Empowering Indigenous Communities and Primary Livelihoods of the MMR
Volume III

Empowering indigenous communities and primary livelihoods of the Mumbai Metropolitan Region

Volume III

The research project is carried out by the Urban Design Research Institute (UDRI) along with various contributors through household surveys, observation surveys, photo documentation, community interviews and secondary research, spanning over an eighteen-month period from June 2018 to December 2019. It is an unbiased study which presents factual information at the time of the survey, and a technical assessment of the same. UDRI does not lay any claim to the substantiation and accuracy of the facts, the data or the content, relying rather on the information gathered through the surveys at that point in time. UDRI, therefore, cannot be held responsible for any data and representations.

Introduction

The Urban Design Research Institute (UDRI) has been working with the indigenous communities of the Mumbai Metropolitan Region (MMR) – the koliwadas, gaothans and adivasipadas – to understand and assist in determining, defining and addressing several of their urban issues through planning policy and governmental frameworks. The fundamental issue lies in the fact that these settlements have not been demarcated by the civic administration since the 1960s, leading to complex issues of place ownership, threatened livelihoods and poor or no essential infrastructure. As a result, these communities, albeit some of the oldest in the Region, are beginning to lose their identity. Their settlements, encumbered by extremely congested living conditions, are being incorrectly labelled as slums, and the community faces eviction notices on a regular basis.

Under the larger rubric of *Empowering indigenous communities and primary livelihoods of the Mumbai Metropolitan Region including facilitation of housing upgradation and sanitation infrastructure* and through continuous engagement with the communities since 2017, UDRI has been working towards achieving solutions for:

i.   Inclusion in the Coastal Zone Management Plan to protect koli settlements (fishing villages) and their primary livelihoods, which are entirely dependent on the sea;

ii. Demarcation of core and extended koliwadas, gaothans and adivasipadas to regain their space and identity in the city, and inclusion in the Development Plan;

iii. Formulation of Special Development Control Regulations (DCRs) for the demarcated settlements to facilitate upgradation of their housing and fishing allied activities;

iv. Empowering primary livelihoods and empowering women through establishing their presence in market places, upgrading the market infrastructure and protecting the market places from being usurped for redevelopment;

v.   Settlement infrastructure upgradation to address micro-level issues of:

   • Water

   • Sanitation

   • Solid waste management

   • Social amenities and facilities

This handbook aims to serve as a guiding document for the various stakeholders involved in empowering indigenous communities i.e. community members of koliwadas and gaothans, bureaucrats, architects, planners, social workers, amongst others. A series of handbooks comprising technical information has been compiled to supplement planning for indigenous communities.

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LAND RIGHTS

Aim: Demarcation of extended koliwadas, gaothans and adivasipadas to regain space and identity in the city

Core Issues

No land rights

Threat of eviction and demolition

Losing identity and labelled as slums

Why is settlement demarcation important?

1. Koliwadas, gaothans and adivasipadas have grown considerably, and increased needs require to be taken into account

2. No demarcation surveys of the indigenous settlements were carried out by the Government since the 1960s

3. Settlement extents have not been demarcated in the Development Plan (DP) for Greater Mumbai

4. The communities receive demolition threats and notices for vacating their land

5. Their existence in the city is under challenge

Who is responsible for demarcation?

Department of Land Records, State of Maharashtra

Impact at the national, state & local level

National & State Level: Demarcated settlement boundaries should be indicated on the Coastal Zone Management Plans (CZMPs) of Maharashtra State to safeguard the native inhabitants and their livelihoods.

Local Level: Demarcated settlements, market places and areas for fishing allied activities should be indicated on the Development Plan 2034 for Greater Mumbai, to reserve land for the indigenous communities and avoid misuse of prime property. Absence of it may also result in delay in provision of trunk infrastructure and amenities.

UDRI'S suggestions

• Land Records Department should complete the demarcation process of koliwadas & gaothans along with their extended boundaries, as per the Maharashtra Land Revenue Code, 1966 and notify the settlements;

• We suggest setting up of a Monitoring Committee of stakeholders and the Government;

• The indigenous communities should regularly follow-up with land revenue department to complete demarcation of all koliwadas and gaothans in the Mumbai Metropolitan Region (MMR)

The continuous efforts by UDRI and follow-up by the koli organisations have led to the demarcation of 40+ koliwadas in Greater Mumbai!

Photographs of demarcation being undertaken in koliwadas across Greater Mumbai

Who is the concerned authority?

• Department of Land Records – for demarcation (at the state level)

• Municipal Corporation of Greater Mumbai (MCGM) – for inclusion of demarcated settlement in DP 2034

• MCZMA – for inclusion of settlement boundaries in the CZMPs of Maharashtra (at the state level)

Website Links

• https://bhumiabhilekh.maharashtra.gov.in/1035/Home

• https://portal.mcgm.gov.in/irj/portal/anonymous/qlcedpdocs

Legal Provisions & Regulations

Maharashtra Land Revenue Code (MLRC) 1966
https://bombayhighcourt.nic.in/libweb/acts/1966.41.pdf

## Who are the stakeholders involved?

• Members of the koli and gaothan communities

• Members of Legislative Assembly (MLAs)

• Members of Parliament (MPs)

• State & Central Government

Follow-up

The next step would be to extend the demarcations across the koliwadas, gaothans and adivasipadas in the Mumbai Metropolitan Region (MMR)

NATIONAL, STATE & LOCAL CODES

Matrix of national, state & local codes applicable to the koliwadas and gaothans

S. No	National Act/Code/ Agency	State Act/Code/ Agency	Local Act/Code/ Agency
1	**Coastal Regulation Zone (CRZ) Notification 2019** • Enacted by the Ministry of Environment, Forests & Climate Change (MoEF) • CRZ zoning based on distance from the sea/creek Regulations regarding koli housing, common infrastructure, fishing & allied activities, disaster management etc. ➤ http://moef.gov.in/en/?s=CRZ ➤ https://mczma.gov.in/notifications-and-circulars?field_select_content_category_tid=16	**Maharashtra Regional & Town Planning (MR&TP) Act, 1966** • Enacted by Government of Maharashtra, Law & Judiciary Department • Parent Act to make provision for planning & development in the state • Supersedes all other acts related to the state ➤ https://mmrda.maharashtra.gov.in	**DP 2034 (Greater Mumbai)** • Enacted by the Municipal Corporation of Greater Mumbai (MCGM) • Released every 20 years • Vision for future development of the city • Includes reservations for different land uses • Representation of location and demarcation of koli and gaothan settlements is within the scope of the DP ➤ https://portal.mcgm.gov.in/irj/portal/anonymous ➤ https://dpremarks.mcgm.gov.in/dp2034/
2	**Guidelines for updating CZMP prepared as per CRZ Notification 2011, to align with CRZ Notification 2019** • General guidelines • Explains steps for preparation of a CZMP • Guidelines for map preparation & public consultation ➤ http://www.indiaenvironmentportal.org.in/files/file/Final-CZMP-guidelines.pdf	**Maharashtra Land Revenue Code (MLRC), 1966** • Enacted by Government of Maharashtra, Law & Judiciary Department • Includes regulations and specifications related to gaothan boundaries, demarcation and maps ➤ https://bombayhighcourt.nic.in/libweb/acts/1966.41.pdf	**Development Control Regulations (DCRs) - special DCRs** • Enacted by the Municipal Corporation of Greater Mumbai (MCGM) • Released every 20 years • Series of regulations for the construction/modification/alteration of any habitable/non habitable structure within the city ➤ https://portal.mcgm.gov.in/irj/portal/anonymous
3	**National Fisheries Development Board (NFDB)** • Autonomous organisation under Department of Fisheries • Provides attention to fisheries & aquaculture • Provides infrastructure mechanisms • Training the communities involved in fishing and allied activities ➤ https://nfdb.gov.in/	**Maharashtra Prevention of Fragmentation & Consolidation of Holdings Act, 1947** • Enacted by Government of Maharashtra, Law & Judiciary Department • An Act to provide for the prevention of fragmentation of agricultural holdings and for their consolidation ➤ https://www.indiacode.nic.in/bitstream/123456789/6405/1/prevention_of_frag_1947.pdf	**The BMC Act , 1888** h • Enacted by Government of Maharashtra, Law & Judiciary Department • Obligatory and discretionary duties of the municipal corporation ➤ https://bombayhighcourt.nic.in/libweb/acts/1888.03.pdf
4	**National Fisheries Development Board (NFDB)** • Research in all disciplines relating to fishing and fish processing • Research centers function at Veraval (Gujarat), Visakhapatnam (AP) and Mumbai (Maharashtra) • Development of machinery for fishing and fish processing. • Human resource development through training and education ➤ https://cift.res.in/cift-about	**Coastal Zone Management Plan (CZMPs)** • Enacted by the Maharashtra Coastal Zone Management Authority (MCZMA) • Implementation of the latest CRZ notification • Demarcation of the different CRZ zones, environmentally sensitive habitats, settlements, infrastructure and plot level data in relation with the sea/creek/river or any natural water body ➤ https://mczma.gov.in/czmp	

DEVELOPMENT RIGHTS

UDRI
URBAN
DESIGN
RESEARCH
INSTITUTE

Aim: Formulation of appropriate development control regulations for the demarcated koliwadas, gaothans and adivasipadas to facilitate an upgradation of their settlements

Core Issues

Dense living conditions

Deterioration of settlement fabric

Inadequate and crumbling infrastructure

What are Development Control & Promotion Regulations (DCPRs)?

Development Control and Promotion Regulations or DCPRs are guidelines for building activity and development work in the areas under the jurisdiction of a Planning Authority.

Why are development rights important for koliwadas/gaothans/adivasipadas?

- There is growing need for repair and reconstruction within indigenous settlements, due to the deteriorated settlement fabric
- Development rights allow for the repair, development and reconstruction of properties within a framework of guidelines formulated by a ULB or Planning Authority
- It is thus important to have all information and paperwork related to land and property ownership
- The introduction of special DCPRs will enable the native inhabitants to develop and maintain their houses and property. It will give them legitimate rights and will also ensure systematic and orderly development within the settlement in a site sensitive manner.

Impact at the local level

Absence of development rights and appropriate DCRs could mean deteriorated structures, crumbling infrastructure and lack of amenities and utilities leading to a loss of heritage.

UDRI'S suggestions

- Demarcated Koliwadas/Gaothans/Adivasipadas should be included in DP 2034
- There is a need to formulate and introduce special DCPRs for koliwadas/ gaothans/ adivasipadas and their extended boundaries in DP 2034
  - **Type A:** For declared or proposed heritage precincts
  - **Type B:** For repair, reconstruction or redevelopment of existing buildings
  - **Type C:** Formation of Community Land Reserve (CLR)

Examples of koliwadas & gaothans for applicability of type A, B and C DCPRs
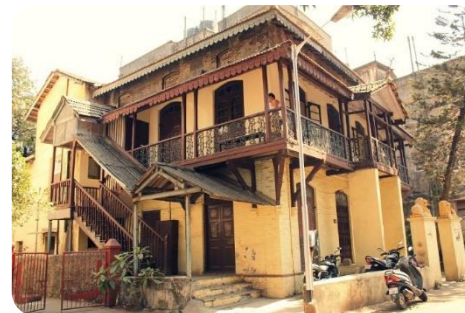
Heritage precinct at Matharpacady

Versova Koliwada

Pathwadi Koliwada

Versova Koliwada

Who is the concerned authority?

- Municipal Corporation of Greater Mumbai (MCGM) for Greater Mumbai; other Urban Local Bodies (ULBs) for the different administrative boundaries in the MMR.

Website Links

- https://portal.mcgm.gov.in/irj/portal/anonymous/qlcedpdocs
- https://portal.mcgm.gov.in/irj/portal/anonymous/qlcedpdocs

Legal Provisions & Regulations

- Development Control & Promotion Regulations for DP 2034
- The BMC Act 1888

Who are the stakeholders involved?

- Members of the koli and gaothan communities
- Members of Legislative Assembly (MLAs)
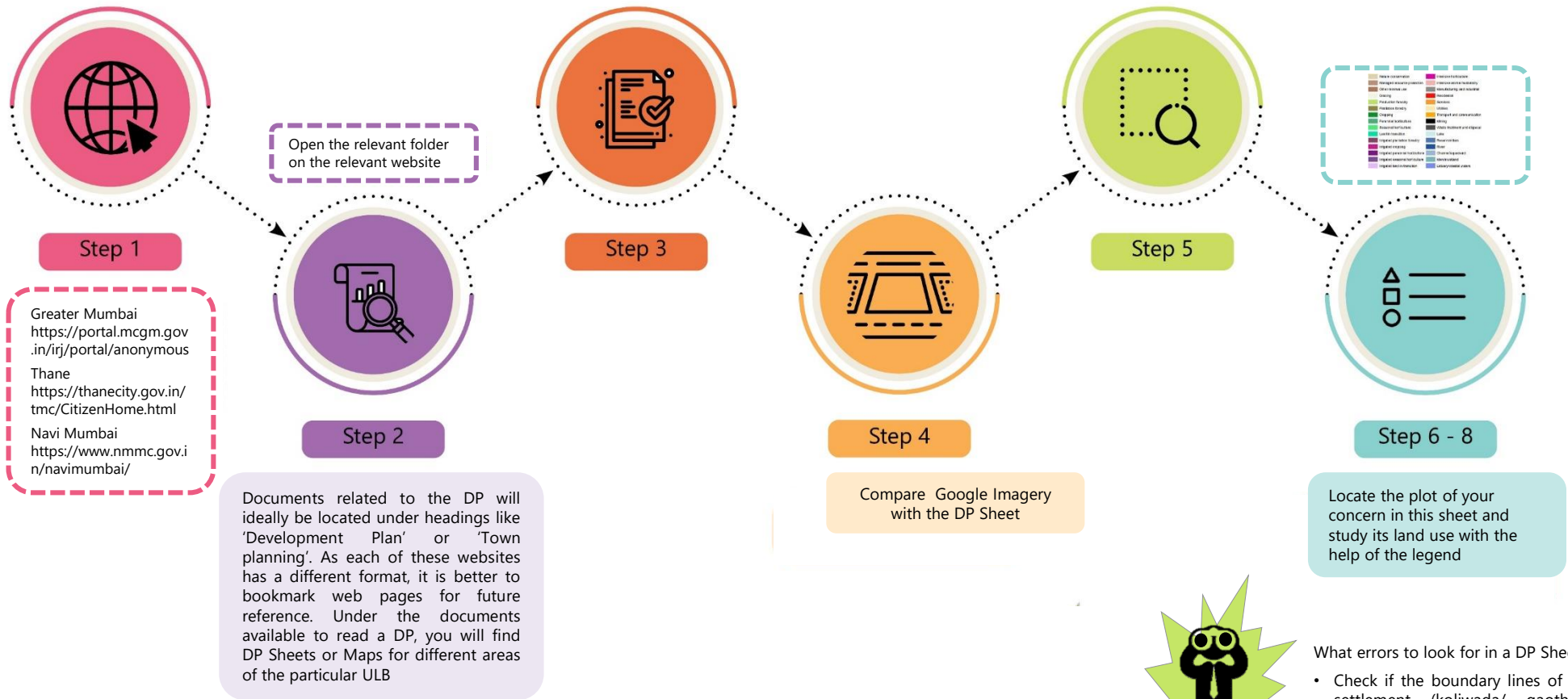- Members of Parliament (MPs)

How to access and read DP Sheets online for your area?

PROCESS

- Log on to the website of the Urban Local Body (ULB) for your area.
- Identify the area your plot falls in.

Identify your ward and sheet number through the key map

Look for your plot on the relevant DP Sheet

Open the relevant folder on the relevant website

Step 1

Greater Mumbai
https://portal.mcgm.gov.in/irj/portal/anonymous

Thane
https://thanecity.gov.in/tmc/CitizenHome.html

Navi Mumbai
https://www.nmmc.gov.in/navimumbai/

Step 3

Step 5

Step 2

Step 4

Step 6 - 8

Documents related to the DP will ideally be located under headings like 'Development Plan' or 'Town planning'. As each of these websites has a different format, it is better to bookmark web pages for future reference. Under the documents available to read a DP, you will find DP Sheets or Maps for different areas of the particular ULB

Compare Google Imagery with the DP Sheet

Locate the plot of your concern in this sheet and study its land use with the help of the legend

To understand the process better, watch UDRI's DP videos by scanning the QR Code
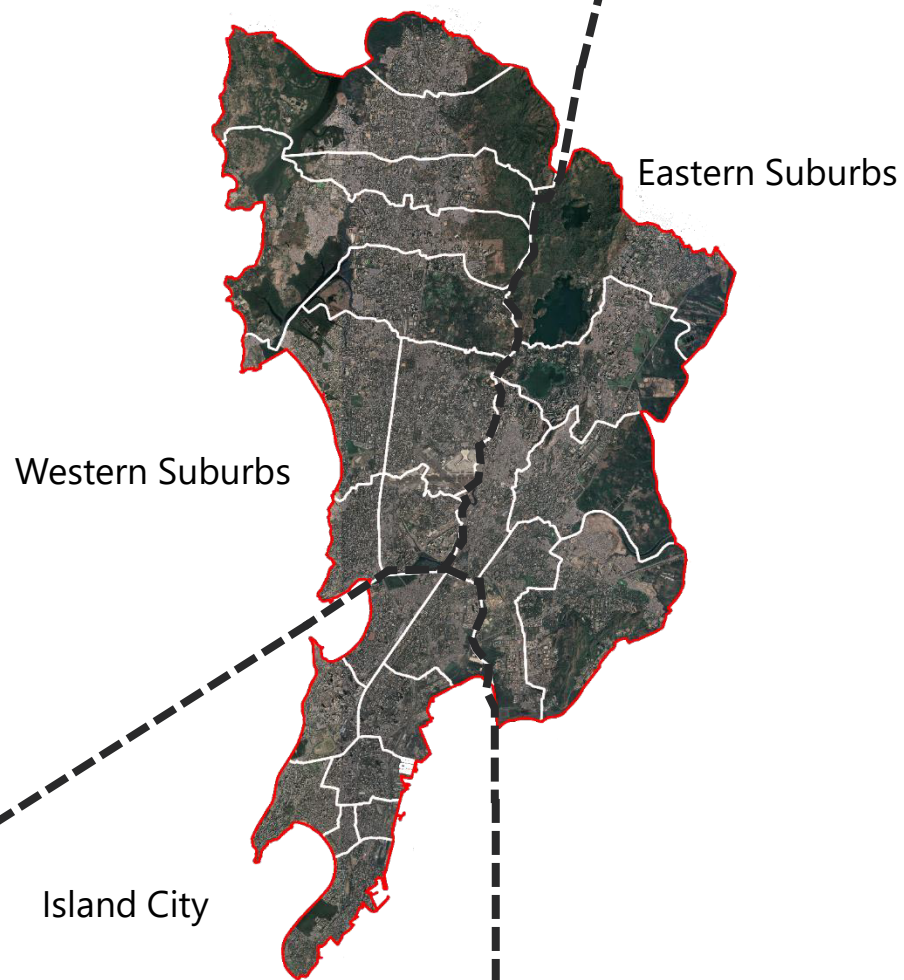
What errors to look for in a DP Sheet?

- Check if the boundary lines of the settlement (koliwada/ gaothan/ adivasipada) are correct

- Check if plots are indicated in colours corresponding to their actual land use, CTS numbers, road widening, high tide lines, transport modes, etc.
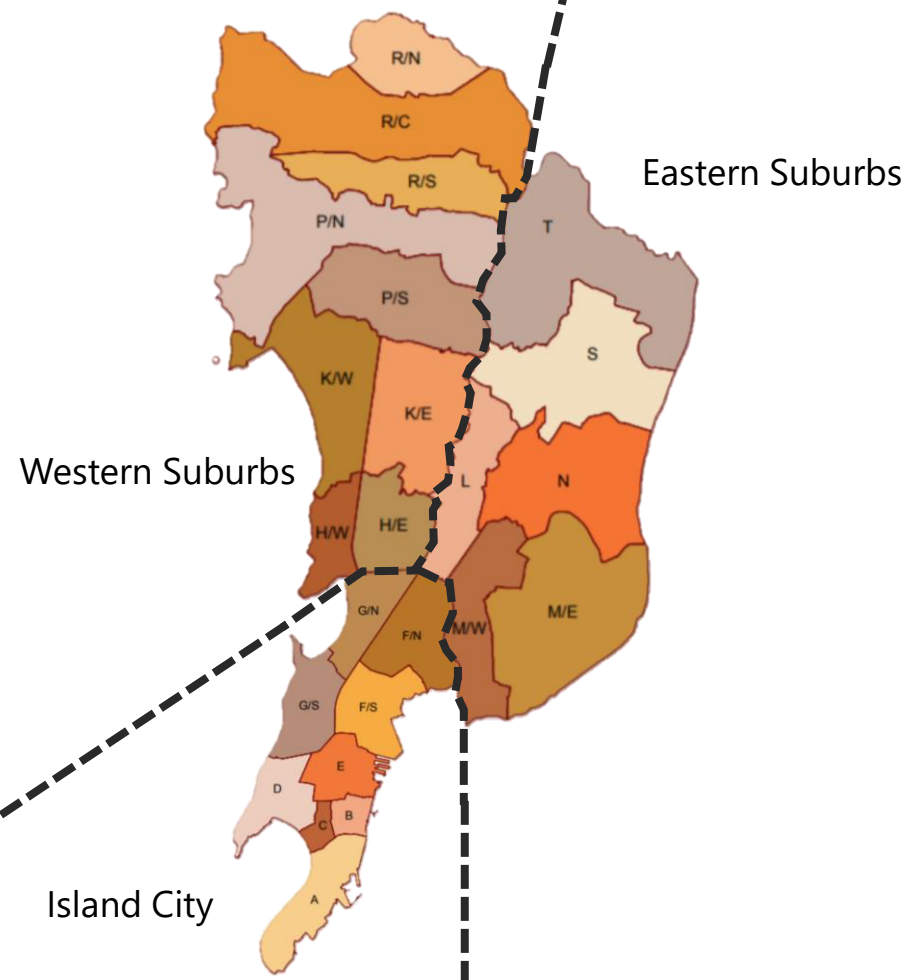
How to access and read DP Sheets online for your area?

Step 1

For Greater Mumbai

Identify which area your plot falls in; Island City, Eastern Suburbs or the Western Suburbs

Eastern Suburbs

Western Suburbs

Island City

**How to access and read DP Sheets online for your area?**

How to access and read DP Sheets online for your area?

Step 2

For Greater Mumbai

Open the relevant folder on the MCGM website
(i.e. Island city/Eastern suburbs/Western suburbs)
https://www.mcgm.gov.in/irj/portal/anonymous/qlcedpdocs

This page is best viewed in Mozilla Firefox, Google Chrome and IE

Docs > SANCTIONED D... > DP PLANS > Development Plan 2034(sanction

Name ▲	Size	Rating		Changed On
City				3/8/19 11:37:24 AM
Eastern Suburbs				3/8/19 11:37:26 AM
Western Suburbs				3/8/19 11:37:29 AM
04 MARATHI LEGEND.pdf	20.3 MB			3/8/19 11:37:21 AM

Step 3

For Greater Mumbai

Open the key map with sheet numbers superimposed
on the ward boundaries

ISLAND CITY

SHEET NO : IC 01 TO IC 34

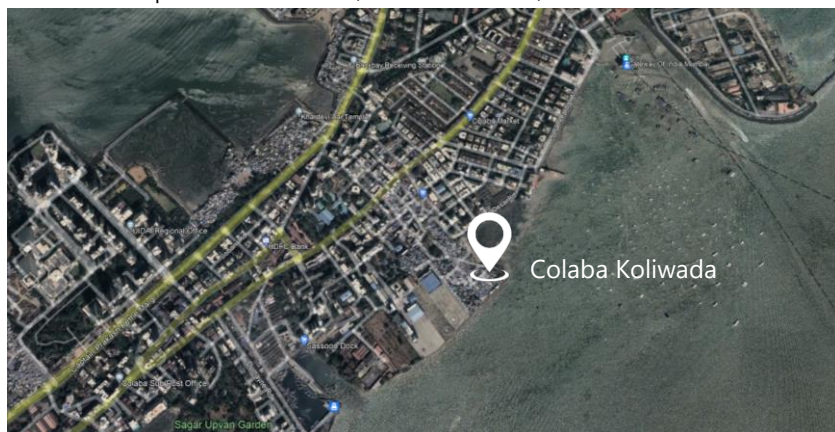**How to access and read DP Sheets online for your area?**
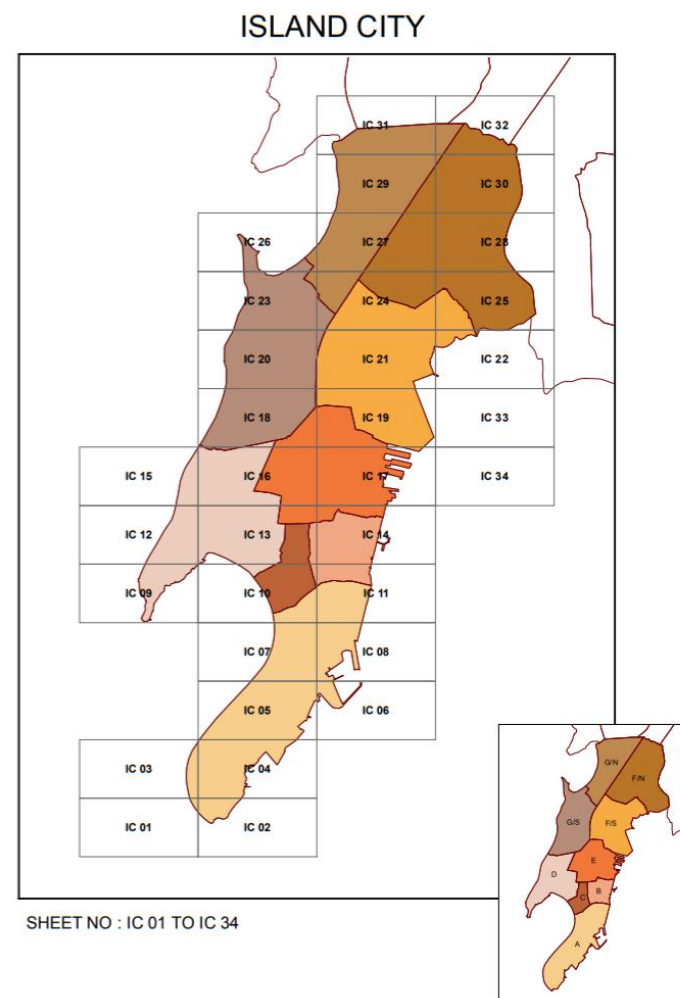
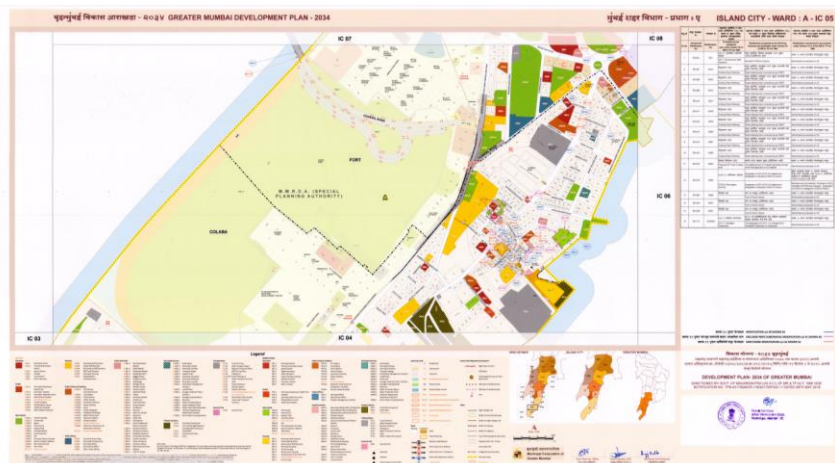**How to access and read DP Sheets online for your area?**

Step 4

For Greater Mumbai

Locate your ward and plot with the help of google satellite imagery and compare it with relevant DP sheet; note the sheet number.

For example: Colaba Koliwada, located in A ward, should be in sheet IC 05

Colaba Koliwada

Google Satellite Image

IC 05

Step 5

For Greater Mumbai

Open the pdf file with the corresponding sheet number and search for your plot

For example: Colaba Koliwada, located in 'A' ward, should be in sheet IC 05

Land use map

Plot-wise schedule of modifications

Legend

Key

Scale

Notification details & signatories

How to access and read DP Sheets online for your area?

How to access and read DP Sheets online for your area?

Step 6

Once you locate your plot, notice the color in which it is denoted

Example 1: Colaba Koliwada, located in A ward, should be in sheet IC 05

Step 7

For Greater Mumbai

Check if the plot is hatched or is a solid color to identify whether the plot is denoted as an existing land use or is proposed as a new land use

Correlate the color, pattern and code with the legend provided below the map to identify the land use of the plot

Example 1: Colaba Koliwada, located in A ward

Housing

	RR1.1	Municipal Staff Quarters
	RR1.2	Police Staff Quarters
	RR1.3	Government Staff Quarters
	RR1.5	Municipal Housing
	RR1.6	Police Housing
	RR1.7	Government Housing
	RR2.1	Rehabilitation & Resettlement
	RR2.2	Affordable Social Housing
	RR3.1	Koli Housing

- Color: Yellow
- Pattern: Plain
- Code: RR3.1
- Land Use: Housing
- Type of Land Use: Reserved
- Type of Housing & Primary Activity: Koli Housing

Primary Activities

	DEP1.1	Fish & Net Drying Yard
	DEP1.2	Fish Cold Storage/Godown/ Fishing Related Industries
	DEP2.1	Dhobi Ghat
	DEP3.1	Cattle Pound/ Dairy
	DEP4.1	Dairy

- Color: Military Green
- Pattern: Hatched
- Code: P1.1
- Land Use: Primary Activities
- Type of Land Use: Existing
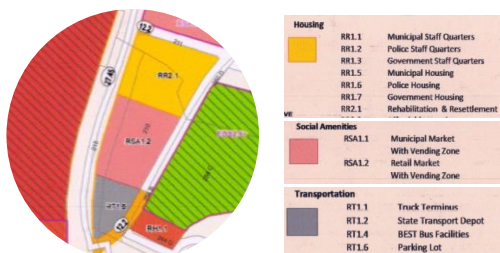- Type of Housing & Primary Activity: Fish & net Drying Yard

How to access and read DP Sheets online for your area?

Step 7

Step 7

For Greater Mumbai

Check if the plot is hatched or is a solid color to identify whether the plot is denoted as an existing land use or is proposed as a new land use

Correlate the color, pattern and code with the legend provided below the map to identify the land use of the plot

Example 2: Andheri, Ward K/E & K/W, WS 18

Proposed Land Use: The solid colour on the sheet indicates plots that are reserved for a certain use for the future.

Existing Land Use: The hatch on the sheet indicates the use to which lands in any specified area are put at the time of preparing the map.

Housing		
	RR1.1	Municipal Staff Quarters
	RR1.2	Police Staff Quarters
	RR1.3	Government Staff Quarters
	RR1.5	Municipal Housing
	RR1.6	Police Housing
	RR1.7	Government Housing
	RR2.1	Rehabilitation & Resettlement
Social Amenities		
	RSA1.1	Municipal Market With Vending Zone
	RSA1.2	Retail Market With Vending Zone
Transportation		
	RT1.1	Truck Terminus
	RT1.2	State Transport Depot
	RT1.4	BEST Bus Facilities
	RT1.6	Parking Lot

Example: Proposed housing, social amenities and transportation facilities denoted in Andheri area

| Transportation		
	DT1.1	Truck Terminus
	DT1.2	State Transport Depot
	DT1.3	Regional Transport Office
	DT1.4	BEST Bus Facilities
	DT1.6	Parking Lot
	DT1.6 (PT)	Public Parking Lot
	DT2.1	Water Transport Terminal
	DT2.2	Jetty
	DT3.1	Airport/Heliport
	DT4.1	Railway Station

Example: Andheri suburban railway station represented as an existing land use

How to access and read DP Sheets online for your area?
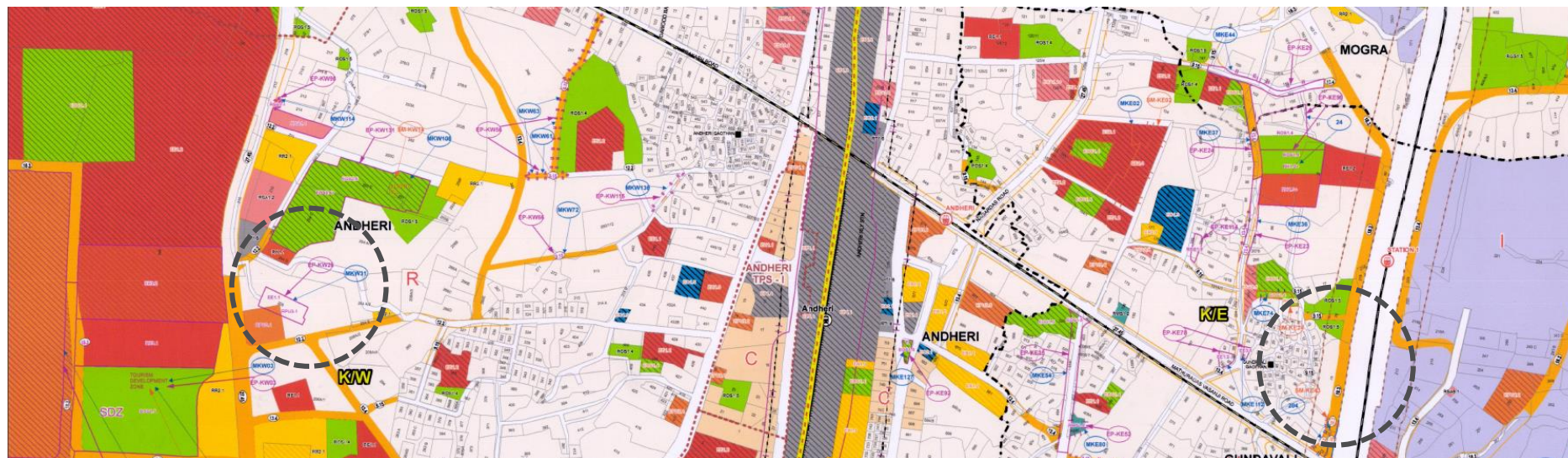
Step 8

Step 8

For Greater Mumbai
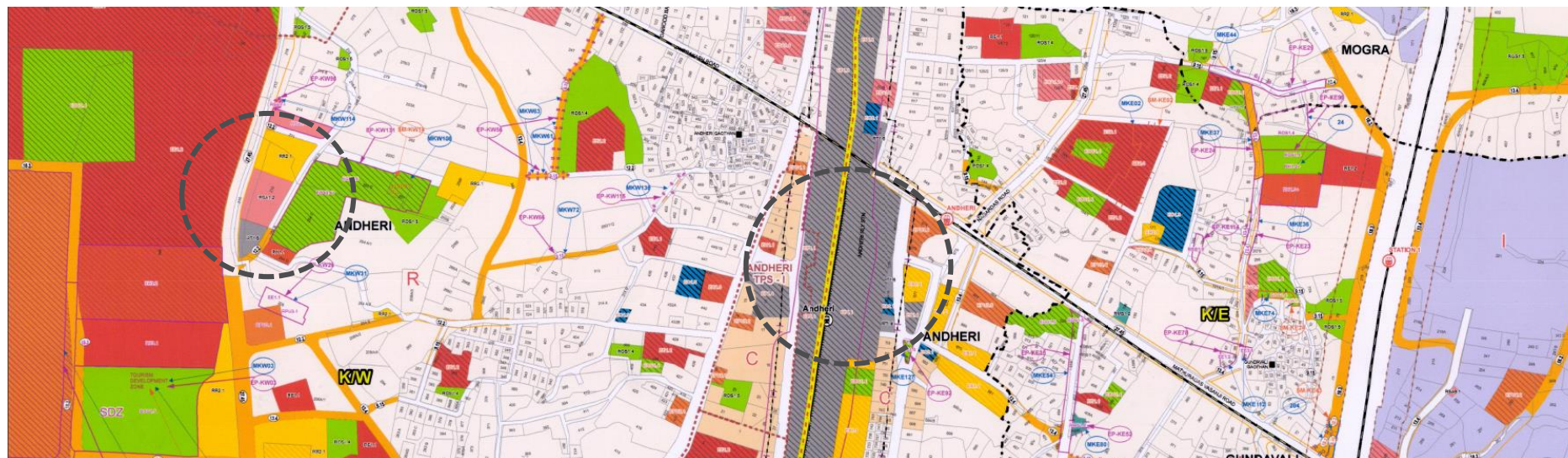
In case of revisions to the Development Plan, EP or SM sheets are released. You can check the schedule on the right side of the page, in case of any changes/modifications made to your plot of concern.

For example: Andheri, Ward K/E & K/W, WS 18

Excluded Part (EP): Parts of the DP that are not sanctioned and are open for public inspection

EPs are numbered;
Check the relevant code in the schedule provided on the sheet

Sanctioned Modifications (SM): Parts of the DP that are sanctioned.

SMs are numbered
Check the relevant code in the schedule provided on the sheet