

Asia/ India

Planning them out?

Fishing communities settled along the coast of Chennai, a metropolitan city on India's south-eastern coast, are being threatened with relocation in the name of beach beautification

Based on an affidavit presented by T Mohan, a Chennai-based lawyer long involved with various civic environmental and community-based organisations, before the National Commission on Women, India.

The role of fishing communities in town planning and coastal zone management planning continues to be a neglected area. Town Planning in Tamil Nadu (a state in southern India) is the subject matter of *The Tamil Nadu Town and Country Planning Act, 1971*. Though seemingly wide, there is little guidance in the Act for imbuing the planning exercise with any sensitivity regarding the cultural aspects of town planning, specifically with reference to the life style and livelihood patterns of fishing communities, which are separate and distinct from those of a migrant population that usually characterize cities in India.

After the 73rd and 74th Amendments to the Constitution (strengthening the role of local government), the *Madras City Municipal Corporation Act, 1919* was amended. A Metropolitan Planning Committee was constituted to prepare a draft development plan for the Chennai Metropolitan area having regard *inter alia* to matters of common interest pertaining to the city of Chennai, including co-ordinated spatial planning, sharing of water and other natural resources and integrated development of infrastructure and environment conservation.

Despite this, comprehensive and sensitive planning still does not exist judged from the viewpoint of either statutory guidelines or actual planning. As a result of insensitive planning, the eight fishing villages along the Marina beach, which possibly predate Chennapatna (city of Madras/ Chennai as it is known today), have been subjected to enormous pressures.

There is a lack of recognition of fishing communities' control over coastal land. Though these communities have been resident along the coast for centuries, the right over these lands is not recognized. The State considers them usually as encroachers and slum dwellers. In the absence of any law in the matter, fishing communities have always been under threat of eviction as both the state and the middle class have

seen the settlements as an eyesore.

Several strategies have been employed by the state to weaken the communities' claim to the lands. These have included:

- construction of inappropriate and inadequate tenements for housing fishermen and seeking the consequent eviction from existing tenements
- interference with beaching craft and net drying on the beach
- permitting high value urbanization along the coast and encouraging competing recreational use alongside the settlements
- widening the coastal road and converting the same into an alternate highway, thereby placing the lives of coastal residents at risk.
- demarcating various parts immediately adjoining the settlements as open space and recreation zone, thereby inhibiting scope for settlement expansion.

The Tamil Nadu Government attempted to remove the fishing craft and the nets of the fisherfolk along the Marina beach in 1986. A writ petition filed in the Supreme Court thwarted these attempts. The Supreme



Court directed the return of the confiscated craft and gear by interim orders and the writ petition appears to have been disposed off recently.

With the enactment of *the Coastal Regulation Zone (CRZ) Notification of 1991*, there appeared to be grudging institutional recognition of the rights of fishing communities to dwell along the coast, even though the notification has been rendered ineffective by the machinations and/ or inaction of all coastal states, including Tamil Nadu.

When the Tamil Nadu government initially submitted its coastal management plan under the CRZ Notification, the Ministry of Environment and Forest appears to have returned the same because the Chennai coastline did not figure in the plan. Thereafter the Chennai Development Authority added a chapter with five maps and three pages for the Chennai coast. This made no reference to the fishing settlement, their livelihood patterns or their cultural specificity.

Prior to this plan, efforts by the Tamil Nadu government to articulate an integrated coastal zone management plan, actually spoke of relocating fishing villages that did not exhibit potential for growth. There was also widespread concern when the second Master Plan for the City of Chennai in 1995 spoke about relocation of all the slums in the city to the outskirts. This document was, not surprisingly, published for comment only in English thereby denying crucial stakeholders space for participation in the planning process.

Fishing along the city's waterways, like the Adyar and Cooum rivers and the Buckingham canal, have almost come to a standstill on account of the fact that these water bodies have become virtual cesspools of domestic and industrial effluents. The High Court of Madras, even after 10 years of the filing of a writ petition (W.P.No. 14858/93) that sought the framing of a scheme for cleaning up the city's heavily polluted waterways, merely directed the Tamil Nadu Pollution Control Board to continue action to prevent institutions and industries from letting out sewage and other pollutants into the waterways. However pollution continues and it is unlikely that the waterways will ever be reclaimed for fisheries.

Thermal plants which discharge hot water into Chennai's coastal waters and a phalanx of chemical industrial complexes, have also seriously impacted fisheries. There has also been large-scale salinization of coastal aquifers on account of excessive extraction for industrial and urban purposes along Chennai's coast. These deleterious impacts have placed serious stress and severe burden on women fishworkers in their capacity as market vendors, caregivers and resource providers.

The recent amendment issued by the Ministry of Environment and Forests, which made it necessary to obtain prior sanction for all projects involving an investment of more than Rs50 million would appear to have put a check on the Tamil Nadu government's recent move to evict the fishing hamlets and convert these lands into a complex for diplomatic missions, residences and multinational offices. The state government, which even denied access to the Memorandum of Understanding (MoU) signed with a Malaysian Company stating that it was not a public document, has protested against the amendment. While the stand of the Tamil Nadu government is clearly motivated, the rights of the fishing communities cannot be solely dependent on the discretion of Central government.

In my opinion the threat to the livelihood of women fishworkers along the Marina can only be averted by strengthening the CRZ Notification, by averting development on the coast adjoining the fishing settlements, by enacting legislation which would recognize the rights of fishing community to all resources, including land, by framing and implementing national, state and local policies and plans for the small-scale fisheries sector, and by creating institutional mechanisms and processes sensitive to their distinct culture and livelihood patterns.

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