rights violations by the State, in curbing the protests of the resident communities in the project area.

However, events that unfolded since January 2025 reveal that the situation in Honnavar continues to be grim. The police have not only criminalised

protesting residents, but have also blatantly shown that they will not stop at anything, including using excessive force on people, if it means that the project can commence.

This fact-finding was planned as a follow up to the report prepared in 2024, to document the more recent human rights violations in Honnavar and the continued resistance of the resident fisher community against the port project.

Methodology

The first fact-finding report explains the ecological, socio-economic and political contexts of the Honnavar port in a detailed manner. However, since the community reached out to civil society with updates on police excesses, false cases being registered against resident-protestors, procedural lapses in environmental clearances and other human rights violations, this fact-finding team was assembled to conduct a follow-up fact-finding.

The fact-finding team met with residents of the villages of Tonka I and II, including office bearers of the various fishery cooperatives and members involved in organizing the resistance; the Tehsildar of Honnavar, the Project Manager of Honnavar Port Private Limited – Mr. Tarakesh Phayde; Mr. Prakash Mehta – Marine Biologist; and Captain C. Swami – Director of Ports & Member (Maritime & IWT Operations) and authorities at the

Karnataka Coastal Regulation Zone's regional office. The team spent three days at Honnavar and Karwar from 24-03-2025 to 26-03-2025 for interviews, visitation and review of documents. The team tried to get appointments and meet the jurisdictional District Commissioner and the Superintendent of Police but were unable to do so, despite visiting both their offices. A list of questions we e-mailed them has not been answered.

The fact-finding team was comprised of the following members:

1. Aishwarya R., People's Union for Civil Liberties-Karnataka
2. Arindam Roy, All India Council of Central Trade Unions
3. Sampreetha S, Fridays For Future-Karnataka

The objective of the fact-finding was to:

- Follow-up with the community regarding developments taking place at the proposed port after the release of the first fact-finding report.
- Document details of any protests by the community in the recent months, and the response of the police and other authorities.
- Document the violation of any rights of the community at the hands of the police during the protests.
- Document procedural lapses by the state authorities in protecting the fragile ecosystem and in upholding the rights of the fisherfolk.
- Document the impact of the proposed port project on the community.

Key findings from the first fact-finding report

Honnavar is ranked as the second largest fishing port in Karnataka and boasts of the finest quality of sea and river fish. Honnavar has also acquired a reputation of being one of the biggest exporters of dried fish. The first fact-finding report laid context of the crucial position of the existing Honnavar fishing port, its contribution to the fisheries industry and the threats it is facing by the construction of the proposed commercial port by Honnavar Port Private Limited (HPPL).

About the port project

In April 2010, a lease agreement was executed between the Director of Ports and M/s. North Canara Sea Ports (GVPREL), a private consortium, for the use of the land for port-related activities at the current Honnavar Fishery Port. In April 2011, permission was accorded to transfer the lease agreement to HPPL. In this way, HPPL now became the legal entity for implementing the lease agreement. What followed were a series of approvals for the commercial port project by the Karnataka State Coastal Zone Management Authority (KSCZMA), Karnataka State Pollution Control Board and the State Environmental Impact Assessment Authority (SEIAA) , amid protests led by fishermen unions and local residents.

Clearances required by HPPL

1. Detailed and proper Environment Impact Assessment to be conducted to obtain the Environmental Clearance under the EIA Notification,

2006, from the State Environment Impact Assessment Authority (SEIAA) constituted by the MoEFCC.

2. Coastal Regulation Zone (CRZ) clearance from the KSCZMA.
3. Wildlife and Forest Clearance (WL/FC) from the state's Forest Department (FD).
4. Conducting a public hearing to address all material concerns of the resident / affected communities, before obtaining the Environmental Clearance.

Lapses

1. **Environment Impact Assessment** - This report highlights significant flaws in the Environmental Impact Assessment (EIA) conducted for the port project, asserting that it was neither thorough nor credible. The EIA report submitted by HPPL was characterized as a rapid assessment completed in under three months, which is insufficient for capturing the comprehensive environmental implications of the project. Experts criticized it for containing "fake data" and inaccuracies, including erroneous claims about local hydrology, such as the presence of clay and crocodiles in the area, which have not been observed. Outdated and misleading assessments have raised concerns about the ongoing ecological consequences, especially given the crucial role of the region's coastal ecosystem and the nesting grounds for the Olive Ridley Turtle during the port's operational phases. The report concludes that a full, long-term EIA - one that spans multiple seasons

- is essential for proper evaluation but has not been conducted, thereby questioning the legitimacy of the project itself.

2. **Illegal road construction** - Although the port was given CRZ clearance in 2012, the proposed four-lane four kilometre road was not given CRZ clearance. A petition filed in the National Green Tribunal that was eventually rejected, argued that since the road fell within the areas demarcated as CRZ I-A, CRZ I-B and CRZ-III within 200 m from the High Tide Line on the landward side, it was violative of CRZ norms which deem such areas as a 'No Development Zone'. The road construction poses severe ecological risks, threatening local habitats and the nesting areas of endangered species, such as the Olive Ridley Turtles. Residents expressed their frustration and opposition against the road, which cuts through their beach and private properties without community consultation or notification. There were incidents of police repression, including unlawful detention of peaceful protesters, primarily fisherwomen, who opposed the road construction. Government actions, including the illegal dumping of materials to create the road, have raised concerns about corruption and unlawful land use, provoking multiple legal challenges from the community. The road's construction is expected to further disrupt local livelihoods, compounding the socioeconomic challenges faced by those dependent on fishing and related activities.
3. **NCSCM Survey** - The turtle nesting survey conducted by the National Centre for Sustainable Coastal Management (NCSCM) was observed

to be a farce. The survey, carried out in August 2021, was done at the wrong time of the year since turtle nesting typically occurs between late October and April. As a result, the NCSCM concluded that no turtles were nesting in the area during their assessment, which misled the Karnataka High Court during legal proceedings regarding the port project. However, when the fact-finding team visited in March 2023, they directly observed turtle nesting taking place, contradicting the prior survey findings. Experts noted that the survey was not only poorly timed but also potentially included inaccurate data, which undermined its credibility and raised concerns about the environmental impact of the proposed port on the nesting sites of the endangered Olive Ridley Turtle.

4. **Public hearing in 2012** - The report highlights significant deficiencies in the process of obtaining local community consent. During the public hearing in 2012, many villagers were given incomplete and misleading information about the project location and its implications. This led to a misunderstanding among the villagers, who believed the port would be sited far from their homes, rather than directly impacting their homes and traditional fishing and fish drying grounds. Many community members feel their voices have been disregarded in what should have been a collective decision-making process. Moreover, various legal challenges have been raised against the port project, including accusations of improper land use and violations of environmental regulations, yet development continues.

5. **Human Rights Violations:** The report documented violations include excessive police force used against peaceful protesters, which notably targeted women in the community leading the resistance. Reports include physical injuries inflicted during protests and police attempts to block medical access to injured protestors. Such actions illustrate a systematic pattern of oppression against those exercising their right to protest.
6. **Criminalization of Protest:** The fisher community has faced a wave of criminal charges: numerous FIRs have been filed against individuals protesting the port's construction, particularly targeting women. This criminalization has created an environment of fear and intimidation, effectively suppressing dissent and discouraging others from speaking out against the project. The report notes that these legal actions are aimed at deterring further protests and undermining the community's resistance efforts.
7. **Disregard for Community Voices**: The local authorities and HPPL have largely ignored the voices of the fishing community despite organized protests, public meetings, and various petitions submitted by fishing unions. The persistence of construction activities, even after widespread protests, indicates a disturbing trend of governmental and corporate disregard for the fundamental rights and concerns expressed by the local communities.

Impact on the community

1. Dried fish industry

Honnavar has a long-standing tradition of dried fish production, which has historically been a vital economic activity for the local community. The unique environmental conditions, including the water from the Sharavathi River and the use of estuary salt, contribute to the superior quality of Honnavar's dried fish, making it popular not only in India but also in Southeast Asia. The dried fish industry has supported thousands of livelihoods, particularly women, who are deeply involved in fish drying and local trade.

The appropriation of land for the port project (44 hectares) has led to the dismantling of traditional fish drying operations, resulting in significant job losses and economic disruption for the affected families. The traditional fish drying industry has been a collective effort involving diverse community groups, including various religious backgrounds, emphasizing its social and cultural cohesion. With the diminishing availability of land for drying fish, the report highlights the struggle for survival faced by local fishers and processors. It is noted that women have played a crucial role in maintaining this tradition and are disproportionately affected by the changes brought by the port project. The need to restore and protect Honnavar's legacy in dried fish production is emphasised in the report, advocating for the community's

rights and sustainable practices as integral to preserving their cultural heritage.

2. Livelihood

With the construction of the port and the surrounding infrastructure, community members expressed fears of losing their sources of livelihood. Port activities are exclusively male-centric, while the fish trade is almost completely women-centric. So, women fish workers stand to lose their source of livelihood permanently. Additionally, the men of the fisher community do not have the requisite qualifications to get jobs in the port. It is only those with certificates from the Directorate General of Shipping who can be considered for a port job, and hardly anyone here has such a qualification.

This has compelled some younger individuals to look for job prospects outside their localities, which were traditionally tied to fishing. The ongoing development efforts jeopardize not just economic stability but also the cultural and social fabric of the fishing communities, leading to fears of displacement and loss of identity.

The ongoing construction activities and eventual port operations are anticipated to adversely affect traditional fishing practices and the local dried fish trade. Fisher folk who previously operated around Kasarkod Tonka are now struggling as they face higher transportation costs and loss

of income due to relocation to less familiar drying areas. The report indicates that familiarity with the terrain is crucial for these livelihoods, highlighting the economic repercussions stemming from the displacement of the fishing community.

Recommendations

The report concludes with the following recommendations:

Withdraw All Criminal Cases Against Protestors: The Government of Karnataka must immediately and unconditionally withdraw all criminal cases filed against the villagers and fisherpeople of Honnavar who protested the port project. Including specific cases documented in the report.

Investigate Police Excesses and Ensure Accountability: All instances of police violence and intimidation against peaceful protestors must be thoroughly investigated. Strict action must be taken against police personnel and HPPL officials found guilty of violating the rights of the local community.

NHRC Must Fulfil Its Mandate to Protect Human Rights Defenders: The National Human Rights Commission (NHRC), which prematurely closed the complaint filed on behalf of the villagers, must take immediate cognizance of the reprisals faced by fisherfolk and environmental defenders. The NHRC must order a thorough investigation, ensure withdrawal of the cases, and hold officials accountable.

Withdraw the Port Project and Restore the Natural Habitat: The Environmental Clearance granted to the port has now expired. Considering strong objections from the local fishing community of Kasarkod, the Karnataka Government must reverse its decision to proceed with the HPPL port project and take urgent steps to restore the natural ecosystem to its original state.

Remove the Illegal Road and Repair Environmental Damage: The makeshift road constructed by the port authorities, which has caused extensive ecological damage and encroached upon community commons, must be dismantled in a scientific and proper manner in the immediate future to ensure the nesting areas of the Olive ridley Turtle are obstruction free and safe by the next season (December 2025). The authorities must also take corrective measures to protect the nesting habitats of the endangered Olive Ridley turtle in future by declaring the entire beach a no development zone and work with the local community to reverse the damages and address the environmental harm already caused.

Subject the Port and Infrastructure Plans to Fresh Scrutiny: The proposed port, along with the road and rail connectivity plans, must undergo comprehensive and participatory reassessment. The approvals granted earlier were based on outdated CRZ maps that no longer reflect the

region's current topography. Given the expiry of existing clearances and ongoing ecological changes, a fresh evaluation is essential.

Revive and Protect the Local Dried Fish Economy: Honnavar's historic dried fish trade, a key source of livelihood for thousands, particularly women, must be actively revived and supported. The State, through its department of Fisheries must prioritize the restoration and promotion of this local, sustainable economy over destructive port-led development.

Findings of the follow-up fact-finding initiative

As the previous report has stated, there are two components of the development of the port: one, the construction of the port itself (44 hectares), second, the construction of a four-lane four-kilometer road connecting the port to NH66. This chapter highlights the key findings regarding, one, the developments towards the construction of the port & the four-lane road, including statutory clearances and the deployment of police forces; two, police violence during the land survey on 25th February 2025; three, the systemic failure of State authorities in protecting the interest of the fisherfolk.

1. Road construction connecting the proposed port to NH66

For the road connecting the port to NH66, under the Bharatmala programme, a four-lane road was sanctioned by the National Highways Authority of India (NHAI) in 2019. The Government of Karnataka was given the responsibility to hand over encumbrance free land, for 2.58 km. Since HPPL is the port developer / project proponent, the responsibility of acquiring this encumbrance free land falls under its responsibility, according to the tripartite agreement that was signed. HPPL was to accordingly coordinate the conduction of land survey, bear the costs of rehabilitation, ensure forest and other statutory clearances as applicable.

The tender for the road construction was awarded by NHAI to Viva Infraventure Pvt. Ltd. for a period of 10 years for construction and

maintenance starting from 5th December, 2024. The construction of the road is supposed to be completed by 6th June, 2026. The Project Manager, HPPL, Tarakish Phayade, told the fact-finding team that the Karnataka Maritime Board has handed over 85% of the encumbrance free land. He also said that the Port Department has already handed over all public land for road construction, and the only thing pending is to identify the private property holders within the land required.

As the first report explains, most residents of the villages do not have the papers to prove their land ownership, despite residing there for decades.

For the first stage, HPPL obtained forest clearance from MoEFCC, for land that is forest area. The trees have also been cut and cleared in preparation for the road construction. The Project Manager Mr. Phayade informed the fact-finding team, "In compliance with the Karnataka Government Notification of 2013, which declares port limits, the road project was envisioned for being 50m from the High Tide Line. Due to protests, the road is now 35m wide, as the 50m land acquisition would have destroyed more homes."

A survey was planned on 25th and 26th February, 2025 by the Tehsildar's office and HPPL to determine what they call encumbrances. Mr. Phayade as well as the Tehsildar's office say that they have confirmed that 101

structures are present including houses, compound walls, washrooms etc. "81 of these structures are houses and only 18 of them have valid pattas."

2. The protest against the survey on 25th February, 2025

When officials came to survey the land for the construction of the road on 25th February, 2025, a large number of residents of the village peacefully protested against the survey. However, the protestors were met with brutal police violence, arbitrary arrests and false charges being invoked against them. The Tehsildar, who was also present at the site of the protest, said to the fact-finding team, "On the 25th of February, I did not witness any police violence. But the fisherfolk had violated the conditions of the notice served to them under section 163 of Bharatiya Nagrik Suraksha Sanhita (BNSS)." The fact-finding team also spoke to a number of residents who were a part of the protest.

Rajesh Govind Tandel, a 47-year-old resident of the village, narrated that on the previous day, 24th February, there was a survey conducted in Keni where there is another port coming up. "We had a meeting from 3 PM to 5 PM on 24th February in the Karavalli Meenugarara Karmikara Sangha to discuss what we should do in case the survey happens in Tonka too."

Many people reported that on 8 PM on 24th February, officials came in auto-rickshaws announcing on a loudspeaker that orders under Section 163 of BNSS (essentially restricting persons right to assemble) were being imposed.

These were repeated at 6 AM on 25th February too. According to Apeksha, aged 15, it was one police official and one person in civil dress, who also said, "You cannot do any protest or blockade."

"Around 8 – 9 AM, our people went to Ramanagara where police, company officials and others had gathered," said Rajesh Govind Tandel. People gathered in large numbers in Ramanagara and raised their voice against the port and road construction. Many people spoke to the media about their fear of losing their homes, land and livelihood. GH Suleiman, a 41 year old resident of the village said, "They deployed a lot of officials that day, and three government buses were brought in to detain protestors. They didn't let the press do any coverage."

Rajesh Govind Tandel narrated, "The police started recording videos of everyone, and started getting agitated. They spoke very harshly to people, pushed them around and started using their lathis. We continued giving statements to the media and anyone who would listen to us."

One particular testimony was that of Apeksha, a 15 year old girl who gave the following statement to the media. Her video went viral.

Our MLA, who is supposed to be our representative, is he mute? He came to the temple and said "Vote for me and I will stop the port construction and take care of it". That is what he had promised. Where is he now? The fisher folk are being

intimidated and dragged away to jail. What did he come here and take care of? Did he keep his promises? Who will give protection to us – the fisher folk? The company has police protection, the company has officials on their side. The DC office is also for the company, but who is here for us? Fisher folk have no protection. Where do the fisher folk go? Otherwise, just kill us all, we will all die at once. One here, another elsewhere – rather than being dismembered as a community, kill us all and give us that mercy.

They came at night around 09:30pm with the intention of a war and the two weapons that they had were Section [144] (IPC) and Section [163] (BNSS). They used Section 163 this morning. Their 'Sections', their lathis, their ropes, it all their battleground, sir. We are completely helpless. Now we are fighting so much but nobody has even come to our village to see what is happening, neither any MLA nor any official. Those that did come, kept repeating that "we'll take care of this" but nothing ever happens. It has been four years since they began assuring us that they will take care of it, that they will give us protection. It has been four years, and the fisher folk have now been reduced into homelessness, and yet he has not woken up. I don't know where he [Mankal Vaidya] is hiding but he could not even be bothered to come see what is happening. He is not even here today.

Fisher folk have all been taken away. When will he come? Isn't he supposed to be our representative? Where did he go? What are his words worth? "I'll be with you. He'll be there for you. They'll be there for you." [Instead,] they dragged all the fisher

folk away today, and yet he did not come. You only want fisher folk for the votes and the rest of the time should they die for your sake?

Come see this video, see how many fisherfolk were taken away. They [the fisher folk] should be back here. They should be back in the village by 4PM. They should be safe in the village otherwise, like I said, I will give my life to the sea. This I guarantee. This death of mine in the sea if people don't reach here by 4PM will be in the hands of the representative. I will give this in writing and die today. I am fighting for my village today. I am speaking for my village now. I have no other intentions, I just want the fisher folk, my relatives, my friends who have all been taken away to return safely. Please, I request you to return them. Please save our village. Please leave our village as it is.

After she gave this statement, on the very same afternoon, officials including the Assistant Commissioner, the Deputy Sub-Inspector, the Circle Inspector and police officials arrived at her house to convince her to withdraw her statement. "Around 3:30 PM they came to our house, and tried to get me to withdraw my statement. I refused. After that, the police started beating my brother [Raju Tandel] very badly. They kicked him in the stomach and used their lathi to beat him all over his body. Then they arrested my father, Raghavendra Tandel along with Manjunath, Roshni, Roja, Ramesh, Padmavathi and Parvathi Tandel and took them to Siddapura."

Raju Tandel, her brother, narrated, "They were asking her – Who taught you about all this? The Taluk Health Officer, the DySP and the AC were all there along with others. They interrogated Apeksha for a long time.

I heard that on the other end of the road, a group of fisherfolk were being beaten up by the police. I asked about this to the AC and other authorities present in my house. For which, I was dragged outside, kicked and beaten black and blue. Circle Inspector Santosh Kaikini was there too. He beat me on my head, back, pinned me to the floor and kicked me along with another police officer. He was saying – 'Yes I have taken bribes! So I am going to double beat you!' I was pressed against the seat of the car and strangled by two police men. The police also pushed a young girl who was trying to record this incident. They would not allow anybody to record this incident. My phone was confiscated, which had some recordings of the whole incident."

Tamim, a 20-year-old young man from the village said, "I saw my friend being taken by the police. When I went to help free him from their hands, they caught hold of me also. Four police officials beat me at the same time. We were all put in a bus later on and arrested."

Several people narrated to the fact-finding team that what ensued from there, was a lot of police violence and detention of people. Some people narrated that their phones were confiscated and the videos that were being

recorded were forcibly deleted. An FIR was ultimately filed falsely accusing 45 fisherfolk of offenses of attempt to murder the police officials, causing hurt, wrongfully restraining & assaulting public officials, rioting, unlawful assembly, criminal intimidation, criminal conspiracy and outraging the modesty of women.

Suicide as protest

On the same day, a group of around 40-45 people ran into the sea to attempt suicide. "We knew that it was better to die than to lose our land and livelihood. We don't know any other work other than this. We cannot rebuild our homes, and our lives from scratch", said Susheela, a 45 year old resident of the village. The people were then rescued by the police, some of them were taken to the hospital and some of them were arrested.

Raju Tandel said, "I also jumped into the sea in protest and went to the hospital for treatment."

Siyab, a 26-year-old resident of the village, said, "I was recording a video, and the PSI came and asked me why I was recording. I said, if you all are recording, why shouldn't I? There was a video that was deleted by the police, of four officials beating me at the same time with lathis and kicking me with their boots. I also joined the 40-50 people who had gone into the sea to give up their lives. We were brought back by the police, and I was arrested soon

after that. My clothes were still wet when they took me for a medical examination."

Rekha Tandel, who was formerly very active with the resistance against the port, was one among the people who had ran into the sea to commit suicide. She continues to face long-term effect of the ordeal, as her husband, Rajesh Govind Tandel narrated. "As she was almost drowning, she was rescued by the police. She was dragged out and taken to a government hospital, where she was diagnosed with altered sensorium. She was then diagnosed with Dissociative Disorder by Dr. Nitin Shetty (03/03/2025 Kundapura) where she was taken for a second opinion and treatment. Dr. Jaspreet Singh of Adarsha Hospital in Udupi diagnosed her with features of severe depression (22/03/2025). She still appears to be very traumatized. She does not remember anything from the events of 25th February. She is not able to hold any conversations, has blurry vision. She does not recognise many people, and has forgotten cooking." All Rekha Tandel could communicate to the fact-finding team was, "My vision is blurry, I feel pain all over my body."

Police violence

GH Suleiman narrated, "People were arrested at 11 AM. None of us touched them or attempted to hurt the police. We were peacefully protesting, and raising only our voices. But the police showed a lot of vengeance, and rage. They didn't let us reason with them, didn't let us say a single word. None of the police officials were wearing name badges, and

almost all of them were wearing masks. Along with the police officials, there were many in civilian clothes, and some from the company as well. I personally saw a lady police official brutally beating a young man – holding him by his collar and then speaking very harshly. I cannot repeat some of the words used by the police against us. They used very derogatory abusive language. One of them even said 'Go die with your children!' when we said that we have nowhere to go."

Raju Tandel said that even a journalist from TV9 got beaten when the police were beating the protestors. "After the protest got over, after people returned, they came home and beat people up", said Ganapathi Tandel.

Siyab said, "After I was pushed into a bus, Santosh Kaikini, the Circle Inspector, was waiting for me along with an official in civilian clothes and a constable. A woman police official held me while the three of them beat me with their lathis and kicked me with their boots. The lathi broke while they were beating me but they continued with another lathi."

Refusal by medical examiner to record wounds from police violence

Raju Dutta Tandel said, "My medical examination was done around 12 am. The doctors refused to record any wounds and visible marks on my body."

Siyab said, "I was later taken for a medical examination in Honnavar Taluk Hospital, but none of the bruises on my body were recorded by the doctors, even after I mentioned about being hit. I was asked only to tell if I was suffering from any other kind of illness like cough or cold. Four police personnel stood as escorts behind me while I was being medically examined."

Parvathi Tandel, mother of Apeksha, said, "When they took us for a medical examination, the police accompanied us to the doctor. There were three police officials present when the doctor told us, 'Tell us only if you have any fever or cold. Don't tell us about any injuries because of violence.'"

Confiscation of phones and deletion of videos

Many of the residents of the village reported that phones were confiscated of all those who had evidence of the police violence. Parvathy Tandel said, "The way they dragged us, and put us in the vehicle, we didn't even know where they were taking us until they got a call saying we can return. They also confiscated all devices which had photos or videos of the police violence on February 25.

Arrests and false charges

This is their modus operandi, said Ganapathy Tandel. "Totally, 20-25 cases have been registered against people in the village. There are 9 cases against me." Ganapathi Tandel and Renuka Tandel are named in the FIR registered

for the events of 25th February when they were not even in the village. Ganapathy said, "We were in Bangalore on 25th and met the Chief Minister, Mr. Siddaramaiah to submit a letter to him, asking for the withdrawal of the proposed port. But we have been maliciously charged for the offences of conspiracy, rioting and unlawful assembly when we weren't even there in Honnavar to commit those offences" We had to move court for anticipatory bail and stay away from our home and our young children, otherwise we too would have been arrested. The police came searched our house for us and our children had to stay with their grandmother and were constantly worrying about us until we finally received anticipatory bail a month later

This was also confirmed by GH Suleiman, who said, "They put people in jail, so that they can continue doing the work. Looking at their plans, they will take over the entire land here."

Raju Dutta Tandel said, "This time, I was arrested. Last time, it was my father and my brother. They try to intimidate and arrest us on baseless charges". Adv. Subramanya, who represented some of the fisherfolk when they were falsely accused during the protests, said – "the charges against the protestors are usually, unlawful assembly, conspiracy, wrongful restraint, outraging modesty of a woman etc., They are all obviously false and frivolous charges, solely to harass the community. There has not been a single conviction in any of the cases so far".

3. Community members have registered their vehement opposition to the construction of the port and road, since 2016.

"In 2010, we knew something was coming up, but never knew that it would impact us. We only realised after they built a compound wall after demolishing the dry fish sheds in 2016. Since then, for more than 10 years, Hindu and Muslim fishermen have been united in the protests against the port", said GH Suleiman, 41-year-old fisherman.

In late 2016, the port authorities, officials from HPPL and the police forcibly demolished sheds and cleared out the areas where dry-fishing was taking place in the area allotted for the construction of the port. Since then, fisherfolk unions and community members have consistently been protesting against the port construction. "When the dry fish sheds were demolished, that is when we found out that our homes will also soon be affected", said Susheela, a 45-year-old fisherwoman.

"Many times, when they bring big trucks with soil, big rods or other construction materials, we have protested and ensured that we send them back. Sometimes even at 12 or 1 in the night", said Rahul Tandel, a 28-year-old young man from the community, who is a part of Meenugarara Karmikara Sangha.

Picture 1 - Fact finding team interviewing fish drying workers

Ganapathi Ishwar Tandel, a 41-year-old fish trader in Tonka said, "In 2017, they started bringing soil for construction. We started blockading roads and protesting in 2016. Since then, false FIRs/cases were being registered against those of us who were protesting. Totally, 20-25 cases have been registered against people in the village. There are 9 cases against me. In 2018-19 we held a very big protest where hundreds of people marched to Honnavar from Tonka and submitted a memorandum to the Tehsildar's office. There have been much bigger protests in 2021-2022. In 2021, 5000 people gathered for one protest with police permission in front of the tehsildar's office to ask for cancellation of port. We submitted a memorandum then as well. Then after a few days they called for a meeting with the leaders, and then said that it is not in their hands, and it is the government's decision to go ahead with the port. Since then the DC and SP have been using these methods of police force deployment to aid the HPPL company's construction work." Renuka Tandel, Ganapathi's wife and member of the Kasarkod Meenutpadhaka Haagu Matsyodhama Sangha

said, "In 2021, 100 women sat on a protest for two months. It was actually all the women of the village who took turns and ensured that 100 women stayed on the street to stop vehicles coming in to start construction. After the stay was granted in the High Court, we stopped the protest. We sat there for 54 days."

Not only the fisherfolk themselves, but the boat owners associations are also in solidarity with the fight against the port construction. "The port will ruin our business completely. There will be no place for our business if the port comes to Honnavar. If there is no place to park our boats and no place for the fishermen to go fishing, then there is no place for me either. I have owned the boat for the last 8 years. I have taken loans from the bank for the boat, and I have to return them. We are in complete solidarity with the people of Honnavar, fighting against the port", said Sripad Sheth, part of Purse-seine Boat Owners Association.

Picture 2 - Workers on the boats collecting fish

"To stop the mining Mafia and stop the loot of natural resources and make suitable changes to mining laws."

–Promise under the Mining, Forest & Environment Protection section, Karnataka Election Manifesto 2023, Indian National Congress

How will the port impact the livelihoods of fisherfolk?

The Kasarkod fisherfolk community is divided into various sections of the people involved in different strata of the fishing activity like - Purse-seine Boat owners, trolley boat owners, fresh fish traders, dry fish traders, petty Fishers, boat workers, fish dryer workers, loader workers and boxing workers. Clearly, it is class-divided with people who can be broadly classified into business owners, workers and petty fisherfolks. While we visited the Tonka village and the Kasarkod fish harbour, we noticed that the entire community, irrespective of the class they belong to, has unanimously rejected the idea of a private port in the area.

Picture 3 - Workers preparing to transport the fish

All the people including different sections of workers and traders we spoke to in the fishing harbour and village were unanimously against the port because it will take away their land and livelihood. They unitedly struck work

for an entire week to demand release of their 24 comrades lodged in Dharwad jail after the 25th February protests. Despite most leaders of the movement coming from the business owning class (boat owners or fish traders), the workers and the petty fishers stood united behind them, went to jail with them and faced police atrocities. It is very clear to the entire community that not only would they lose their land due to these "developmental" activities, they will surely lose their livelihood. It is to be noted that the entire population of Tonka 1 and Tonka 2 villages are directly dependent on fishing activities.

Picture 4 - Members of the fact-finding team interviewing workers at the shed near the boats.

United by struggle

The fisherfolk community has not always been united like this. It has been achieved through the resistance movement against the port. Raju Tandel, General Secretary of Karavali Meenugarara Karmikara Sangha, an organization at the forefront of the struggle, explains that previously there

was only one fishers' organization in the area named Karavali Meenugarara Sangha. Now, if a fishing boat catches fish worth Rs. 1 lakh, Rs. 58,000 would go to the boat owner, Rs. 35,000 will go to the workers and Rs. 7,000 goes to the boat manager. In 2009, the workers' share was only 30%. There were strikes and protests against the boat owners to increase this share to 40%. After negotiation, this share got increased to the current level (that is, 35%). Around that time, there were communal tensions also between the Hindu and Muslim fisherfolk communities incited by certain vested interests. All these factors had led to the split of Karavali Meenugarara Sangha into 4 organizations - Karavali Meenugarara Karmikara Sangha, Purse-seine Boat Malikara Sangha, Trolley Boat Malikara Sangha, Hasi Meenu Vyaparastara Sangha. Now, against this port construction, all these organizations have united again under a joint banner of Meenugarara Janti Horata Samiti with Rajesh Govind Tandel as the President. Rajesh Govind Tandel is also the President of Karavali Meenugarara Karmikara Sangha. All these four organizations are led by boat owners or fish traders and are in the forefront of the movement.

Breaking the Coast: Erosion and Livelihood at Risk

While the fact-finding team asked Captain C. Swami, Director of Ports & Member (Maritime & IWT Operations) regarding the inhibitions of the locals, that the port will be affecting their livelihood. He said, "In all maritime states, ports and fisherfolk coexist. The livelihood of the fisherfolk in Tonka will not be affected because the port is in a different area." On

pointing out the potential displacement of the fisherfolk from their households, he said "If the fisherfolk are living in unauthorized buildings, of course they will be evicted due to the road. Port limits were notified as early as 1967... When you speak of the fundamental rights of the fisherfolk, you must also keep their fundamental duties in mind - which should also be enforced. If India has to become a power like China, logistics costs have to be paid, we have to take development seriously."

Although the Director of Ports, district administration, the HPPL Project Manager, Superintendent of Police has been repeatedly saying that the livelihood of the fisherfolk will not be affected due to the port, why are the people so convinced with the opposite? To get an answer to this question, we interviewed Prof. Ramachandra Bhatta as part of the fact finding. We interviewed him both because he is a leading expert in this field as a fisheries economist (he served as Professor at College of Fisheries, Mangalore and as a Head of Social science division at National Centre for Sustainable Coastal Management (NCSCM), Chennai and then as Senior Consultant and Emeritus Professor in Indian Council of Agricultural Research) and is also connected to Kasarkod by virtue of being a President of the Sneha Kunja Trust, which runs a charitable hospital in the area.

On asking the reason why this port is detrimental to the locals, Prof. R.C. Bhatta explained that “the proposed development in Honnavar threatens both the livelihood of the fisherfolk and the ecological balance of the region. Honnavar lies within an estuarine ecosystem - one of the most productive

ecosystems globally - and the port is being planned right in the estuary of the Sharavathi River. Small-scale fishers who rely on these waters will be completely displaced if the project goes ahead".

A key concern is the construction of breakwaters on both the northern and southern sides of the proposed port. Drawing from experiences along the west coast, Prof. Bhatta pointed out that natural sediment movement - mostly from north to south - will be disrupted. This disruption typically leads to erosion of the southern coastline. Villages like Tonka and Kasarkod, home to many fishing families, are likely to be severely affected, with the very land they live on, potentially disappearing due to halted sand replenishment. Similar scenarios have already unfolded in places like Padubidri and Someshwar-Ullal.

Explaining the sediment dynamics in more detail, Prof. Bhatta said that the river naturally brings and takes sand with wave action, maintaining a balance along the shore. However, breakwaters obstruct this cycle. Without the natural replenishment of sand, the southern coast begins to erode, and the fisherfolk living there face the direct threat of losing both land and livelihood.

The ecological stakes are just as high. The Sharavathi estuary is home to a variety of fish, including prized estuarine species, and the beach serves as a nesting ground for the Olive Ridley Turtle, an endangered and protected species under the Schedule I of the Indian Wildlife Protection Act, 1972. In

addition to impacting marine life and biodiversity, this poses a threat to the region's eco-tourism potential. Prof. Bhatta also emphasized that the river's fish productivity has already taken a hit due to upstream damming of the Sharavathi river for hydroelectric projects (in Gerusoppa). Compared to the un-dammed Aghanashini River, where fish productivity is four times higher, the impact on Sharavathi is evident. Sudden releases of freshwater from the dam alter the salinity levels, disturbing the estuarine habitat even further.

What does the Government prioritise?

When asked why the government is pushing the port project despite strong opposition, Prof. Bhatta pointed to larger economic motives. He said that the government aims to privatize ports and create independent supply chains for transporting high-demand resources like coal, iron ore, and manganese. In this rush for industrial gain, the interests and survival of local communities, as well as ecological considerations, are being sidelined.

When asked whether the government has taken any steps to support the fisherfolk and help grow their traditional fishing businesses, Prof. R.C. Bhatta called it a tragic reflection of Indian politics. "Back in the 70s and 80s, nearly 80 to 90% of the fish production came from small-scale fishers," he said. These are the communities who operate within 12 nautical miles using small boats, often with basic motorized assistance. In Honnavar, this small-scale model thrived thanks to high water quality and clean beaches. The local economy was further supported by women who produced and

exported high-quality dry fish - Mackerel, Lactarius, and 30 other varieties—using simple infrastructure and long-standing knowledge systems, hence being economically viable, environmentally sustainable and equitable.

A 44-hectare tract of land, accumulated over decades and lacking formal survey numbers, had become the hub for this dry fish production. Tre government never took an interest in surveying the submerged and remerged land. Fisherfolk never bothered because for them it's all commons and they were continuing their livelihoods, It was home to over 2,000 women who worked regularly in processing, transporting, and selling dry fish—an industry that created an organic, community-driven supply chain. But this entire livelihood network came to a grinding halt in 2019, when the land was handed over to the port company HPPL. Fences were erected, access was cut off, and hundreds of women employed in the dry fish business lost their jobs overnight.

According to Prof. Bhatta, the government continues to approach fisheries development from a capital-intensive lens - promoting large harbours and deep-sea mechanized vessels requiring engines of 450–500 horsepower. However, this ignores the scientific fact that over 90% of fish populations are found within the 12-nautical-mile range, precisely where small-scale fishers operate. The nutrient-rich waters along the west coast - fed by rivers from the Western Ghats—are far more productive than the Bay of Bengal. Yet, government schemes like Matsya Sampada remain focused on big investments, with subsidies of ₹50–60 lakh for a ₹1.5 crore vessel, while a

dry fish vendor may only receive support for one basket in her entire lifetime.

Prof. Bhatta also flagged the unsustainable nature of over-reliance on export markets. "A large portion of India's marine export earnings come from shrimp. But with the U.S. imposing tariffs on Indian shrimp, the entire high-capital export-dependent industry is now under threat," he noted. Unlike the community-based systems that created steady employment, the port project doesn't even offer figures on job creation. "At most, they might employ 50 to 100 people," he said, "but the damage done to the ecosystem caused an impact on the livelihoods of thousands of people. These ports are highly mechanized and don't require much human labour."

The land question

As if the loss of traditional fish drying areas/ grounds wasn't enough, the ongoing NHAI road construction as dedicated port access road, along the beach in the area is adding to the multiple crises. Out of 113 affected properties, only 18 landholders have formal title deeds or *hakku patra*. According to Prof. Bhatta, the history of the area goes back several decades. In 1976, Sneha Kunja Trust had bought nearby land from the government when only a few houses existed. The coastal settlement expanded through the 70s and 80s, especially in accrued land formed by natural sand deposits. Today, much of that accrued land lies 30 to 40 feet away from the current high-tide line, but remains legally unrecognized.

While talking to the locals we came to know that many of the families living on the accrued lands today had already been displaced once - from Mallukuruva village, which had eroded into the sea. These are people being displaced again. It's the same communities, facing loss after loss. Despite their pleas, they haven't been given legal land titles. As a matter of relief and justice, they should have been allotted small plots officially, but even that hasn't happened.

Prof. Bhatta noted that to regularize such settlements – "If there's no survey number, the local Tahsildar can visit the land, assign a number, and legalize it". "That's exactly what was done in Padubidri, where six acres of accrued land was surveyed and handed over for the development of a Blue Flag beach." But, this wasn't done for the people of Kasarkod.

This ongoing exclusion of indigenous coastal communities from land rights where they work, live and also employ others during the fishing season raises deep and pertinent question: "While there are ample opportunities for sustainable economic growth in a traditional way by preserving local traditions, cultures and ways of life, who benefits from such mega-projects - and at whose cost?"

Ecological Contentions

Another point of contention raised by authorities is the status of the Olive Ridley Turtle nesting grounds. While the fact-finding team interviewed Captain C. Swami, Director of Ports, he claimed that "the ecology will not

be affected of course, because the High Court had decided that the project would go on based on the report by NCSM, which had concluded that there is no turtle nesting. I am also sure that the turtle nesting is not notified in official records of the forest department."

Responding to this claim of the turtle nesting not being notified, Prof. R.C. Bhatta firmly dismissed the argument as baseless. "There is no need for a separate notification," he said. "The Coastal Regulation Zone (CRZ) notification already recognizes turtle nesting grounds and mandates their protection. It's clearly stated in the law. Asking for another notification is simply ridiculous."

What adds to the frustration is the timing and conduct of the so-called assessments, he said. A team from the National Centre for Sustainable Coastal Management (NCSCM) visited the site in August 2021 and reported no evidence of turtle nesting. "That was a farce," Prof. Bhatta said. "Everyone knows August is the middle of the monsoon - it is *not* the nesting season. Nesting begins after the monsoon. They deliberately visited at a time when turtles don't nest, just to produce a report that suits the narrative of the port authorities."

This deliberate oversight, reflects a broader pattern of dismissing ecological and community knowledge in favour of interests of the Corporates. While official agencies downplay or deny the presence of protected species and the adverse effect of port on the livelihood of the people, the reality on the

ground tells a different story - one where both the environment and the people who depend on it are increasingly left without protection.

Experiences across the Country

It is a well-documented fact that port development in various parts of India has led to disastrous effects on the livelihood of the fisherfolk. Some such studies are listed as follows.

1. Mumbai Coastal Road Project

The Mumbai Coastal Road Project (MCRP) has led to a 50% reduction in the incomes and daily catch of fisherfolk, with those catching fish by hand, mainly women, the worst affected, according to a report by the Tata Institute of Social Sciences. The study, commissioned by the Brihanmumbai Municipal Corporation, found that non-mechanised boat owners' daily catch fell from 14kgs per day before October 2018, when work on the MCRP began, to 7kgs per day afterwards. The project, which connects Marine Lines with Worli, has also impacted marginalised fishers' livelihoods, the report noted.

2. Vizhinjam Port

Vizhinjam International Seaport is an 'international transshipment deepwater multipurpose seaport' that is being developed by Adani Ports in a public-private-partnership model with the government of Kerala. After going through a series of objections and court cases filed by

environmentalists and citizen activists, the port secured all clearances for construction in 2015. However, over the last seven years, Vizhinjam and its neighbouring villages have witnessed a steep fall in marine biodiversity, a decline in fish catch, loss of thousands of livelihoods, uncomfortable rehabilitations, and a general sense of misery amongst its populace. Experts warn that port activity will destroy the wadge bank, a unique fertile fishing ground in the ocean, and rich in biodiversity, like a warehouse for feeding fish. There are 20 wadge banks around the world and one of them is situated southwest of the coastline of Kanyakumari in south India.

3. Dhamra port

The Dhamra port project has had a detrimental impact on the fishing community, which has traditionally relied on the coastal area for their livelihood. The construction of the port has restricted access to previously open coastal areas, where fishing activities took place. Cement walls have been built, preventing fishermen from entering these spaces, essential for drying fish, grazing livestock, and accessing firewood. Women and children, who played significant roles in the fishing industry, have been particularly affected. They can no longer fish close to their homes, and many have ceased these activities altogether, leading to a loss of income and forcing some families to sell their fishing boats. Dredging activities and pollution from the port have disrupted marine life, making fishing less productive. Fishermen report that fish are less abundant in areas near the port, further jeopardizing their livelihoods. As access to fishing grounds diminishes,

families are experiencing increased economic hardship, with many unable to find alternative employment due to limited opportunities created by the port's development. Moreover, the port project has led to the displacement of approximately 319 households from Dosinga village, stripping residents of their agricultural and homestead lands without adequate compensation, as rising land prices prevent them from securing viable alternatives. This displacement has severely impacted their livelihoods, exacerbating their vulnerability and challenging their socio-economic stability.

4. Vadhavan Port

A survey report 'Impact Study on Proposed Vadhavan Port on Coastal Fisheries' by the Central Marine Fisheries Research Institute (CMFRI), to assess the impact of the proposed Vadhavan Port on coastal fisheries in Palghar district's eco-sensitive Dahanu taluka, shows that the project will impact livelihoods of at least 20,809 fisherfolk, comprising 5,333 families and living in 16 fishing villages within a 10km radius of the port. The report identifies five villages in particular, where fishing activities would be impacted the most. Notably, these account for at least 8,296 affected fisherfolk. In all, the port will render approximately 72 sq kms of current fishing area inaccessible to fisherfolk once operations are underway, and during the construction phase as well. This is equivalent to about 17,791 acres in area.

5. Karwar Port

The expansion of Karwar's port poses significant threats to the livelihoods of local fisherfolk, primarily through pollution, loss of fishing grounds, and a decline in fish catch. Many fisherfolk are concerned that increased dredging and construction activities will pollute the water, rendering fishing unviable due to contamination of fish stocks. This expansion is expected to encroach on crucial fishing areas, particularly affecting Baithkol village, home to thousands. Fisherfolk report declining catch rates over recent years, attributed to dredging activities, and fear that further ecological damage will exacerbate this trend. Despite government assurances of job creation and economic growth from the port project, locals feel these promises do not translate into real benefits, leaving them anxious about their economic well-being. As a result, the port expansion may threaten their livelihoods and exacerbate economic disparities, highlighting a critical conflict between development and the needs of the fishing community.

6. Gujarat Coastline

A study by the Peoples Archive of Rural India, published in 2017 investigates the impact of industrialisation on fishing communities in the coasts of Gujarat through case studies and interviews. It documents that the fish workers in Gujarat operating traditional, motorised and mechanised boats have all been equally disadvantaged by the current industrial model in the state and have not received adequate support or reinforcement in strengthening their livelihoods. Pagadia, a traditional form of fishing, was almost entirely wiped out. That the mechanisation of fishing and the

prevalence of large-scale industrialisation in the state, particularly near the coastal region, has increased marine pollution and reduced fisheries. It notes that depletion of marine resources automatically means the dispossession and disenfranchisement of fisherfolk.

Destruction in the Name of Development

The situation in Honnavar is not an isolated case, but a reflection of Karnataka's broader port development policy - one that is designed to serve the interests of powerful corporations under the guise of coastal development. Backed by the central government's Sagarmala programme and state-level policies, ports are being rapidly constructed along the state's 340+-kilometre coastline, often through public-private partnerships. Other than Honnavar, these include New Mangalore, Keni, Karwar, Belekeri. The Honnavar port is being developed by HPPL which is a subsidiary of a mining company GVPR Engineers Ltd., explicitly to facilitate the export of iron ore and other minerals. Similarly, JSW, one of India's biggest mining and steel conglomerate, is pushing port projects in Keni and Pavinkurve in Uttara Kannada district, further exposing the direct link between mining interests and port expansion. These developments threaten coastal ecosystems, displacing traditional livelihoods, and overriding the voices of local communities. While talking to the fact finding team in Karwar, Vikas Tandel, an executive member of the National Fish Worker Forum (NFF), Karnataka said "It's not very far when we won't be able to see these people fishing, singing and dancing in the coast. Their livelihood, their culture,

everything will be wiped away with this port spree". People are not only resisting the port in Honnavar, but also similar resistances are seen in Keni, Tadadi and Karwar.

Due to this 'Development' model in India that enables corporate plunder of natural resources at the expense of ecology and people, land grab and displacement has become the biggest menace affecting the broad masses at this moment. Since 1991, about 15 million farmers have moved out of agriculture, many because the economic system simply does not make farming (including pastoralism, fisheries and forestry) remunerative enough. And 60 million people have been physically displaced by dams, mining, expressways, ports, statues, industries, with mostly poor or no rehabilitation. Meanwhile, exploiting such people desperate for any kind of job, and also nature, an already wealthy minority becomes wealthier by the second. The richest 5% of Indians now earn as much as the remaining 95% [8]. Be it Karwar, Tadadi, Keni, Nagarhole, Devanahalli, Bastar, Niyamgiri, or Hasdeo, the people are facing the carrot and stick policy of the Indian state. There are of course variations in levels of militarisation in each of these areas, the common thread however unfortunately remains land grab and an attack on people's life and livelihoods. These attacks on people's autonomy transcends boundaries of states and ruling parties, making it a national project spearheaded by big corporations. In this project, the state governments, police, paramilitary forces, as well as judiciary have historically been seen as a party against the people's interests. This alliance has unfortunately played out very well in Honnavar as well.

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Law and Policy

The legal trajectory has been an important part of the developments surrounding the port project in Honnavar. Despite being situated in an ecologically fragile coastal belt - home to fisherfolk and other traditional coastal communities, the project has proceeded in blatant disregard of basic legal norms and safeguards.

In this chapter, the fact-finding team presents the timelines and facts in the cases that were filed in context to the constitutional protections, environmental and coastal protection regulations.

What Culminated in Cases Before the High Court and the National Green Tribunal

Outside of the people of Kasarkod continually resisting the port on the ground since its inception - in 2010, *legal* opposition to the Honnavar port project emerged across two critical judicial forums - the High Court of Karnataka and the National Green Tribunal (Southern Zone, Chennai). Both interventions were prompted by mounting community concerns over environmental degradation, destruction of coastal commons and the right to livelihood.

In 2021, the Hasimeenu Vyaparastara Sangha (a raw-fish traders' association) approached the Karnataka High Court through W.P. No. 4039/2021, challenging the Environmental Clearance and lease agreements granted for the port. It was contended that the project area included CRZ-I zones - known turtle nesting habitats - and that the necessary forest clearances had not been obtained. It was also alleged that false and misleading information had been submitted to secure the Environmental Clearance and that the port's development violated the community's constitutional rights, particularly the right to livelihood and a clean environment.

The state and the project proponents responded by alleging the petition as one filed with vested interests. They maintained that all statutory compliances had been met, that the NCSCM survey had not identified turtle nesting sites in the proposed area, and that forest permission was not required since the area under question lay outside the leased port land.

In its order dated 24 November 2021, the High Court declined to examine the necessity or location of the port, stating that such matters fell within the domain of expert bodies. However, it directed the respondents to obtain all necessary permissions before continuing with any construction and left it to the concerned authorities to ensure no harm is caused to endangered species like the Olive Ridley turtle. On the question of land use, the court relied on a survey report by the Deputy Commissioner, which found that Honnavar

Port Pvt. Ltd. (HPPL) was not utilising any land beyond what had been leased.

The Court refrained from granting immediate relief to the petitioners, while it placed the onus on regulatory bodies to uphold environmental and procedural compliance - an expectation that has repeatedly failed to translate into effective oversight.

In 2022, a second challenge was mounted before the National Green Tribunal (Southern Zone) through Original Application No. 76/2022, this time concerning the construction of a road in Kasarkod village. The road, connecting the port to National Highway 17, was alleged to have been laid without prior CRZ clearance through CRZ-III No Development Zones and CRZ-I forest land. The applicants submitted that the road, measuring approximately 4 km in length and 25 to 40 meters in width, was a private access road meant exclusively for port operations, not for the benefit of local communities. They also argued that the road's construction had displaced traditional coastal activities such as fish drying and would destroy turtle nesting grounds and coastal vegetation, violating both the CRZ Notifications (of 2011 and 2019) and the Indian Wildlife Protection Act, 1972.

The state and the port proponents claimed that the CRZ issues had already been addressed in the earlier High Court case and that all statutory

clearances were in place. They further asserted that the road would serve fisherfolk and that there was no evidence of turtle nesting activity in the area.

In its order, the NGT clarified that the road in question was a newly created kaccha road specifically for the port and not one that pre-existed. It noted that the Karnataka State Coastal Zone Management Authority (SCZMA) and the Karnataka State Environmental Impact Assessment Authority (SEIAA) had only permitted the road's use on an "as is where is" basis, effectively bypassing any proper legal clearance process. The Tribunal also acknowledged that the NCSCM's superimposition of the road on the CRZ map confirmed that it fell within CRZ-III No Development Zone, but that there is an exception to No Development Zone in favour of notified port areas such as the port in Honnavar.

The NGT did not order for seizure of construction of the road but directed the SEIAA and the Karnataka SCZMA to reassess the issue of road use in accordance with prevailing CRZ norms during any future renewal of the project's Environmental Clearance.

Together, these two proceedings show the fault lines in how the port project has progressed, where court directions have largely deferred to "competent authorities" and technical reports, while local communities continue to bear the brunt of displacement, loss of livelihoods and ecological harm. The

cases also illustrate how, in practice, regulatory bodies like the SCZMA and SEIAA have failed to act with independence or rigour, facilitating a pattern of post-facto permissions and regularisation of violations rather than upholding the spirit of environmental law.

Violations and Systemic Dilutions of Environmental and Coastal Regulation Laws

The port project at Honnavar reflects a broader trend in which environmental and coastal regulation frameworks are systematically diluted to accommodate private infrastructure interests. The project's progression violates the letter and spirit of the Coastal Regulation Zone Notification, 2011 & 2019 issued under the Environment (Protection) Act, 1986.

The construction of the port and its access road was undertaken in areas classified as CRZ-I and CRZ-III where new development is either strictly regulated or altogether prohibited. The CRZ Notification (2011 & 2019) categorically restricts activities in No Development Zones (NDZs), especially in ecologically sensitive stretches such as turtle nesting sites and coastal commons used by fisherfolk for fish drying.

The original Environmental Clearance (EC) for the Honnavar port was granted in 2012, but no updated EIA was conducted, even as construction recommenced more than a decade later. This contravenes the EIA

Notification, 2006, which requires updated assessments and public hearings in cases of substantial modification. Independent reviews have also raised concerns about poor quality and lack of transparency in many EIAs approved by SEIAAs and Expert Appraisal Committees.

Moreover, the approval process itself relied heavily on the NCSCM report, which claimed no turtle nesting was found within the project site. This finding has been contested by community members and environmental experts, who argue that short-term ecological surveys during non-nesting seasons cannot be treated as conclusive evidence. The Supreme Court, in multiple rulings, has reaffirmed the application of the precautionary principle in environmental matters, which mandates erring on the side of caution in ecologically uncertain situations - a standard the authorities, including the High Court failed to uphold here.

The SEIAA and Karnataka SCZMA's decisions to regularise violations or allow usage of the kaccha road on an "as is where is" basis exemplify a reliance on retrospective approvals.

Failure of State Accountability and Institutional Redressal

The case of Honnavar port lays bare the extent to which the regulatory framework has been undermined by administrative complicity and erosion of institutional autonomy. Despite clear procedural violations, neither the

Karnataka SEIAA nor the SCZMA acted with the independence or authority required by their mandates. Instead of halting unauthorized construction - where for instance, no forest clearances were taken by HPPL until the first case for filed in the High Court - they delayed enforcement action, enabling post-facto justifications rather than proactive compliance.

The High Court's directive in 2021, which placed responsibility on statutory authorities to verify compliance with forest and environmental laws, has not been followed through with the rigour it requires. The NGT's 2023 ruling implicitly recognised this institutional responsibility, directing regulatory authorities to reappraise the project's legal standing rather than endorse it uncritically.

Local bodies, such as Gram Panchayats, have also been bypassed or sidelined in key decision-making processes violating constitutional principles which mandate decentralised and participatory governance. Instead, decisions related to land use, infrastructure development and community displacement have been pushed through by the district administration and project authorities without public consultation or local sanction.

Equally alarming is the state's response to dissent and protest. Residents who have mobilised peacefully against the port and its impacts have faced police harassment, surveillance and intimidation. The use of state force

against communities asserting their rights to land and livelihood is a clear violation of the freedoms of expression and assembly. This shrinking civic space is simply a part of a common nation-wide pattern where environmental defenders and local protest movements are increasingly criminalised or delegitimised.

Efforts by community members to seek redress through legal and administrative channels, whether through the courts or attempts at a dialogue with the forest department or coastal zone authorities, have largely been met with delays or denial. The state institutions are either unable or unwilling to hold powerful actors accountable.

Broader Concerns in Development and Environmental Governance

One of the most significant issues emerging from Honnavar is the state's treatment of the rights of the community. It has been submitted by the Govt. in their submissions time and again that the coastal commons are up for grabs to industrialization. The coastal commons - spaces used for fish drying, boat repair, seasonal agriculture or religious and cultural activities - have historically belonged to communities through custom and practice, even if not always reflected in land records. By treating these areas as vacant land available for industrial acquisition, the state is actively erasing the lived realities of communities that have long sustained these ecosystems.

Honnavar port also raises questions about climate vulnerability and ecological resilience. Karnataka's coast is already witnessing the impacts of climate change, including sea level rise, increased coastal erosion and extreme weather events. Building ports and roads in CRZ areas without comprehensive climate risk assessments or mitigation plans not only violates precautionary norms but also worsens the exposure of local populations to disaster risks.

State's obligations under Article 48A of the Constitution - to protect and improve the environment - and its commitments under the Paris Agreement and Sustainable Development Goals are incompatible with such an approach to infrastructure development. In this context, the Honnavar must serve as a warning and a call to action. If the environmental rule of law is to have meaning, it cannot be selectively enforced or routinely set aside.

The Latest Appeals in Courts of Law – What Has Happened?

At the time of the drafting of this report, two fresh challenges to the renewal of the Environmental Clearance (EC) was filed by the community at the NGT in Appeal Nos. 07/2025 and 15/2025. It was argued that the provisions in the EIA notification that mandates a public hearing while renewing any EC was not complied with, while HPPL's EC was renewed. That the community was not heard while renewing the clearance.

Additionally, port constructions on eroding coasts ought to be prohibited and it must be questioned why an inadequate EIA which deserved to be rejected by the SEIAA, was not. All the flaws in environmental impact assessment done by the port company was pointed out. These petitions however, has come to be disposed of on 10.06.2025 with the Tribunal observing that no fresh concerns were raised, and that all the allegations were previously addressed in the earlier cases before the High Court and the NGT itself. It reasoned that public hearing was unnecessary as the scope of the project remained the same.

An appeal against this NGT order was filed in the Supreme Court in Civil Appeal No. 11021/2025. This came to be dismissed on 08.09.2025, where the Supreme Court opined that it did not feel any need to interfere while making it clear that the Appellants are free to approach SEIAA with regard to the grievances of there not having been conducted a public hearing.

Recommendations and Conclusion

This fact-finding team concludes that the Honnavar Port project is marked with human right violations and a severe disregard for natural habitats and livelihoods. The project has been implemented with little regard for the rights and voices of the affected communities, and in blatant contravention of environmental safeguards meant to protect fragile coastal ecosystems and commons.

The narratives documented by the team reveal a pattern of dispossession, intimidation, and silencing of dissent. Traditional, sustainable coastal livelihoods, particularly fishing and fish drying activities, have been disrupted due to the proposed port construction and the building of an access road through CRZ-III, NDZ areas. These have disproportionately affected small-scale fishers, vendors and daily wage workers, most of whom belong to marginalised caste and class locations.

The project's environmental clearance was secured on the basis of questionable reports and without proper ecological assessments or public participation. The authorities responsible for regulating the project, including the SEIAA and KSCZMA, have failed to act independently or uphold the law. The use of police force to suppress community opposition reflects erosion of democratic spaces and civic freedoms. It represents the broader crisis of development governance in India today, where extractive infrastructure is prioritised over peoples' sights and sustainability.

Our recommendations to the State Government and District Administration:

1. Revoke the Environmental Clearance granted to HPPL. Ensure an independent and participatory Environmental Impact Assessment is conducted, including a legitimate biodiversity study and socio-economic impact assessment.
2. Cease all police deployment near the project site. End harassment and surveillance of local residents and community leaders.
3. Conduct a survey of the residence of the fisherfolk in Tonka – I and II, ensure proper recognition and land rights of the community residing there over many generations.
4. Take cognizance of the violations of right to life and right to livelihood of the fisherfolk of Honnavar, stand in solidarity with them and ensure their rights are protected.
5. The government should recognize and support the local fishing enterprises in Honnavar as structured, economically viable, self-sustainable livelihoods, sustaining thousands of families. It is the government's responsibility to strengthen them further by improving access to credit, modernizing infrastructure, providing marketing support, and ensuring protection from disruptive industrial projects and unfair competition.

To the Ministry of Environment, Forest and Climate Change (MoEF&CC):

1. Strengthen regulatory oversight of SEIAAs and SCZMAs, and develop mechanisms for review and accountability in cases where approvals are granted despite statutory violations.

To the Karnataka State Coastal Zone Management Authority and SEIAA:

1. Revoke the permissions granted to the port project, especially for construction of access roads.
2. Make all CRZ maps, site inspection reports and project-related documents available in the public domain, including in Kannada, to facilitate transparency and informed public participation.

To the Police Department:

1. Stop the suppression of protests and uphold the constitutional rights of the community in Honnavar to peacefully assemble and resist.
2. Withdraw the false complaints, FIRs registered against the fisherfolk and bring the erring police officers - who engaged in brutality - under departmental enquiry. Additionally, ensure the victims are sufficiently compensated.

To the Karnataka State Human Rights Commission and the State Legal Services Authority:

1. Take suo-motu cognizance of the rights violations reported in the context of the Honnavar Port project and initiate independent investigations.
2. Set up legal aid camps and rights awareness workshops in the area to address community grievances and ensure access to justice.

To Civil Society Organisations and Movements:

1. Extend support to the community's efforts to resist illegal evictions and environmental degradation.
2. Help build wider alliances between coastal communities, fisher unions, environmentalists, and human rights defenders to challenge unjust development and strengthen decentralised, rights-based governance frameworks.

Earlier this year, members of All India Central Council of Trade Unions (AICCTU), FridaysforFuture-Karnataka (FFF-K) and People's Union for Civil Liberties-Karnataka (PUCL-K) visited Honnavar to investigate the circumstances around police repression of protests organised by the resident fishing communities.

This was a follow-up to a fact-finding done in 2024 titled 'A Port on a Sandspit: How it Spells the Destruction of Kasarkod's Fishing Community and Ecosystem in Honnavar Taluk'. However, developments in 2025 - including intensified police action, land surveys and the construction of an access road through coastal commons - have escalated the crisis. What emerges is a textbook case of how development, when driven by private interests and state complicity, can systematically dismantle ecological safeguards and community rights.