

ON THE WATERFRONT

Reclaiming Mumbai's Open Spaces

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PUBLISHER: P.K. Das & Associates and Mumbai Waterfronts Center

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YEAR:
Written: December, 2010
Published: May, 2011

PLACE: Mumbai, India

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COVER PHOTO: Reclaiming the past: Bandra Fort on the city's western coast,
a piece of history that the government forgot, got a new life in 2004 after a
citizens' movement lobbied for its protection. Subsequently, the State
Archaeology Department devised a restoration plan. Photo: Mangesh Kamble.

DESIGN: Manjiri Kelaskar

PHOTO CREDITS:
Mangesh Kamble: Pgs 7-10, 12, 13, 21-23, 27, 28, 31, 35, 36, 38, 41, 89, 93, 94
PK Das: Pgs 45, 59-63, 65-67, 69-71, 73-76, 82, 84
Rafeeq Ellias: Pg 87
PROCESSING: Reproscan
PRINTING: Synergy Creations

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A large number of people and institutions have contributed to the making of this book. We cannot thank them individually. However, we would like to mention a few of them. To Ms. Zillah Eisenstein, professor, Ithaca College, New York, we are most grateful for providing suggestions and ideas, and helping overall in the organisation and re-organisation of chapters and sections of the book. We have benefited very much from her insights and support in documenting the struggle in Bandra. She has provided useful references. To Darryl D'Monte, President, Bandra West Residents' Association, and an eminent environmental journalist, for drawing our attention to many facts about Mumbai and Bandra and providing invaluable support as a discussion partner. Mr. V. K. Phatak and Mr. Gurbir Singh went through the manuscript and their comments were valuable. Ms. Jennifer Mirza went through the earliest drafts and her critical comments were most useful.

Crucial to the project was Ms. Shabana Azmi's active participation and contribution to the movement in Bandra and Juhu. She was always ready to help and discuss the issues relating to the waterfronts. To Mr. Rafeeq Ellias, a well known film maker, we owe thanks for his constant guidance and active support in the design and production of the book. Mr. Mangesh Kamble shot for us exclusively some excellent photographs which have enhanced the quality of the book. We must thank Ms. Manjiri Kelaskar for her excellent work in designing the book. Ms. Bina Nair patiently carried out the research and typed the many drafts of the book. We are thankful to Reproscan for their honorary and unstinting support for the publication of this book. Ms. Nandini Bhaskaran painstakingly edited the text to make it lucid. To Mr. Arup Sarbadhikari, President Bandra Bandstand Residents' Trust and Ms. Roshan Daboiwala, both active in the Bandra movement, and who shared their experiences of the struggle with us.

Many associations have contributed to the book, and among those of most import, are the various Juhu Residents' Associations and the Save Versova Beach Association. To many academics, activists and officials of the Corporation, we owe thanks for their considerable support and help. Special thanks are due to Government officials, Mr. S. J. Kunte, Mr. Vishwas Patil, Mr. S. K. Singh, Mr. Manu Srivastava, Mr. S. S. Zende and Mr. S.R.R. Rao of the Airport Authority and many others for enabling the successful implementation of the projects in Bandra and Juhu. Several politicians have, at different times, supported the implementation of the project in Bandra and Juhu.

Above all, it is the energy of the people of Bandra and Juhu who made the project successful. They were also a source of inspiration for us.

The book really belongs to the people of Mumbai who are committed to reclaiming the public spaces in the city. We thank the staff of P.K. Das & Associates for contributing in many ways towards the making of the book. Awards received by the Bandra projects include:

- 'Mumbai Citizens Award', Indian Heritage Society, 2002
- 'Clearwater Award', Waterfront Center, Washington, 2002
- 'Social Design Award', International Federation of Interior Architects and Designers, 2003
- 'Urban Age Award', London School of Economics and Deutsche Bank, 2007

Preface

What began as a story of Bandra's activism to reclaim and democratise its waterfront grew into a study of Mumbai's dwindling public spaces, especially the seafront. This book draws from our expertise in sociology, architecture and urban planning and, above all, our commitment to millions of people who suffer as a result of the degradation of our urban environment and for whom Mumbai means noise, pollution and congestion. They suffer only because the forces of commercialisation and privatisation have got the better of planning. The government's own planning authorities have been sidelined and those to benefit from this anarchic situation are builders and developers, corrupt officials and politicians, and other vested interests. Increasing colonisation of public spaces for selfish profiteering takes place under the garb of privatisation of development. With the government abdicating its responsibility, there is no representation of public interest in the agenda for the development of cities.

We have all witnessed the ruthless destruction of mangroves, disappearance of areas reserved as parks and gardens, mindless landfills and encroachments on the seafront. Clubs, shopping malls, buildings and commercial establishments spring up everywhere in the name of development. Not only do they exclude large sections of the urban population—more than half of Mumbai's population lives in slums and on pavements—but also deny everyone space to breathe freely in an otherwise concrete jungle.

Slums and shanties also occupy space, not because there is a profit to be made, but because those who live in them cannot afford housing in Mumbai. A constant stream of migrants flow into Mumbai. They “encroach” on open space primarily because there is no livelihood available in the rural areas, or because they have been displaced by one or other so-called “development project”, and because adequate attention has not been paid to affordable housing for the poor in our urban planning. Contrary, however, to the general impression, the most marginalised 60 per cent of the city's population lives on eight per cent of the land, and that too, illegally. Predictably, they are totally excluded from urban governance.

The story of Mumbai's public space, in general, and waterfronts, in particular, is the story of neglect, greed and absence of democratic planning. Wrong policies—which exclude the vast majority of the population—and their manipulation by a small elite are central to this discourse. The waterfronts, precisely because they are the most attractive part of the city, have been at the receiving end of neglect and abuse, most of all, by landfills, besides destruction of mangroves by builders and the government itself. The growing nexus between developers and the government agencies is leading to the decline and destruction of public resources everywhere.

The onus of death and destruction during the deluge in Mumbai on July 26, 2005 rests with the builder-politician nexus and the real estate agenda. The people had to pay the price for irrelevant development, no comprehensive planning and haphazard growth carried out at the cost of civic infrastructure. The government's apathy towards city development intensified the destruction.

The survey of the western waterfronts by architect P.K. Das with valuable contribution from architect Tanu Sankalia in 1997 first revealed the extent of the coastline's degradation. The northwest suburb of Bandra serves as a microcosm of Mumbai in that it shows that such forces can be resisted. We offer this book as a chronicle of the struggle of the people of Bandra to save their waterfront and turn it into two beautiful promenades for public use. It is necessary to tell this story in detail because as public spaces dwindle, there is less shared, democratic living, greater atomisation, alienation, loneliness and fewer possibilities to struggle collectively for a better quality of life.

Born out of the struggle in Bandra is the Mumbai Waterfronts Center, whose objectives are to carry forward research and documentation and to support struggle for Reclaiming Public Spaces in Mumbai.

Declining Open Spaces in Mumbai

The seafront is the largest open space and the most attractive and crucial feature of Mumbai's landscape. For millions who live in this crowded city, the waterfronts, be it at Marine Drive or Chowpatty, Haji Ali or Worli Sea Face, Dadar-Prabhadevi, Shivaji Park, Mahim, Bandra, Juhu Beach or Versova, are the only major open spaces apart from few parks and maidans. People flock there to catch a breath of fresh air, to soak in the golden light of the setting sun in the far horizon or to share a moment of togetherness with a loved one, Bollywood style.

Open spaces along the seafront and other public spaces have been an integral part of Mumbai's landscape. Old municipal gardens such as Victoria Gardens, now known as the Jijamata Udyan, and the Hanging Gardens, continue to be popular with morning walkers and picnickers. Big grounds like the Cross, Azad, Oval, Cooperage and Shivaji Park have hosted historically significant social movements, and today, are sites for community celebrations, political demonstrations and meetings, sports and cultural programmes, so integral a part of the public life of the city.

One of the distinctive features of Mumbai's coastline is the presence of many forts — in Vasai, Bandra, Mahim and Worli — which, unfortunately, are in a state of total disrepair at present. Temples, such as Mahalaxmi, Babulnath, Walkeshwar, the dargah at Haji Ali and the churches of Mount Mary and St Andrew's at Bandra are important landmarks along the coastline of Mumbai, and attract large numbers of people within and outside the city.

Every city has areas that draw people out in droves, but the seafront of Mumbai gives it its very identity. It is the symbol of Mumbai. The waterfront at Apollo Bunder, where the Gateway of India is located, and the iconic Marine Drive, Girgaum and

Juhu Beach are its most important landmarks.

Promenades along the seafronts have existed for long in the city. The oldest of these was constructed at the Apollo Bunder. By the 1880s, this area had gained importance, not only as a landing place for overseas passengers, but also for the public promenade constructed as part of the Apollo Reclamation Scheme for development of a residential-cum-commercial area.¹ The subsequent development of the Gateway of India at Apollo Bunder enhanced the quality of this waterfront as a heritage site as well as a major tourist attraction for people from all over the world. The City Improvement Trust developed the seaside promenade at Cuffe Parade in 1906 by land filling at the western shore of Colaba.² This promenade was destroyed in the '70s and high-rise buildings constructed on land created by additional landfill. A promenade at Worli seaface was developed on landfilled area as part of the Worli scheme. This scheme, completed in 1922, also created additional land for housing.³

Marine Drive, for example, has been in existence since 1940. The original plan was drafted by W. R. Davidge, as part of the Backbay Reclamation Scheme in 1921. The scheme, which marked a major alteration in the geography of Mumbai's coastline, proposed the development of wide open spaces, with recreational areas, along with mixed residential and commercial land use. Davidge had also proposed an "ocean way" along the new seaface, incorporating a five-mile-long promenade and a paved road for vehicles.⁴ However, this plan was not implemented as proposed. The work on the seaside promenade commenced in 1935, and "...what the city got was a long Marine Drive promenade with a monotonous form overlooking a glaring sea—an urban pattern that was far removed



Littering a river: the Mithi is an example of how prolonged abuse has made Mumbai's waterfronts resemble a garbage dump



Reclaiming the past: Bandra Fort on the city's western coast, a piece of history that the government forgot, got a new life in 2004 after a citizens' movement lobbied for its protection. Subsequently, the State Archaeology Department devised a restoration plan



*Top: The Bandra Fort with the hotel and the sea-link bridge in the background
 Centre: Mahim beach is utterly neglected. The Fort is seen in the background
 Bottom: The encroached Worli Fort due to the neglect of our heritage assets and twaterfront abuse in the absence of a waterfronts conservation plan*



The Marine Drive promenade proposal was first drafted in 1921 as part of the Backbay Reclamation Scheme which had wide open spaces and recreational areas. Marine Drive is known to be amongst the largest art deco districts in the world.

from Davidge's...plans, but perhaps more truly representing Bombay's contemporary commercial spirit."⁵ The promenade was completed in five years.

Despite their historical significance and importance as vital open spaces for a densely populated and highly congested city, waterfronts, particularly those in the suburbs, are facing degradation and have become the city's dumping grounds. These waterfronts as much as the suburbs themselves have been treated as the backyard of the city for dumping wastes. They have been subjected to various kinds of abuse and misuse, such as indiscriminate landfill, sewage disposal and encroachments under pressures of urbanisation, population growth and speculation. The following

pages describe this widespread abuse and degradation brought about by an inadequate and undemocratic vision of planning for Mumbai.

Ownership of land along the waterfronts is held by various government authorities, such as the Collector, Mumbai Port Trust (MPT), Airport Authority of India (AAI) and the Brihanmumbai Municipal Corporation (BMC). Lack of communication and coordination between these bodies, the absence of a definite policy for administration and a vision for a comprehensive plan of development of the waterfronts, has only led to further chaos. Each authority has, at different times, entered into lease agreements with "private developers", thereby creating a lop-sided and incohesive growth, often

Glossary

AAI	Airport Authority of India
BBRT	Bandra Bandstand Residents' Trust
BMC	Brihanmumbai Municipal Corporation
BNHS	Bombay Natural History Society
BRAVO	Bandra Reclamation Area Volunteers Association
BWRA	Bandra West Residents' Association
CRZ	Coastal Regulation Zone
DCR	Development Control Regulation
DP	Development Plan
FSI	Floor Space Index
INTACH	Indian National Trust for Art and Cultural Heritage
MMRDA	Mumbai Metropolitan Region Development Authority
MoEF	Ministry of Environment and Forests
MPLAD	Member of Parliament Local Area Development Fund
MPT	Mumbai Port Trust
OCRA	Oval Cooperage Residents' Association
PIL	Public Interest Litigation
SRD	Slum Redevelopment
SRS	Slum Rehabilitation Scheme
TDR	Transfer of Development Right
UDD	Urban Development Department
ULCA	Urban Land Ceiling Act

contrary to the demands and needs of the general public. There are numerous examples of this, the case of the National Centre for the Performing Arts (NCPA) being well-known. Around three hectares (ha) of land at Nariman Point, in south Mumbai, at the tip of Marine Drive, were leased to the NCPA in the '70s, for a token price of one Rupee, with the objective of promoting art and culture. Ironically, part of it was later used for a high-cost apartment building, where the selling rate was higher than Rs 3,30,000 per sq m, one of the highest in the world at that time.

Lack of planning

State governance plans and policies for the city have been dominated, in fact, by real estate interest. Land and development in Mumbai has always been driven by builders and developers, the real estate market here being the most developed business in the country. There have been many instances, a rule rather than an exception, where builders, developers and speculators in real estate have forged documents, illegally occupied land, violently displaced people, altered the city's land use plans in order to carry out their projects. These predatory businessmen enjoy the support and patronage of many parasitical bureaucrats and politicians.

Planning for the Mumbai metropolitan region by the Mumbai Metropolitan Region Development Authority (MMRDA) further promotes such privatisation of land and resources. The major thrust of the Regional Plan for the Mumbai metropolitan region (1996-2011), for example, seems to be to accommodate commercial forces at any cost. The public, at large, has not been taken into confidence in the preparation of the Regional Plan. For example, it

proposed to urbanise parts of Pen, Panvel and Alibag in spite of the fact that these areas have a rich agricultural economy and employment potential, and the local people's objections to the draft plans.

Planning and development of public spaces is within the jurisdiction of the local planning agencies such as the BMC, MMRDA and Urban Development Department (UDD). The main engagement of the planners, architects and the administrators in the BMC, according to V. K. Phatak, former chief planner, MMRDA, is confined to the interpretation of the Development Control Regulations (DCR) and granting of building permissions. In fact, they are well-known for tinkering with the DCR and amending its clauses as required for granting permission for construction of buildings. On the other hand, the UDD of the state government, which is supposedly responsible for the understanding of the larger vision and planning for the city, is preoccupied with change of reservations and selective increase of Floor Space Index (FSI), to suit the needs of developers and builders.

For all practical purposes, planning has simply become defined by corporate interests. By negotiating with private developers instead of government, we are subverting democratic values and principles. Our experience shows that even the government's own planning agency, MMRDA, is not consulted for planning and development work. The recent construction of multiple flyovers in the city is one such example. Not only was there no proper study conducted by the government prior to the construction, but even the MMRDA's suggestions were ignored.

The MMRDA is, however, responsible for its own predicament. In its summary to the Regional Development Plan, it has formally surrendered the task of planning to market forces. It argues that business interests must have the privilege to decide



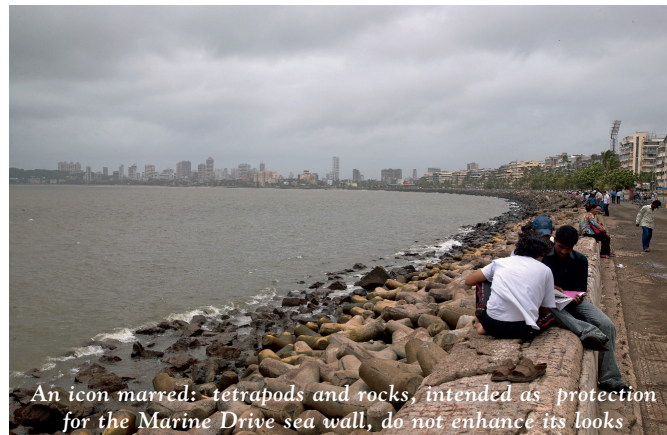
Homage to a prophet: sea access to the tomb of Haji Ali in Worli bay



When public space shrinks: the Dadar waterfront, once a significant beach, has been subject to erosion and encroachments



Work interrupted: progress on the Worli seaface promenade has halted, with slums inching forward



An icon marred: tetrapods and rocks, intended as protection for the Marine Drive sea wall, do not enhance its looks



Not quite encroachment-proof: the partly restored Girgaon beach remains vulnerable in the absence of a comprehensive waterfronts plan



Mumbai -
A city on water

the nature and type of development and where what should be built. This position goes well with the larger political commitment of the government to privatisation and market orientation. The summary of the plan mentioned above elaborates on this commitment and its importance for Mumbai's development. It states:

"....Greater Bombay has the potential to emerge as an international city, fostering growth of financial and business services, and hi-tech, export-oriented industries. Basic to such development is the provision of high-quality infrastructure – especially telecommunication and transport–office complexes, housing and a good living environment. This cannot

*be achieved through reliance on public investment, regulations and controls. It calls for an approach that would facilitate increased investment by private sector in infrastructure and other developments; enable appropriate structural changes in the Region's economy; and permit adoption of land use policies that respond to market potential. The growth management strategies of the revised Regional Plan for Mumbai Metropolitan Region, 1996-2011 reflect this approach."*⁶

The Regional Plan does not recognise the waterfront as a special planning zone nor its enormous potential as public space when the entire metropolitan region is virtually surrounded by

the sea. The coastline and the Mithi river located in the centre of the city have not even been considered as an integral part of the city's landscape in the planning and development process for Mumbai. On the contrary, they have been subjected to neglect, abuse and degradation. The sea along the west coast has become a major garbage and sewage dump. The BMC has been freely releasing the city's waste directly at the shores with minor treatment, causing enormous pollution. This neglect of the city's waterfront and its natural, environmental and social significance is tragic and has resulted in the loss of its potential as a significant public space.

As well-known architect Charles Correa observes

*"...merely increasing maidans (open spaces) is not necessarily the solution; for they are not used by the entire populace, but only by certain age groups for cricket, football and other such games. No little toddler of two or three years would dare to play here; nor does one see middle-aged couples using them for evening strolls. On the other hand, the pavements along the seafront in Bombay-which incidentally do not show up in the statistics – are the great community spaces of our city. Obviously we should generate many more such promenades. They are the heart of the social life of the tropical temperate zones."*⁷

Mumbai's Development Plan (DP), a blueprint for the city's land use, which is revised every 20 years, also does not provide a comprehensive guideline for the development of the waterfronts. In fact, it has come in for a great deal of criticism from activists, architects and environmentalists for "dereserving" spaces meant for public use.⁸ It is seen in many instances that areas marked as open spaces in DP have long since been either

encroached upon or illegally developed. This has led to the reduction of open spaces in the city. It is observed that "Of the 2,300 odd plots reserved for recreation grounds, playgrounds and gardens in the last DP, for example, only a little over 500 had seen the light of day. A large proportion of the rest harbour encroachments."⁹ Most of the encroachments are made by builders and developers. Over the years, the DP has been modified to remove reservations. Activists have brought to light hundreds of cases, where playgrounds have been swallowed by commercial interests, the most recent instance being when the state government decided to hand over half the land reserved for the expansion of the Byculla zoo to the Mafatlals. In a strong indictment of the plan, conservation architect Pankaj Joshi points out how "at the end of the day, all the changes are decided by the corporators, the Urban Development Department and the builder", to the exclusion of both trained planners and the public.¹⁰

The lack of open public spaces, such as maidans and parks has, ironically, led to pavements and traffic islands being regarded as open space. Though these spaces are important in the public interest, they cannot be seen as a substitute for open public spaces, which have an important socio-cultural significance. We witness much landscaping of traffic islands and equate it with "beautification" of open spaces. The BMC has several plans and special policies, inviting private participation for this purpose. Interestingly, most island landscapes are barricaded and presented as showcases. While they may be an important part of road "development", they surely cannot be considered as a value addition to the development of public space in this city.

The BMC's recent privatisation drive for the

development of public gardens, playgrounds and waterfronts is a case in point. There are several instances where the “adoption” of a garden by a group or an organisation results in its better maintenance, but at the cost of the exclusion of the general public. A proposal made by a civic corporator in 2000 was an instance of an attempt to surrender open spaces to private interests. The corporator had proposed that municipal plots, reserved as open spaces, be handed over to private institutions for maintenance and also that these institutions be allowed to develop clubs or restaurants on a portion of the land. Further, he also proposed that the corporators could avail of free membership to the clubs. This proposal, though initially rejected due to protests by citizens, has been revived by the civic administration.¹¹

The BMC also gave out plots, reserved for playgrounds, recreation grounds, gymkhanas, clubs and swimming pools retained for public use, to “charities” on a caretaker basis for five years, during which time one-third of the plot could be exploited commercially while two-thirds would have to be retained for public use. There was, however, apprehension among officials that, “the policy may result in the cornering of these plots by charitable organisations floated by politicians.”¹² In 2009, there have been ample cases reported about the misuse of this policy for the same reason.

The DCR, in the years 1989 and 1991 for Greater Mumbai, have a section on open spaces. Ironically, it has no specific regulations governing the development of the coastline, particularly open spaces or beaches (Appendix I-A and I-B). Similarly, in the rules regarding Regional Tourism Development Zone and Green Zone as well as the Forest Zone in the MMRDA Regional Plan (Appendix II), there is a reference to

construction activity that can be undertaken but not a word about how open spaces can be developed and maintained.

Spaces are planned from the point of view of their value as real estate, so that public space is seen as the space left over after construction, or development, as it is euphemistically called. We tend to look at reclamations, flyovers, highways, buildings — in short, all construction — as symbols of urban planning and progress. There is growing pressure from developers for unlimited FSI to allow more and more construction even though the infrastructure available is inadequate. This image is popularly associated with development and with the good life. However, it becomes increasingly clear that without long-term, holistic planning these visible symbols of modernity do not necessarily enhance the quality of urban existence. As the city gets more and more congested, polluted and noisy, it takes a toll on the health of residents, both rich and poor. Loss of contact with nature often gives rise to a particular urban angst, the price we pay for this model of development. Mercifully, however, there is also a growing consciousness that challenges this image of a city.

The only guidelines that the Municipal Corporation or the other regulatory authorities use for scrutinising the various development proposals are the mutually conflicting policies like the Coastal Regulation Zone (CRZ), Transfer of Development Rights (TDR), additional FSI etc. The DCR of 1991 introduced a provision by which owners of plots reserved for public purposes—playgrounds, gardens, markets — can offer their land to the BMC, and in return, get TDR in the form of FSI, which allows the construction of additional floors on existing buildings anywhere in the suburbs. The owners of the plot often sell the TDR to builders who utilise it to

reap huge profits, leading to uneven development and a strain on the existing infrastructure of the suburbs. Ironically, most of the plots acquired so far by the BMC through this process are lying undeveloped due to a lack of resources, and even more, a lack of will.

The CRZ policy restricts any construction within 500 m of the high tide line along the coastline of the country and also on the seaward side of any existing coastal road. There are, however, several slums on the waterfront and 10-20 per cent of the slums covered by the Slum Redevelopment (SRD) scheme exist on the seaward side of coastal roads.¹³ Under the guise of redevelopment, private developers and builders, with the support of the government, are trying to build houses along the coastline in violation of the central objective of the CRZ — that of restricting further congestion of the coastline, and check further pollution and abuse. The Nivara Hakk Suraksha Samiti, a Non-Government Organisation (NGO) striving for housing as a right since 1986, has proposed that in order to improve the conditions of slums along the coast on the seaward side of existing roads, the slum dwellers should be allowed to reconstruct their houses within the CRZ guidelines and the services and infrastructure be made available to them by the government. This will help in carrying out planned development along the coast while checking haphazard growth, pollution and congestion.

Most Mumbaikars hear these terms in conversations, or read about them in newspapers, but remain confused about their meaning and implications, probably as confused as the policy makers themselves. What is, however, clear to the ordinary citizen, is that these policies are so shrouded in ambiguity that they can easily be manipulated by vested interests. In this land-hungry city, everyone

wants access to land, and no cost is deemed too great for it. Bureaucratic apathy towards larger socio-cultural needs and demands and lack of co-ordination between various government agencies only make matters worse.

Encroachments on land

The development as well as the conservation of the existing open spaces and waterfronts is marred by their encroachment and misuse. Reserved open spaces and waterfronts in many parts of Mumbai have been encroached upon by developers, local goons as well as the slum dwellers. In the case of slum dwellers, these encroachments clearly demonstrate the lack of a comprehensive plan which would accommodate the needs of poor migrants, who cannot afford to pay for any kind of housing in the city. The DP for Mumbai, which demarcates the pattern of land use in the city, furthers this inequity in access to basic resources by not reserving space for housing the urban poor, who constitute over 80 per cent of the city's population and for whom it is most essential. Over 60 per cent of the people in the city live in slums and on pavements. This results, to the despair and disgust of the urban rich as well as the planners, in the encroachment on open spaces and vacant land that are most accessible, and the mushrooming of colonies of hutments and slums.

The SRD scheme, introduced in 1991, was supposed to provide housing for slum dwellers. In the case of land reserved as open spaces, which are encroached upon by slum dwellers, the scheme suggested that two-thirds of the land area be redeveloped for slum dwellers' housing and commercial exploitation and one-third retained as open space as designated in the DP. In the process,

the city loses a large part of the open space originally reserved, and creates conditions for manipulation by developers and lumpens for instant gains, without really tackling the problem of housing for the urban poor in the long run.

In this context, it is relevant to mention that when some NGOs in Mumbai challenge redevelopment of the reserved open spaces which are encroached upon by the poor, and seek their eviction, or demand the eviction of hawkers, they fail to recognise the need for a planned rehabilitation of the urban poor. Given the congested conditions in which slum dwellers live, open public spaces are even more vital for their existence. On the other hand, for their short-term gains many political parties also make a demand for regularisation of slums on such reserved sites, thus undermining the planning for the city. Therefore, what is essentially a problem of democratic planning appears as a contradiction between the need for public housing for the poor and the need for open spaces.

In general, the presence of the poor, the working class, including industrial workers, hawkers, autorickshaw drivers, construction workers, domestic servants who occupy public spaces, is often seen as a nuisance by the upper classes. The general attitude is that the resources and amenities of the city are meant for the privileged, and the "tax payers" alone. That the former contribute significantly to the city in terms of services and are an integral part of its economy and production and have equal rights is seldom appreciated. It is also seldom realised by these sections that most poor migrants, who come to Mumbai looking for opportunities to survive, are driven out of their village homes for a variety of reasons. But that is another story. This elitist mentality is reflected in many Area Locality Management groups

which carry out development activities in their neighbourhoods. They not only exclude the poor from their activities, but often even treat them as obstacles in achieving their goals. The media goes to the absurd extent of excluding them even from citizenship when it uses headlines, such as "Citizens oppose slum dwellers/ hawkers".¹⁴

The issues of encroachment, eviction and rehabilitation set off a major controversy in the case of the largest open space of the city, the Sanjay Gandhi National Park. Without going into details, it will suffice here to say that around four lakh people, all defined as encroachers, were evicted in the most ruthless manner without giving any thought to their rehabilitation.¹⁵

Another form of encroachment of open spaces in the city is their appropriation by organisations and parties for furthering their political agenda. According to Asghar Ali Engineer, the well known scholar and activist,

*"Open spaces and maidans in Mumbai, have since long been communalised by political parties and fundamentalist organisations. Temples, dargahs and other religious structures, patronised by politicians in most instances, are often illegally built on open public spaces and communalised for gaining political advantage out of them. The construction of such unauthorised religious structures, despite restrictions by the BMC, prohibiting such developments, is usually carried out during weekends in order to evade the rules. At times, BMC officials are also a party to this. In their pursuit of creating vote banks, politicians often manipulate the poor and misuse these structures to create communal disputes. Religious structures near slums are often used for this purpose."*¹⁶

Small idols or installations gradually expand into

large structures and the open space around them is cordoned off, creating an exclusive area. The cityscape is marked by different religious symbols and structures which often become the cause of communal conflicts.

New open spaces

One important development in an otherwise dismal scenario is that Mumbai is currently witnessing movements by citizens' groups with specific demands for the protection and development of open spaces for public use. Notwithstanding their shortcomings and contradictions, many of these organisations have experienced important successes and have thus gained acceptability both in the government and in public forums. Many of these groups have moved Public Interest Litigations (PILs) and got favourable orders.

What gives urgency to such citizens' initiatives is the fact that in Mumbai the available open space per 1,000 persons is extremely low and declining. London has 1.96 ha per 1000 people and New York 2.16 ha, Mumbai has only 0.01 ha of open space available for every thousand persons.¹⁷ According to calculations made by us the ratio of open space per thousand population in Mumbai is 0.04 ha per thousand population. The details of the various calculations by which this ratio has been arrived at have been given in Appendix III. A map depicting the open spaces of the city was specially commissioned by the authors and is included in the book. No such map exists with any of the government agencies, making it evident that open spaces have been far from the government's concern. In other big cities of India, the situation is only slightly better: the open space available in Delhi and Calcutta is reported to be 1.21 ha per thousand persons.¹⁸

As Kishore Pradhan, architectural and landscape consultant, points out, the meagre area set aside by the planners as open spaces in Mumbai, has either been entirely "dereserved" by vested interests or reduced beyond recognition. The playgrounds and maidans are getting constantly colonised by commercial and political interests.¹⁹ Open spaces are disappearing in the records and in reality.

The latest instance of this is the controversy concerning the Mahalaxmi race course. The 92-ha racecourse belongs to both the state government and BMC. The land has been given on lease to the Royal Western India Turf Club by the BMC for the sole purpose of horse racing and related activities. Except for the racetrack and some other sections, the ground has been kept open to the public.²⁰ The proposal of the current managing committee of the club to allow Pegasus Resorts & Clubs Private Limited, a private developer, to develop a golf course and construct a five-star hotel, among other structures, at the racecourse, in June 2004 came as a shock to the people of Mumbai.²¹

A PIL was filed by Public Concern for Governance Trust, an organisation founded by former Union Cabinet Secretary B. G. Deshmukh, former Police Commissioner Julio Ribeiro and paediatrician R. K. Anand. In response to the petition, the Mumbai High Court ordered a stay on the controversial proposal and described it as a matter of grave concern.²² It is extremely important that this large green area, which is a visual delight set against the backdrop of the sea, is saved from rapacious business ventures.

At present in Mumbai, where real estate agenda and construction of buildings supersede all other planning considerations, the need for creating land for public open spaces is a distant dream. Reservations

of open spaces have been earmarked in the DP of the city. The ownership of these reserved sites varies. As a result of this private owners often contest this reservation on their land and find ways to manipulate its use to their advantage by challenging it and demanding its deletion. As a result the city has not been able to have access to the reserved open spaces.

Interestingly, in many other cases, where town planning schemes have been implemented and in areas where large layouts have been carried out we find that the city has got large open spaces, including significant maidans. Some important examples are the Mahim woods scheme in which Shivaji Park has been a landmark maidan, the layout of the Parsi Colony at Dadar leading to the creation of the Five Gardens and town planning scheme of Salsette Society in Bandra where D'Monte Park has been reserved.

Under Town Planning Scheme and Area Layouts, land having multiple ownerships is assembled and thereafter, necessary open space and infrastructure earmarked. The remainder is then re-allocated to the various land owners in proportion to their original holdings. Every land owner therefore contributes to the creation of open spaces in the layout. Instead of piecemeal development and parcelling of land it is far more productive to prepare DP and undertake development of entire areas within the city to enable either the application of the town planning scheme or the regulations that guide layout development. This will not only help in creating necessary open spaces in the city but will also provide an opportunity for a cohesive and comprehensive development.

The most significant example at present is the potential in the redevelopment of the mill land, covering over 243 ha of central Mumbai. Under regulation 58 of the DCR of 1991 it was stipulated that whenever a sick and/or closed cotton textile

mill was redeveloped, one-third of the land would be given to the BMC for public open spaces, one-third to Maharashtra Housing and Area Development Authority (MHADA) for public housing and the last third to the mill owner for commercial exploitation. The regulation, however, was amended in 2001 and the one-third stipulation was made applicable only to the vacant mill land and not the built-up area. As most of the mill land falls into the built-up category, the amount of land for open spaces and low-cost housing has been reduced drastically. Today, if the amended policy is fully implemented in all the mills, the city will get around 12 ha of open spaces instead of the 81 ha earlier. A great opportunity to reconstruct the city centre and to revive its spaces and quality of environment will be lost. In a landmark decision, the High Court upheld the PIL filed by the Bombay Environmental Action Group against the amendment and demanding redevelopment of the mill land as per the original regulation.

A few green spaces have, however, been added to the city in more recent times. They are the Maharashtra Nature Park, Tata Gardens, Amarsons Garden, Priyadarshini Park, MPT Ecology Park and Colaba Woods. Citizens' groups have played an important role in the development of some of these parks. It was by a citizens' initiative that the restoration of one of the oldest of open spaces in Mumbai, the Oval, was accomplished.

The Oval was under threat from drug addicts and vagrants while its central location drew the covetous eyes of builders. The Oval-Cooperage Residents' Association (OCRA), started in 1978 by residents of the art deco buildings facing the Oval, restored the ground and safeguarded it from further abuse. A restoration plan was prepared by architects Rahul Mehrotra and David Cardoz. The



A lotus amidst the sludge: the Mahim Nature Park, a major environmental project that arose upon the Mithi's debris



Looking in one's own backyard: the Bombay Port Trust (BPT) Botanical Garden, Colaba, was the result of opposition to the BPT's proposal to land-fill the area. They developed a park instead

plan was sanctioned by the government and with the cooperation received from the Tata Trust, the Tata group of companies and from the citizens of the area, the restoration was successfully carried out.²³ The OCRA also petitioned the High Court for maintenance of the ground. The Court ruling was in their favour and the ground was handed over to the association in 1996.²⁴ Apart from providing the much needed space for people to walk, or just sit in the open, it provides space for cricket in this cricket-crazy city.

In the case of Colaba Woods, at Cuffe Parade, though the initiative was taken by Tata Electrical Companies to acquire the plot of land for the development of the park, the citizens of the locality played an important role in its maintenance. In the early '80s, the Tata Electric Companies took over a 3 ha plot of land from the BMC on lease. This plot was originally a refuse dump and had some hutments on it. Subsequently, the plot was developed into a park, designed by architect Brinda Somaya, with several sports facilities. Today, it is a much needed green patch, offering several other facilities as well. The day-to-day operation and management of the park is looked after by a trust established in 1987.²⁵

In another instance, in the '80s, the government of Maharashtra had planned to fill the coastline from Raj Bhavan to Haji Ali and construct skyscrapers on the new reclaimed land. The struggle led by Rajni Patel, B. K. Karanjia and MLA B. A. Desai, under the auspices of the Save Bombay and Save Breach Candy Committees, was successful in stopping the filling. But in the meantime, much land had already been filled. The resistance put up by Desai saved it from land sharks. Priyadarshini Park was opened to the public in 1985 by the Malabar Hill Citizens' Forum, a registered charitable trust, under the



leadership of Desai. Apart from providing a picnic spot for school and college students, it is the most popular place for holding sports events and offers training facilities for aspiring athletes.²⁶

Priyadarshini Park

In Colaba, the government filled 9.31 ha to expand the Sassoon Docks. Citizens opposed the expansion of the harbour and due to their persistence 5.06 ha was allotted for the development of a garden which could act as a buffer between the docks and the residential area. Working on the design provided by V. Sardesai, the ex-principal of Pune Architecture College, World Wildlife Fund (WWF), India, successfully developed the area into a lush green park despite the challenges of creating a soil bed for the plants and buffeting strong winds from the Arabian Sea. Opened to the public in 1995, the MPT Ecology Park not only offers a place for morning walks and jogging but also serves as an educational centre. Its most important contribution, besides being a public space, is a sewage treatment plant. Sewage

and the waste water collected from the surrounding area are treated and utilised for the park.²⁷

The Worli Woods, an NGO founded in 1998, has been protecting the Worli seaface from degradation. Due to its efforts, the dumping of wastes into the seabed was stopped and cleanliness of the promenade is ensured.²⁸

In the case of the Maharashtra Nature Park, a number of the city's environmental activists persuaded the MMRDA to develop a park on the erstwhile BMC dumping ground, at Dharavi, which was one of India's largest garbage dumps. The partnership of MMRDA and WWF-India transformed the 15 ha of once desolate and toxic landscape to a thickly wooded park. Started in 1982, it took more than a decade for its development. It was opened to the public in 1994.²⁹

Meanwhile, in Bandra, the struggle by the residents for restoration of the waterfront is one of many people's initiatives in Mumbai. We document the history of its restoration and redevelopment. We have also attempted to record the circumstances that made it possible, the obstacles confronted and the day-to-day problems faced by the associations and the residents in the maintenance of the promenades.

The story of Bandra's waterfront, it must be remembered, is part of the larger story of Mumbai's coast; it is an exception, for not everywhere has the initiative of residents succeeded in restoring and reclaiming open spaces. It is hoped that this success story encourages other citizens' groups in the city and country to manage public spaces in an otherwise congested, ugly and hostile urban environment. There is an urgent need today for city planning to respond to natural and environmental conditions, to preserve natural resources and conserve the coastline. People's

participation, collective control and democratisation of public space should be vital aspects of the larger goal of development.

In the atomised and impersonal existence of people in our cities, where little community activity and feeling exists, it is absolutely essential to create spaces which bring together people in healthy and beautiful surroundings. And since the government cannot be absolved of its responsibility to ensure a good quality of life for all, citizens' initiatives must put pressure on state agencies to implement progressive and people-friendly policies and plans, and introduce new ones where there are none. Citizens must also learn to collectively exercise their rights and responsibilities towards their immediate environment. We hope to convince readers that an active and participative people along with a comprehensive plan can translate a fantastic dream, like the plan for Bandra's waterfronts appeared to be when it was first presented, into reality. It involves struggles on many fronts, but the reward is immense.

Given that the current trend of development in Mumbai has resulted in the promotion of real estate, commercialisation, abuse and neglect of open spaces, the present DP has to be radically altered in the best interest of the larger public. This is the only way that the healthy development of public spaces can be effectively carried out. An alternative vision of Mumbai has to be created, whereby the resources of the city are protected and utilised to benefit all the groups that make up this great cosmopolitan, urban conglomeration. They should not be destroyed or misappropriated.

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4. *Ibid*, p. 187

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In its report, submitted in 1988, the commission has brought forth the fact that parks and playgrounds constitute only 2 per cent to 5 per cent of the city area. This, according to the report is grossly inadequate and must be increased. (10.14.7). In the section on Parks and Maidans, it says, "we all Agree that open spaces are lungs of city-which makes it all the more dismaying to perceive that over the last four decades since independence, while most of our urban centres have tripled and quadrupled in population, almost no new assets of this kind have been created." (10.10.1)

The commission, in its report, has recommended that the existing open spaces be preserved and new ones be created. (10.16.8) Furthermore, it recommends that the large parks should be supplemented by a system of small open-to-sky spaces, close to individual houses, for sitting etc. (10.14.7). Also suggested is the development of public promenades (e.g., along riversides, waterfronts, etc) as space-intensive, cost-effective urban amenities, useable by the entire spectrum of age groups. (10.16.10)

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9. 'City development blueprint caught in time-warp', Vaishnavi C. Sekhar, *The Times of India*, Mumbai, May 4, 2004

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14. Recent petitions filed in the High Court, questioning the voting rights of slum dwellers residing on encroached land, have demanded the disenfranchisement of millions of people in the city. It is important to note here that the Representation of Peoples too does not discriminate between residents living in a building and those in an encroached area. Moreover, such demands can lead to further discrimination of other sections of the population, resulting in further demands for denial of access to education, health, food etc, creating dual citizen-

ship in the country and therefore, undermining democracy. Organisations of slum dwellers and organisations for the protection of democratic rights have strongly protested against this demand and have intervened in the court to oppose this petition. Such demands, causing seclusion of the weaker sections of society, also hinder social developments.

15. Sanjay Gandhi National Park, initially notified in 1927, was designated as a national park in 1983 with a view to protect the area from human interference. Official sources put down the number of persons who have encroached on the park illegally to be between 390,000 to 430,000. Many of them have been living in the area even before it was declared 'reserved' as a national park. (Report of the Indian People's Tribunal on Sanjay Gandhi National Park demolitions, October 2000, Mumbai)

The controversy began when a city-based environmental group filed a petition in the High Court demanding the eviction of the slum dwellers in the area. The case continued in the High Court for over four years, and the judgement issued in 1997, ordered for the eviction of the encroachers. Around 50,000 families were evicted without any concern for their rehabilitation. Moreover, large-scale demolitions were undertaken, whereby the judiciary and the state were actively engaged in perpetuating intense violence.

16. Asgar Ali Engineer, September 2004, personal communication
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Abuse of Mumbai's Waterfront

Before discussing the Bandra waterfront re-development, we examine the state of Mumbai's waterfront, its rapid degradation, its causes, and the role of government and private agencies in the process. By doing so, we will contextualise the events of Bandra, which is our main focus. We hope, therefore, to link the micro vision with the macro, a relatively small event with a much larger process.

The present coastline of Mumbai is the result of indiscriminate landfill, which has been described as "an epic struggle with the sea", carried out in the last two centuries and a half.¹ These landfills, carried out primarily to create additional land, with an eye on the profits to be made from potential real estate development, are now a major threat to the city's well being. How has such development positively contributed to the growing needs of the city? Legal and illegal occupations along the sea have defaced the coastline. Birds and fish have decreased, the famous Colaba turtles have disappeared and, most important, the mangroves which are the anchors of the coastline, and protect it from the sea, have been ruthlessly destroyed.²

In addition, the coast is polluted by garbage and sewage, which this megapolis produces but does not care to dispose of safely. While the seafront is the most coveted space in the city, nobody in particular seems to be responsible for it. More importantly, the development of the landfilled areas, which were often illegally created, has never been perceived as part of overall planning and development of the city and its master plan. Short-term and short-sighted business and commercial interests, led by private developers, have always been the driving force for these actions. Tragically, the planning agencies of the government have not recognised their adverse impact on the quality

of life in the city, its infrastructure, transportation and environment.

How accessible is the waterfront?

Although beaches and promenades constitute around half the length of the approximately 44-km-long western waterfront, from Colaba to Borivali, their high level of neglect and degradation make them inaccessible. Most of the beaches on the western waterfront of Mumbai are polluted by dumped garbage and sewage disposal and are often encroached upon by slum dwellers, builders, property owners and government agencies. Destruction of mangroves along the coastline and creeks have added to their degradation.

The filling at Cuffe Parade has given rise to Manhattan-type skyscrapers whose residents have no access to the sea. Excessive crowding of Marine Drive and Chowpatty highlights the need for public spaces. People living in the high-rise buildings of Malabar Hill have no access to the sea except for Priyadarshini Park. Spaces between Colaba and Khar have been taken up by private housing, and those between Khar and Versova, by numerous hotels, clubs and residential buildings. Five-star hotels and resorts have been constructed in violation of CRZ, as at Land's End in Bandra and Madh and Marve islands.

The survey of the western waterfront by P. K. Das in 1997 brought into focus for the first time the degree to which the city's waterfronts had degenerated. It showed the existence of a definite nexus between the state and private developers, which allowed the manipulation of land use in total disregard of the larger public interest and at the cost of the destruction of nature. The survey attributed the socially unjust developments along the waterfront



*When the sea says it all: before the redevelopment of Juhu Beach,
the monsoon washes ashore the garbage and plastic that gets dumped into it*



*Left: Khar- Danda Creek
- Yet another example of
neglect and abuse of the
waterfronts.*

Right: Worli Koliwada



to the absence of a cohesive master plan, which would allow the area adjoining the waterfront to be strictly used as public open space.³

The eastern waterfront is essentially barricaded because of activities restricting the entry of people, such as the port and defence services. The landmass within the port land as well as the water's edge is made further inaccessible with the harbour line railway forming a major barrier and also the presence of large-scale manufacturing units.

The total length of the eastern waterfront of Mumbai is 13.85 km, but public access is available to only 1.55 km, concentrated in the Apollo Bunder and the Ballard Estate area. Though vast tracts of land, approximately 7.5 sq km, are owned by the MPT along this waterfront, the port activities are confined within 55 per cent of the total area owned by the trust. The trust has leased parts of the land owned by it to various government and private agencies, such as the Food Corporation of India, Cotton Exchange and many other commercial enterprises, such as Reliance Industries etc. Apart

from big industries, such as oil refineries, several small enterprises such as fishing at Sassoon Dock, the steel recycling industry and ship breaking, are also located here. Several agencies conduct their activities in the region.⁴

Apart from Jamshedji Bunder and Apollo Bunder there is no other public access to the eastern waterfront in Mumbai. Landfills carried out by the Naval Dockyard in the late '60s ruined Apollo Bunder. Shyam Chainani, an environmental activist and member of the Save Bombay Committee and the Bombay Environmental Action Group, observes that the lack of open space is so acute that people use Bhau Cha Dhaka, a new ferry wharf, as a promenade.⁵

Planners are of the opinion that if only some of the properties owned by the MPT were opened to the public, the possibility of providing new public places would be tremendous.⁶ Architect Anirudh Paul, Principal of Kamala Raheja Vidyanidhi Institute of Architecture, who has been involved in the study of the eastern waterfront, is of the opinion,

however, that it is too early to prepare a masterplan for it. There is a potential of opening up the land for the development of public spaces in areas like the Sewri Fort, Bhau Cha Dhaka etc. The MPT has opened up a road for the city and has also declared Sewri Mangrove Park a protected area. These are positive steps in the direction of integrating the waterfront with the rest of the city.⁷

Is the waterfront protected?

Given the fact that open spaces along the waterfront are even larger than maidans, there is a need for declaring this a special zone and developing it as a public space. In fact, demands made by Das to the Mumbai Heritage Conservation Committee of the BMC for declaring the waterfront as a precinct for conservation have been ignored. In this context, the movement by local residents for safeguarding their public space, like the one in Bandra, is significant.

Alarmed at the indiscriminate construction and the increasing pollution along the coastline all over the country, the government introduced the CRZ Policy in 1991 (Appendix IV). It called for a total halt to construction along the coastline up to 500 m from the high tide line. This was overdue, but it was only partially successful. There were two reasons: it was passed as a uniform law, ignoring the greatly varying conditions and demands of different cities. Secondly, it was blatantly violated by the powerful builders' lobby and, ironically, the municipal and planning bodies.

D.M. Sukhtankar, former Municipal Commissioner, who headed the committee appointed in 2000 to examine the changes needed in the CRZ, has pointed out that there cannot be a uniform law for a country that is geographically so diverse. For

example, "...the east coast (of India) is more prone to storms and cyclones than the west coast. So, in terms of ecological protection as well as the safety of humans living near the coast, the buffer on the eastern coast should be more than for the western."⁸

Cyrus Guzder, heritage activist and environmentalist, feels that the CRZ is just an urban regulation and does not address environmental concerns. He observes, "The CRZ with its blanket 500-metre ban has been clumsy in its overall applicability", and adds, "We are not told what it is that needs to be preserved in this 500-metre belt. Is it the sand dunes, the coastal lagoons, the gravel beaches, cliffs or estuaries?" He suggests the appointment of marine and beach scientists to study the coastal topography in the country in order to get a clear picture on how to save the coastline.⁹

In some instances, the CRZ has come in the way of essential and positive developments, such as the construction of public conveniences, embankments, beach nourishment and erosion checks. The approval procedure is lengthy and inhibiting for the layperson. The local municipal corporation or the Collector has to forward the application to the UDD of the state government. The state government, in turn, forwards the matter to the Ministry of Environment and Forests (MoEF) in New Delhi. Much effort and time is spent before these public conveniences are considered for development.

Our own experience suggests that as a result of CRZ, vast areas remain blocked from public access and development, thus making them more vulnerable to misuse and manipulation by vested interests. Vast stretches of land adjoining the sea and creeks of Mumbai have been illegally "developed" by influential builders. Mangroves are cut, creeks

filled, and new land, which is not integral to the DP for the city, is created. In a city like Mumbai, a continuous string of public spaces could have been developed along the sea and the creeks. It is, however, no longer possible. This was an opportunity for generating open spaces, intermingling with the waterfront, in accordance with the best norms and standards for any city. The projects of Bandra Bandstand and Carter Road are efforts in the direction to evolve a contiguous public space along the sea and the creeks that spread deep into the landmass of the city. We need a new vision to protect the ecology and formally integrate these concerns into plans for the city.

CRZ violations against the construction of five-star hotels, resorts, houses and hutments along the major waterfronts have become routine, accepted by people as part of the changing urban landscape. By legal manipulation and illegal means, force and fraud, bribery and persuasion, developers have obtained ante-dated permission for construction, prior to the regulation. Several amendments and concessions to the original notification provide for major construction on the coastline.

The builders have also, in various instances, manipulated the CRZ for private gains. A prime example of this is the commercial development on land adjoining the Malad creek by a leading builder in the city. This is reported to have involved destruction of a vast expanse of mangrove swamps even though no construction is allowed under the CRZ notification in these areas. In *The Economic Times*, Gurbir Singh reports the details of the case.¹⁰

Another leading builder had, according to a petition filed by the Bombay Civic Trust and others in the Mumbai High Court in 1992, illegally acquired the possession of an important public space along

the Bandra waterfront to construct a five-star hotel, damaging the site of a historic Portuguese fort. These are only some examples of how the commercialisation of the waterfronts has been carried out. These activities also expose the nexus between officials, police, developers and anti-social elements who show no regard for the public interest. Often builders violate agreements with the state agencies to make personal profits. The controversy over a plot at Powai, developed by a leading builder, wherein such violations were made, is a case in point.¹¹

There are other encroachments on Mumbai's waterfronts, particularly on its beaches, such as in Juhu, Dadar and Walkeshwar. The land mafia operates in close nexus with local corporators, officials of the Collectorate and the BMC to build stalls and kiosks for food and entertainment. Vast stretches of the beaches have been occupied, thus hindering free movement, and considerably reducing the proportion of open spaces. Further, these stalls have been continuously polluting the land and water. The BMC has failed to provide adequate water supply, drainage and garbage collection on beaches, such as in Juhu. The use of animals for joy rides has not only encroached on the space but also proved to be dangerous, especially for children. Meanwhile, the well-to-do have also illegally extended the boundaries of their properties, carried out landfill, planted trees and created private gardens, thereby cutting down on public space on the beach.

A survey carried out by the Suburban District Collector (SDC) in 2005 shows that the owners of 18 properties in Juhu extended their boundaries illegally. This survey was undertaken by the Collector only after years of protest by the residents of Juhu. Notices were issued to the guilty by the



SDC, predictably to no avail. Influential people connive with officials to find ways to delay action, change land records and justify it by making the government regularise the extensions. Ironically, the same sections often oppose encroachments by the poor, by food stalls and small amusements. Upper class interests often succeed in influencing the decision makers.

The government and other state agencies have, in various instances, manipulated policy to protect vested interests. In violation of the CRZ rules in 2001, the state housing department regularised residential buildings falling within 500 m of the high tide line, which were constructed by MHADA at Charkop, Gorai and Mulund before the formulation of the policy. The decision was made without obtaining necessary clearances from the various authorities.¹²

It is important to note that in 2002, the state UDD, which comes under the chief minister, requested the MoEF to open up areas near the coastline for construction. The suggestions included giving unlimited FSI to old cessed properties falling in the CRZ in the island city and allowing an FSI of 2.5 for slum redevelopment near the sea. Obviously, this demand is in the interest of builders who have been lobbying with the government to get the CRZ scrapped.¹³ This is an example of how the government itself has directly violated the laws to serve a few people and to promote real estate. It blatantly violates the laws, ignores restrictions and then sells properties in the open market.

Although the CRZ regulations have, to some extent, succeeded in preserving the coastal areas from further degradation and protected the city's mangroves and salt pans from misuse, illegal landfilling has continued, mangroves destroyed to

construct buildings and beaches invaded to set up hutment colonies, commercial outfits and extension of properties of the rich.

The BMC, for example, destroyed two extensive patches of mangroves spread over 80 ha to set up sewage treatment plants and lagoons at Ghatkopar and Bhandup. Instead of the sanctioned 4.7 ha, the authorities have done landfilling over 30 ha for the Bandra-Worli sea link.¹⁴

In another case of brazen violation of environmental norms, the MoEF and BMC sanctioned the construction of an 18-hole golf course behind Millat Nagar housing society in Andheri. The citizens complained that several patches of eco-sensitive mangroves had been destroyed by the developer and the land filled for the golf course.¹⁵ These activities violate the DP. It only perpetuates lawlessness, destroys the democratic functioning of city management and allows private interests to flourish under the pretext of market-led development at the cost of the public.

Landfill and its consequences

Mumbai's coastline is already witnessing the damaging consequences of landfilling carried out along the waterfront over the past several decades. According to V. Subramanyan, former professor at the department of Earth and Sciences at the Indian Institute of Technology (IIT), Powai, "Reclamation is an interference with nature's operations and so is likely to lead to repercussions."¹⁶ For example, the creeks arrest the impact of sea waves during the monsoons and thus prevent the erosion of the coastline. Because of the landfill at Backbay and Mahim bay, the waves can only enter the Malad creek in the north. The coastline therefore, is under major threat of erosion as the creeks get filled. Dadar-Prabhadevi, Versova and several areas on

the coastline are also witnessing erosion.¹⁷ According to a study conducted by the National Environmental Engineering Research Institute (NEERI) in 1996-97, landfilling and construction of bunds on wetlands within the city block the flow of sea water and cause ingress along the coast and around the numerous creeks in suburban stretches. It also pointed out that landfilling at the Bandra-Kurla complex, Juhu-Versova, Lokhandwalla and Malvani has obstructed the free flow of water, resulting in the disturbance of ocean currents around Mumbai.

When Nariman Point was developed by landfilling three decades ago, town planners had not anticipated the repercussions on the coastline. The study by NEERI also revealed that landfilling at the southern tip of the island city, carried out about three decades ago, would result in large-scale erosion in Versova and even adjoining areas of Navi Mumbai in Raigad district. The deflection of tidal currents because of landfilling at Backbay has caused water levels around Uran to rise by about 1.5 m during the monsoon.

According to Subramanyan, "The natural marine process of erosion has been interfered with and the sea, with all its fury has shifted centres and is attacking a 100-metre stretch at Versova." Any further landfill could cause more erosion at Versova and even result in the creation of a bay here. Moreover, buildings that have been constructed near the beach are now threatened by the waves.¹⁸

Illegal landfilling has also been carried out, for several years, along the Versova coast. As a result of this the tidal action has been altered, leading to large-scale flooding during the monsoons in Juhu-Moragaon and adjoining coastal stretches. In May 2000, the waves caused widespread destruction at Sagar Kutir, a colony of around 2000 hutments, at the northern tip of the Versova beach, about 1.5 km

away from the site of illegal filling. Illegal dumping of hundreds of truckloads of large rocks and debris at the coastline of Versova had blocked the outlet of the pre-monsoon waves at the southern end of the beach, leading to their deflection towards the colony and causing erosion. Also, parts of the coastline where the mangroves have been cut get flooded during the monsoons.¹⁹

The filling carried out for the Bandra-Worli sea link is the latest addition in a series of such mindless projects leading to the degradation of the coastline. The project, which was visualised as having a single pillar bridge, has about 88 pillars between Worli and Bandra Land's End. Massive filling has taken place at Bandra Land's End, Worli and Mahim creek.²⁰

The Bombay Natural History Society (BNHS) had undertaken a survey in 1999 to conduct an ecological assessment of the mangroves of Mahim. It shows that the blockage of tidal water near the mouth of the Mahim creek has caused changes in the level of sea water in the area. Water, which entered the Mahim creek, is now getting diverted towards the Mahim-Worli coastal belt and is contributing to erosion along the beaches.²¹

When the fishing area was landfilled, the fisherfolk were never consulted. The study shows that the filling has caused siltation in the Mahim bay. This has made it difficult for fishermen to bring in their boats, and as a result, they are forced to go much further into the sea to catch fish.²² The landfill has not only damaged the marine eco-system but also affected the fisherfolks' dependence on the sea for their livelihoods.

State of the mangroves

The word 'mangrove' originates from the Senegalese language and refers to a group of plants growing in marshy environs.²³ There are

around 35 true mangrove species found in India. Maharashtra has about 20 and Mumbai about 15. Besides, there are about 35 associate species in Mumbai which differ in some respects from true mangroves.²⁴ The best of mangroves are found in Asia, especially India and Bangladesh. The west bank of the Thane creek is the single largest mangrove belt in Mumbai. The Vikhroli Mangrove Park enhances the unique quality of the area; around 30 species of birds are found in winter.²⁵

The mangroves perform vital functions for the preservation of the coastal areas. They prevent erosion of the coastline caused by the waves. Mangroves need the saline water intake for their survival. The creeks are so formed that sea water can enter during the high tides. This natural flow of sea water leaves the effluents in the creek for the mangroves to recycle and the cleansed sea water gets out of the creek during low tide. This natural process, however, is obstructed at the Mahim creek, for example, due to human interference.²⁶

The mangroves act as a buffer between the land and sea. Therefore, they protect the coastline from inundation by the sea waves. Mangroves support a diverse ecosystem and the fishing community since they act as breeding ground for fishes.²⁷ Mangroves also act as the kidneys of the coastline. They filter the sea water as well as fresh water flowing through their area. The organic waste released by the water is utilised by the plants for their growth whereas the toxic heavy metals and pollutants are deposited as sediments beneath them. If the mangroves are cut there is a release of sediments, leading to a sudden rise in the pollution level.²⁸

The declining cover of mangroves, which account for nearly 90 per cent of the marine species in India, is the main cause of increasing soil erosion

and silt accretion. The super cyclones in 1999, in Orissa, for example, were clearly due to the clearance of a large area of the mangrove cover for the Paradip port.²⁹ It has been estimated that more than 2500 ha of mangrove forests in the Paradip-Dhamra belt were destroyed in the '60s when the Paradip port was constructed. Since then this area has emerged as the most cyclone-prone zone. According to official sources, out of the total 200 sq km mangrove forest in the Mahanadi delta only about 30 sq km is left.³⁰

The aftermath of the tsunami has further confirmed the usefulness of mangroves. "We have observed that mangroves often served as a barrier to the fury of water," says M. S. Swaminathan, father of India's Green Revolution, and head of the M. S. Swaminathan Research Foundation in Chennai, India.³¹ It has been observed that extensive areas of mangroves can reduce loss of life and damage caused by the waves. When the tsunami struck in December 2004, the Pichavaram mangrove forest in Tamil Nadu, India, slowed down the waves, protecting around 1,700 people living in hamlets built inland between 100 to 1,000 m away from the mangroves. In Malaysia, in areas where the mangrove forests were intact, there was reduced damage, the Penang Inshore Fishermen's Welfare Association observed. Officials in Sri Lanka made similar observations. In Indonesia, the death toll in an island located close to the epicentre of the tsunami was relatively low, partly due to mangrove forests that surrounded the island.³²

A detailed survey of the coastal mangroves of Mumbai was conducted by the BNHS during 1996-97. The purpose was to identify the suitable areas of the mangroves for in situ and ex situ conservation. Various species observed in different locations in



Mangroves in the Mahim Creek are facing extinction due to effluents from sewerage outlets and the industries along the Mithi river. Dumping of debris and solid waste aggravates the situation.

Mumbai, it found, have either disappeared or are under threat of destruction. With the expansion of the city limits, including the greater part of surrounding Thane and Raigad districts, the area of the Mumbai metropolitan region has increased. With the problems of housing becoming acute, the low-lying areas, the only ones left for development, have also been landfilled. Areas such as Mahim, Bandra, Andheri, Malad, Dahisar, Thane, Mulund, Bhandup and Chembur, many of which previously supported luxuriant mangroves, are now cleared to meet the growing demands of the city.

According to the study, the problems, affecting mangroves in Mumbai and its metropolitan region

are manifold. Landfilling in swampy areas for setting up of industries and housing is a major factor contributing to their disappearance. While dredging of sand from the creeks has affected mangroves in areas such as Nagla Bunder, Diva as well as the mouth of the Dharamtar creek, they have suffered widespread deforestation for fuel. Oil spills from tanker washes contribute to heavy mortality of seedlings at Sewri and Elephanta Island.

The entire strip from Sewri to Colaba is devoid of mangrove vegetation. A few strands at Colaba and Cuffe Parade demonstrate their past glory. The coast along the Backbay Reclamation does not bear any mangrove vegetation except for a small



The polluted Mithi River is partly filled to create more land.

patch near Cuffe Parade. Almost half this coastal area has been filled over the past decades and the remaining vegetation has been put under constant stress. Mangroves of the Mahim-Bandra region are facing extinction, thanks to the pollutants discharged by industries situated along the Mithi river which joins the Mahim creek.³³ There is no check by the BMC of the effluents that are released directly into the sea by hundreds of storm water drains or sewerage outlets.

A study of Mumbai's mangroves by geologist Hrishikesh Samant also corroborates that there has been an "alarming decrease in mangrove cover in the wetlands around Mumbai". The findings are

based on a comparison of satellite images taken in 1989 and 2000. According to the study, approximately 1,000 ha of mangrove cover have been landfilled in wetlands around the Mithi river in the Bandra-Kurla Complex and creeks in Malad, Manori, Thane, Mankhurd and Mahul in the last decade (not including naturally degraded areas). Since the CRZ rules which protect mangroves were notified in 1991, a lot of this landfilling may be illegal. This picture, however, is very different from the one drawn by an MMRDA study of mangroves along the Mithi river, which also used satellite data but arrived at the conclusion that the total mangrove cover had increased between the years 1991 and 1997.³⁴

Some effort, fortunately, has been made by citizens' groups as well as organisations to save the mangroves in Mumbai. Due to the Pirojsha Godrej Foundation, about 680 ha of coastal area in Vikhroli are under mangrove cover. The foundation has been able to check the degradation of mangroves in this vast stretch of land by providing complete protection, which has increased the forest cover of this region by 15 per cent during the last decade.³⁵ In Versova citizens are involved in the development of a mangrove park and a promenade along the park.³⁶

The MPT, under its Emerald Project, which is aimed at environmental upgradation along the port, has recently created the Sewri Mangrove Park over a five-km stretch. The park, declared a protected area by the trust in 1996, consists of 6.07 ha of mangroves in the mudflats between Sewri and Trombay where no new construction or dredging activity is permitted. The MPT proposes to check air and water pollution by reinforcing effluent controls and the spread of chemical industries along the coastline. Other factors to combat include tree felling by residents for fuel, and sand removal by unscrupulous developers.³⁷

Coastal pollution

The beaches of Mumbai suffer from a similar plight as that of the mangroves. Several tonnes of plastic and sewage dumped in the sea are cast out on to the beach by the tidal waves, causing accumulation of garbage and other pollutants. About three to four truckloads of garbage are picked up from each beach on weekdays while on a Monday or a day after a public holiday, the four-km-long Juhu Beach throws up at least ten truckloads of garbage.³⁸

The immersion of idols during the Ganesh and Durga festivals is another major factor: it not only pollutes the sea, but has also led to rising sea levels at the Dadar Chowpatty beach. Ganapati festival organisers have been urged by the BMC to use eco-friendly material for making the idols, but the idol makers seldom adhere to these guidelines. They continue to use plaster of paris because it is cheap. The traditional, more sensitive method of using clay from one of the five auspicious places (a snake hill, the earth around a banyan tree, a river bank/pond, earth surrounding a well and cowshed), which dissolves easily in water after immersion, is no longer followed.³⁹

Eighty per cent of marine pollution is said to be from untreated sewage and 20 per cent from industrial effluents. An estimated 8,000 industries, large and small, discharge waste into the sea. Oil spills prevent the dilution of other pollutants by binding them into a toxic concentrated form, which then migrates along the coast, causing harm to human and marine life. During the monsoon, this oil is brought to the beaches.⁴⁰

Five million litres per day of industrial effluents, from around 600 industries, mostly untreated or in violation of treatment standards, and raw sewage (200 million litres per day) from the areas of Dharavi, Kherwadi, Kurla, Andheri, Vile Parle and Santa Cruz are discharged into Mahim creek.⁴¹ The Thane and Bassein creeks, along with several tidal inlets, such as Mahim, Malad and Manori, as well as bays, including Worli, Mahim and Backbay, discharge large quantities of domestic and industrial wastes into the sea. The Delhi-based Centre for Science and Environment's first "State of India's Environment — A Citizens' Report", dubbed it "India's Minamata", after the tragic disaster in



A waste disposal ground: the Cuffe Parade seaface, an important waterfront, looks like a garbage tip

Japan when a chemical company released mercury into the sea.

The busy harbours of MPT and Jawahar Lal Nehru Port Trust are situated on Thane creek where large cargo complexes, oil-handling terminals, chemical terminals and a large naval base are located, making it one of the busiest waterways in the country. Various industries are located along the banks of the creek. Bassein creek, which is the mouth segment of the Ulhas river, is the recipient of a variety of wastes from industrial complexes and urban settlements along its southern shore between Ulhasnagar and Bhayandar.⁴²

Sewage treatment is vital, but if the BMC is committed to the task, it should have a vision. For example, construction of a sewage treatment plant by the BMC at Mahim-Bandra by landfilling large stretches of the beach has completely damaged the waterfront, particularly the beach at Mahim. It could have taken care to identify land for such a project without damaging the environment or the waterfront. Any site on the landward side of the Mahim causeway road would have been a better alternative. Objections to their actions have never resulted in convincing replies.

The sewage, which is being released simultaneously on the shores in many other parts of the city, continues to be discharged, untreated, through the hundreds of storm water drains. There is no immediate plan for a comprehensive networking of the sewer system within the city, which ought to have been the first part of this mega project. At the same time, there are no plans to implement a scheme to separate the storm water drainage from the sewerage lines. Due to the lack of a sewerage network in the city, storm water drains simultaneously function as sewerage lines. Even though the Marine

outfall programme at Worli proposed to discharge sewage three km deep into the sea, the major storm water drains here will continue to release an almost equal amount of waste on to the shores. Also, due to the vast number of slums and other illegal encroachments, storm water drains are used for dumping and sewerage. Therefore, unless an integrated network, including providing toilets in slums, is implemented alongside undertaking expenditure on pipelines leading into the sea, marine outfall will not help in reducing pollution of waters on the shores. According to some experts, the length of the outfall (channel) itself must be at least five km so as to prevent the sewage from being carried back to the shores.⁴³

Any discussion on the degradation of Bombay's waterfronts would be incomplete without a mention of the effect this has had on the fishing community of Mumbai, the Kolis, in particular. The Kolis are believed to be the indigenous people of Mumbai. They are supposed to have sailed up the south Konkan coast to the seven original islands of Mumbai. According to *The People of Bombay*, 1944, authored by Percival and Olivia Strip, the Kolis belong to one of the few aboriginal Dravidian tribes.⁴⁴ At present, there are 34 koliwadas on Mumbai's coastline and their total population is approximately seven lakh.⁴⁵

Before the British started landfilling, fishing was carried on in the marshes and in the creeks. The fishermen did not venture into the deep sea and they used only small boats for fishing. The landfilling reduced their fishing areas — in Cuffe Parade, Versova and Khar. The coastal areas also started getting polluted and the catch reduced. An increase in the city's population, however, led to an increase in the demand for fish and it led to greater

exploitation of the resources of the sea with the help of trawlers and new technology. The Koli fishermen could not cope with the developments as they owned only small boats and lacked financial resources.⁴⁶

The marginalisation of the Kolis, who have been living for long on the waterfronts, is an example of the callousness with which our cities have been developed. Complete disregard for our heritage, both social and environmental, has been the hallmark of our urban culture. The Koli villages along the waterfronts in different parts of the city have been reduced to virtual slums where even basic civic amenities are not provided. In fact, there has been a continuous effort to demolish and evict, as in Cuffe Parade, Bandra, Juhu or Versova. The threat to people's existence and their displacement has also come about as a result of unsympathetic developments and constructions around their settlements. The Bhai Bhandarkar movement in Mumbai and Thomas Kochery and his National Fish Workers' Federation in Kerala are important struggles for the protection of their rights as well as the environment.

The Kolis' plight comes in for lyrical mention in Salman Rushdie's novel, *Midnight's Children*

The fishermen were here first....before the East India Company built its Fort.....at the dawn of time, when Bombay was a dumbbell-shaped island tapering, at the centre, to a narrow shining strand beyond which could be seen the finest and largest harbour in Asia, when Mazagaon and Worli, Matunga and Mahim, Salsette and Colaba were islands, too - in short, before reclamation, before tetrapods and sunken piles turned the Seven Isles into a long peninsula like an outstretched, grasping hand, reaching westward into the Arabian Sea; in thi primeval world

before clock towers, the fisher-men -who were called Kolis - sailed in Arab dhows, spreading red sails against the setting sun. They caught pomfret and crabs, and made fish-lovers of us all.....Squashed now into a tiny village in the thumb of the hand-like peninsula, they have admittedly given their name to a district - Colaba. But follow Colaba Causeway to its tip...and you'll find them, trapped between the naval base and the sea. And sometimes Koli women, their hands stinking of pomfret guts and crabmeat, jostle arrogantly to the head of a Colaba bus queue, with their crimson (or purple) saris hitched brazenly up between their legs, and a smarting glint of old defeats and dispossessions in their bulging and somewhat fishy eyes. A fort, and afterwards a city, took their land; pile-drivers stole (tetrapods would steal) pieces of their sea.⁴⁷

Rambhau Patil, president of the Maharashtra Machchimar Kruti Samiti, informs us that before the '60s Koli fishermen at the Mahim creek, for example, were able to take their boats by the Mithi river up to Powai for fishing. The creek was famous for its clam, which are now extinct. In the '60s, with the development of small-scale industries and tanneries in Dharavi and the surrounding areas, and the illegal encroachments, the creek started getting landfilled because of sewage disposal and dumping of industrial waste. As a result, the seawater stopped entering the creek. Thus, with the destruction of the ecosystem, the availability of fish was reduced in the creek, and mangroves destroyed because of pollution.⁴⁸

Due to the landfill for the Bandra-Worli sea link, the fishermen are unable to go fishing during low tide. They have to venture five km further into the sea because of the increasing pollution in the creek, which has led to the destruction of the mangroves



Not inclusive enough: Koliwada, Worli, a traditional fishing village, now almost a slum, because of being marginalised by the development process

and also a reduction in the catch. With their traditional occupation diminished, the fisherfolk are forced to migrate into the main city or to take "service". These are class III and IV jobs in government and semi-government offices or the Port Trust. Some have become waiters and cleaners in hotels or in the courier industries. Many young men enroll with government-run industrial training institutes.

Although there has been an increase in the Koli population, the area of their notified villages has not increased. FSI is not allowed for Koli villages, regulated by the special provision of "gaothan". Increasing poverty has forced them to give their houses out on rent. The BMC or MMRDA have made no special provisions for the development of their villages. In Dharavi, Trombay and Mahul they have no place to keep their boats.⁴⁹

The important demands of the Koli community, Patil points out, are that in Versova, Juhu, Manori, Mahul, Gorai and Trombay the area of their villages should be increased, provided open areas are available around them; FSI for additional floors should be allowed and a special identity and status given to them.

Hemmed in by high-rise apartments, their open spaces, which were traditionally used to dry their nets and fish, mend their boats, and conduct a large variety of cultural activities, are fast shrinking. A distinctive part of Mumbai's history and culture is disappearing and the loss is truly of our own making.

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In the 1966 DP for the city, this land is shown as a NDZ (No Development Zone). However, in a deal brokered by the Rahejas in 1986, details of which have not been released, a three-way arrangement was arrived at.

About 65 acres of this land was handed over to the MHADA, while 62 acres was given for a mass housing scheme to the Mrinal Gore-led Nagrik Vikas Parishad.

The Rahejas benefited in that the remaining 35 acres of their holdings would be converted to a 'residential' zone from the earlier 'no development' category in the new city plan being finalised, while another 30 acres in the Malad creek region would also be released for residential development.

A no-objection certificate for development of these lands is also believed to have been given under section 20 of the Urban Land Ceiling Act. Currently, quarrying and levelling of the hill Raheja land is in progress to prepare the ground for construction.

However, these properties were low-lying wetlands with vast mangrove swamps. Over the years these mangrove swamps have been landfilled and low-lying land filled up with municipal solid waste. Though this was denied by spokespersons of the Rahejas, a visit to the site showed that land-fill into the creek and filling of mangrove outgrowths were continuing behind a curtain of tin sheets erected around the properties.....

Municipal engineers based on the site, on condition of anonymity, admitted that the solid waste from the dumping ground had been systematically used by the Rahejas to fill in creek inlets as well as raise the level of wet lands.....

Further, hundreds of lorry-loads of excavated mud and rock from the Raheja site near the national park have been transported to provide the top soil for the landfilled creek lands.

'Rahejas, 2 Others gained in land share', Gurbir Singh, *The*

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Bandra's Activism: Evolving an Agenda

Forty years ago, when I first came to Bandra, there existed a low wall along the seaside of B.J. Road where children used to sit. The waves would practically touch their feet, and there were mangroves very close to the shore. The Land's End hill sloped upwards from very near the Bandstand structure where musical bands played at one time. The hill was covered with several thousand palm trees. The Bandstand area, with its little roads leading up to Mount Mary Church, was very popular for film shootings. A number of sanatoria were located here.

The degradation of the hill and seafront started rapidly from the '70s on due to the building boom and the development of hotels at Land's End. Though, in January 1973 the government stated that the hill would remain a green zone forever, the decision, however, was reversed by the end of the year. This led to protest by the Bandstand residents' associations and court cases were filed by some senior residents. The citizens also received encouragement from the highest authorities in Delhi. Their efforts, however, were in vain and the first hotel, the Sea Rock, opposite the hill was built. In spite of this the citizens continued with their struggle to protect the hill. They were again unsuccessful in stopping the construction of the second hotel on the hill, the Regent (now called the Taj Land's End) against which they struggled for nearly 15 years.

By the '90s the Land's End and the Bandstand waterfront became totally degraded, with rampant dumping of debris along the seafront. Illegal shanties and mobile restaurants flourished, disturbing the peace of the neighbourhood. I changed the route of my morning walk, in order to avoid walking on debris, dirt and garbage on the sea-side.

The residents of Bandra were determined to protect and beautify the seafront and Land's End and carry on the fight that their predecessors had begun 30 years before. And then came the plan for the redevelopment of the seafront, drawn up by architect P.K.Das and funded by Ms Shabana Azmi, Member of Parliament, which was totally supported by the residents' association in Bandra. After a lot of struggle, at all levels, these developments came into existence.

Arup Sarbadhikary¹

Conservation engineer and trustee of Bandra
Bandstand Residents' Trust

Situated on the western coastline of Mumbai, Bandra is perhaps the prettiest suburb of Mumbai. Dotted with churches, old houses, narrow shaded lanes, hills, heritage precincts, it can boast of many good schools, colleges, hospitals, hotels, restaurants, shopping areas, markets, cinema houses and cultural centres. Most important, however, is its cosmopolitan character and its atmosphere of openness and diversity. People from different

religions and regions have made Bandra their home, each leaving their distinctive mark on its very vibrant culture. It is all this that has won Bandra the sobriquet, "Queen of the Suburbs".

Bandra's population is approximately two lakh according to the 2001 census.² Bandra also has a large number of people, particularly old residents, who zealously guard the wonderful heritage of their suburb. There is a demonstrable track record of



residents' participation in matters to do with roads, gardens, heritage sites, establishments and so on. It is this spirit of activist struggle which is reflected in the success of the two promenades in Bandra at Carter Road and Bandstand.

The making of Bandra

It is not clear how Bandra got its name. In early Marathi records Bandra appears as "Vandre", which comes from the word "Vander" or ape. The forest cover of the two hills, Mount Mary and Pali, and vegetation of the low lands, probably provided a safe and bountiful habitat for wild monkeys. The Portuguese referred to it variously as Bandora, Bandera and even Pandara. Eventually, in 1879, the Bombay Baroda and Central India (B.B & C.I) railway decided in favour of the name Bandra, which was put on the signboard of the newly completed suburban station.

Little is known about the early history of Bandra, which was the largest village, consisting of over 20 hamlets, on the island of Salsette, north of Bombay. But since the Thane coast played an important role in foreign commerce from the earliest times, there is little doubt that Bandra, strategically located on the south-west tip of Salsette, at the head of the Mahim creek, was well known to traders and shipping vessels on their way to the busier ports of Mahim, Chaul and Dabhol.³

Bandra came under Portuguese rule in 1534, when the Indian king (Bahadur Shah, the ruler of Gujarat) ceded the territories of Vasai, Salsette and the adjacent areas. In 1548, Bandra was gifted to a Portuguese by the name of Antonio Pessoa, as a reward for his military services, by the Portuguese rulers. After his death and that of his widow, Isabella Botelha, it was passed on to the Jesuits in 1568,

who remained the owners of Bandra till the Maratha takeover in 1739.⁴

The missionaries built several impressive churches. The first ever church in Bandra, which is no longer in existence, was the Church of St Anne built by the Jesuits around 1583, at the site of a fortress, later occupied by the Bandra slaughterhouse and now the BEST bus depot near the Bandra railway station. The church was blown up by the English. St Andrew's Hermitage was built around 1600 near Chimbai.⁵

The Chapel of Nossa Senhora de Monte, popularly known as Mount Mary, stands on the crest of the Bandra Hill. It seems to have been built around 1640 for use of the garrison, stationed at the fort at Land's End, Castella de Aguada, which acted as an outpost and which the Portuguese also used as a potable water point before they sailed.⁶ It is recorded that the feast of Mount Mary, a practice which continues till today, was celebrated every year on September 8, which drew pilgrims of all faiths from far and near. Christian missionaries also set up orphanages, seminaries and small parish schools where the medium of instruction was Portuguese.

In 1661, when the island of Bombay was ceded to the British by the Portuguese, the island of Salsette was still in the possession of the Portuguese. Salsette, at that time, was in a state of high prosperity and Bandra was a well-known town on the Salsette coast. Bandra was divided into 24 villages, separated from one another by vast tracts of cultivated land, mango groves, coconut and palm trees and inhabited by fisherfolk and farmers.⁷ Apart from the Kunbis and Kolis, the other caste groups seem to have been Bhadaris, Bhois, Dhobis, Kumbhars and Pathare Prabhus.⁸

After the fall of Bassein in May 1739, Salsette passed into the hands of the Marathas. At the time of the Maratha occupation, Salsette was the granary of Bombay. Negotiations for the purchase of Salsette between the English and the Marathas did not materialise as the latter refused to sell it, probably because of the prestige associated with the capture of this land from a European power. The English, however, defeated Raghoba, the ruling Peshwa of the time, who tried to use force of arms to subvert the purchase, and by 1775, were successful in capturing Salsette, including Bandra. They retained the possession of the island till 1947.⁹

Until about the middle of the 18th century, a few small boats plied the creek between Bandra and Mahim. As the number of commuters to the island city increased, the British instituted a regular ferry service in 1775, to transport passengers, horses and stores to the commercial centres in Bombay. In 1845, after a number of ferry boats capsized an ambitious project was launched to construct a motorable road across the tidal creek.¹⁰ The causeway, which was financed by Lady Jamshetji Jeejeebhoy, commenced in 1843. It was designed by Lt. Crawford and constructed by Capt. Cruickshank of the Bombay Engineers. The causeway was opened to the public in 1845.¹¹

In 1867 the B.B & C.I railway commenced the first rail service of one train a day between Virar and Bombay. This cheap, speedy and convenient transport service resulted in a greater influx into Bandra, so that hardly six years later, the service was increased to 24 trains each way, each day.¹² "Since the opening of railway communication," the *Imperial Gazetteer* noted in 1909, "Bandra has become a favourite place of resort for the citizens of Bombay."¹³ Today, the number of local trains that

halt at Bandra is a staggering 940, with both the Western and Central line. With the expansion of Bandra, new infrastructure became necessary. The Bandra slaughterhouse was commissioned in 1872, the Bandra bazaar, built with local funds, came into existence in 1874, and the Bandra municipality was established in 1876. Proper drainage and manholes were installed only in 1937.¹⁴

Apart from the Christians, several other communities seem to have inhabited Bandra since early times to become a part of the social-cultural milieu of Bandra. The beginnings of Jari Mari Mandir, according to oral testimony, goes back nearly three centuries.¹⁵ The Tata Agiary was built in 1884 by Seth Nusserwanjee Ruttonjee Tata for the Parsis. The Jain Mandir was built over a hundred years ago by a small community of Jains, most of whom migrated to Bombay from Rajasthan.¹⁶ The Bandra Jama Masjid was constructed in the late '20s by the Bakar Kasai Jamat (butcher community).¹⁷ The Bhabha Sanatorium for Parsis and the Khoja Sanatorium were primarily constructed for patients recovering from tuberculosis.¹⁸ In 1901 the population of Bandra totalled 22,075, including 11,358 Hindus, 3,189 Muslims, 1,307 Parsis and 6,117 Christians.¹⁹

An important development in the history of Bandra seems to have been the Town Planning Scheme of 1927, which put an end to plots of small farmers and made room for housing projects and commercial establishments in the suburb, extending into Khar.²⁰

The senior residents of Bandra recall the beauty of the villages and the hills of Bandra. Patricia Nath, who grew up in the village called Rajan, off Carter Road, reminisces:

"The area along the beach was densely covered with coconut groves and sparsely dotted with

*bungalows. The bungalow gardens were invariably full of mango, chickoo, cherry, guava, custard apple and love apple trees..... Summer afternoons were spent in tents in the coconut groves while the mornings and evenings were spent lazing on the clean white sands or swimming in the open sea.....Towards the east of this village was Pali Hill, densely covered with huge trees and believed to be the home of wild animals...The plains in the west were cultivated with vegetables for the use of the surrounding villages.....To the north our village was what we called 'Danda Green'. This was a large open, hilly area which was later flattened to accommodate a sports field of sorts. When it was not a sports field it was a drying ground for fish belonging to the fisherfolk of Danda. The sandy stretch between Rajan village and Danda Green was referred to as silver sands since the sand on this stretch glistened with a silvery hue in the sunlight. The other villages all lay to the south of our village and were sparsely covered with tiny little single-storied apartments."*²¹

Some of the villages like Danda, Ranwar, Chimbai, Sherly, Rajan etc continue to survive and bear a similar name.²² Another resident, Wency Drego, remembers Pali village, where people lived mostly in cottages with sloping tiled roofs. "Pali village was much cleaner than our garbage-filled, guttered roads these days. Those having gardens grew chickoos, pomegranates, papayas and jam or jamun trees while some even reared turkeys, guinea fowl and goats.....Our neighbouring Pali Hill was a world apartfilled with trees and greenery.....What is now Union Park was full of mango trees, and from there, down till the sea, was Danda Green...something which only those who have seen, can really visualise. It was a hilly area, lush green, with a golf course, which people used to say was second only

to Kashmir's Gulmarg."²³

Oral sources suggest that the building activity in Bandra expanded after the Second World War but it was in the mid '70s that the major building boom began. A large number of people were attracted to this beautiful suburb with its lovely cottages, charming lanes and by-lanes lined with trees, villages, churches and niches of old-world serenity. The beauty of Bandra inspired novelist Amit Chaudhari, now based in Kolkata, to celebrate St Cyril Road, where he lived as a child,

*.....And in St Cyril Road, you're familiar
with cottages hung with flora, and fainting,
drooping bougainvillaea,
where the noon is a charged battery, and
evening's a visionary gloom
in which insects make secret noises, and men
inside their single rooms
sing quaint Portuguese love songs-here, you forget,
at last, to remember
that the rest of Bombay has drifted away, truant,
and dismembered
from the old Bombay. There, rootless, garish,
and widely cosmopolitan,
where every executive is an executive, and every
other man a Caliban
in two-toned shoes, and each building a brooding
tyrant that towers
over streets ogling with fat lights...Give me the
bougainvillaea flowers
and a room where I can hear birds arguing, I
won't live in a pillar of stone,
as ants and spiders live in the cracks of walls,
searching for food alone
in the sun-forgotten darkness. That's why I've
come to St Cyril Road
to lose myself among the Christians, and feel*

*Bombay like a huge load off my long-suffering chest.....*²⁴

Its seafront

"It may be geography, rather than history or religion, which gives Bandra its distinctive identity," says Darryl D'Monte, senior journalist, environmentalist and an active member of one of the residents' associations in Bandra. "It is not just the first suburb on the western seafront as you cross out of the island city, but just as Mumbai is the 'first city in India', Bandra is the first among other suburban areas, the undisputed queen. Being endowed with a long and undulating coastline, interrupted by fishing villages, Bandra's ethos is umbilically linked to the sea."²⁵

Two important ecological features of the seafront of Bandra which warrant special mention are its rocks and mangroves. The rocks, exposed along the western coastline of Mumbai, from Colaba to Versova, are the remains of an ancient solidified lava flow that erupted as a part of the 'Deccan Traps' in the geologic past about 65 million years ago. Peninsular India was united with other continental fragments of South America, Africa, Madagascar, Australia and Antarctica to constitute a vast land called 'Gondwanaland'. Gondwanaland was then in a process of disintegration by the development of several large, hot magma chambers beneath its crust. The Indian fragment had already separated from Africa by a major rift, which began to fill up with water and became the Indian Ocean. Lava flows soon accumulated adjacent to the fissures as a ridge in the Indian Ocean. The accumulation of lava flows on the Indian fragments ultimately resulted in the build up of a giant volcanic plateau called the 'Deccan Traps' in peninsular India.

The lava flows, including the one on the Bandra coast, are composed of black fine-grained rock, termed basalt, composed of dark coloured minerals. Some of the lava flows in Mumbai exhibit evidences of their eruption under water. These water bodies may have been moving in the sea along the coastline or in saline pools in the vicinity of the volcanic vents.

In the Mumbai region there are a series of lava flows, the remnants of which stand out as isolated hills at Bandra, Walkeshwar, Worli, Jogeshwari, Malad and Dongri in the west, and Dockyard, Sewree, Wadala, Sion and Kurla in the east. The flows are prominently exposed in a complex of hills, spread from Andheri northward up to the Bandra coast, and are composed of basalt. Some of the lava flows of this region are inter-bedded with sedimentary rocks, composed of strata deposited in lakes that had developed near the volcanic vents. These sediments, being softer than lava rocks, have been eroded and have resulted in the formation of bays along the coastline e.g., Backbay, Haji Ali Bay, and Mahim Bay and the Bandra coast.²⁶

The rocky seabed along Carter Road offers little protection from the tidal waves. However, Carter Road has also been blessed with a dynamic shore protector: the mangroves. Spread along the length of Carter Road, there are five mangrove species: The Grey Mangrove is the dominant species of the west coast. It is useful as fuel and for building boats. Two species of Mangrove Apple are found there. It can grow up to 50 feet in a protected environment. The fruits are edible and pickled in some parts of the country. The Red Mangrove has stilt roots, resembling the banyan tree, and enables prawns to breed. Sea Holly is a thorny shrub and it bears attractive purple flowers.



Bandra Lands-End, 1970's - A palm grove haven and a beautiful waterfront.

These species attract a variety of animal life off Carter Road. Fish like boi (mugil), levati (mudskippers) and zinga (prawns) are local examples of mangrove breeders. Birds are a major attraction in these mangroves. Small birds like bulbuls, flycatcher, warblers and babblers are found in large numbers amongst the bushy trees. In winter, the area becomes a paradise, with migrant species like gulls, terns, curlews, whimbrels, sand pipers and shanks, among others. Camouflaged against the muddy beach, one can see a variety of aquatic animals like mudskippers, crabs, molluscs, sea anemones and marine slugs. All these animals feed on the decaying material on the shores. They play a vital role in cleaning and nourishing the mangrove ecosystem.²⁷

By the '70s, the degradation of Bandra's seafront was clearly visible. The population increased continuously after the '60s. This resulted in pressure on land, and in the absence of a plan for the development of the seafront in general, public misuse of it.

A major commercial intrusion of the seafront at Land's End occurred with the entry of Bandra's first five-star hotel, the Sea Rock, in the '70s, thereby turning a hitherto secluded spot, frequented only by adventurous lovers, into a hub of activity. Neelam Moos, one of the residents of Bandstand, recalls, "Before the coming of Sea Rock hotel in 1975, there were rocks at the site, and a low sea wall existed in front of my house, which ran past the Bandstand while curving around it. Palm trees were cut down to make way for the hotel. Roads were dug to install various service lines for the hotel. Noise levels, pollution and hawkers too increased."²⁸

In the following decades several attempts were made by the government as well as private

entrepreneurs to misuse Bandra's seafront. As we will see, the residents of Bandra resisted, and succeeded, in many instances, in stalling constructions along it.

Struggles to protect the seafront

The first voice of protest was raised in 1972 against the construction of a major campus of the National Institute of Bank Management (an autonomous body founded by the Reserve Bank and other nationalised and foreign banks), on the seashore off Carter Road in Bandra. About 4.05 ha of seashore were to be carved out and land filled to build an exclusive officers' training institute. One third of the total cost, Rs 30 lakh out of Rs 1 crore, was to be spent merely on the sea wall and other landfilling.²⁹ Public protest resulted in the project being relocated. As Darryl D'Monte, points out, "It was this campaign that saw the birth of the Save Bombay Committee, and thus, quite modestly, Bandra can claim to have been the harbinger of much bigger things to come in the unending struggle against unscrupulous builders and developers in the country's commercial capital. And, considering that Mumbai has played a pioneering role in drafting heritage laws for the country as a whole, Bandra deserves its little share in this credit."³⁰

The residents' struggle to preserve the Land's End hill in Bandra as a public open space went on for three decades. However, before going into the details of the protest, a word about Land's End may be necessary. Land's End is a peninsula that juts into the sea with a fort, Castella de Aguada, popularly known as Bandra fort, at its tip and a hill that comes under the vista of the fort. It commands one of the most magnificent views of Mumbai, being at a height of about 30 to 40 m above sea level. It is located at the Mahim creek, bounded by Mahim Bay

on the east and south and the Arabian Sea on the west. It is also eponymously known as the Byramjee Jeejeebhoy Point as the area adjoining the fort belonged to the gentleman who built a large mansion more than 100 years ago. He also contributed a large portion of the expenses for the construction of the seaside road, popularly known as Bandra Bandstand today.³¹

The local residents had always used the hill as a recreational area. The old residents of the locality remember it as being covered by thousands of palm trees and myriad colourful birds. Many beautiful houses, like the Jeejeebhoy House among others, were located here. Today, only the plinth and remains of the walls survive.

The hill, originally owned by Byramjee Jeejeebhoy, was leased to the government. Under the 1956 DP for Greater Bombay, it was reserved for residential purposes.³² The 1966 DP reserved 1.45 ha as a green belt and the rest was marked for housing. In 1971 the owners of the plot floated a private company called Enjay Estate Private Limited to which the land was transferred.³³ The canopied stone benches, which were provided by Byramjee Jeejeebhoy along the seaside road, were removed to provide access to cars and other vehicles to the still incomplete Sea Rock hotel and a motor road was extended up to the Land's End Point.³⁴

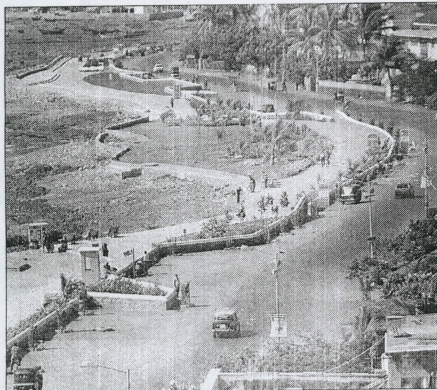
Public agitations were staged and memoranda submitted against the encroachments on public space, and in 1973, the state government issued a directive to the BMC to preserve the entire hill as a single unit for a public park. This decision was, however, reversed and the area demarcated as a green zone reduced to 0.57 ha out of 1.45 ha reserved in the 1966 DP. Several public meetings were held by the Bandstand residents protesting

the decision, and court cases were filed by Gerald Saldanha, Sultan Nathani, S. N. Rao and others. The matter even went up to Indira Gandhi, who sent the following message to Chief Minister V. P. Naik: "Apart from pollution control, positive efforts must be made to preserve what can be preserved of the remaining green spaces and recreational areas in the city...I have been distressed recently to see that the Bandra Land's End area is to be redeveloped into yet another housing colony."³⁵

The construction of the Sea Rock hotel on the land filled on the western side of the hill in 1975 was the beginning of the degradation of the hill and the first blow in restricting free access to the people. The residents, however, continued with their struggle to prevent the coming of the second hotel, the Regent. A petition to the effect was filed in 1974. The introduction of the Urban Land Ceiling Act (ULCA) in 1976 was a significant development. It prevented any one party from holding more than 0.049 ha of land. In 1977 the then Municipal Commissioner B.G. Deshmukh instructed the BMC to take over the land under the ULCA and convert it into a public park. In a dramatic turn of events, in 1978, two days before its fall, Vasantdada Patil's government took a decision to release Land's End for a hotel complex.³⁶ This exemption under the ULCA was challenged by Sadanand Varde, a former state education minister, and others in 1978.

The petition was dismissed in January 1979. A special leave petition challenging the order was also rejected by the Supreme Court in 1988. In the early '80s, the minister concerned permitted the construction of the hotel subject to conditions, including that a garden be built by the owners. Litigations raged for years and the matter went back and forth between the High Court and the Supreme

'Play'ing up the promenade success



Proud achievement: The Bandra Bandstand 'Back to Nature' promenade. **SUN MIDDAY 6th MAY 2001** P.K. VIJAYANAND GUPTA

SKIMMY GUPTA

AFTER creating a promenade that is envied for its success in beating the odds, the sea, the establishment and apathy, the Bandra Bandstand Residents Trust (BBRT) is moving into phase two of its 'Back to Nature' project. And the members are celebrating the event with a play. *Whose Mumbai is it anyway?* will be staged at Bandra Bandstand's 'Back to Nature' promenade today at 6.15 pm. Admission is free and the motive singular — to increase awareness for the project.

The movers behind the Bandstand promenade beautification switch to next gear with a play

BBRT succeeded in securing the seafront against degradation. Now it intends to continuously beautify it by bringing about a change in local

lifestyles in the direction of reducing, reusing and recycling. The members perceive this as the only way to preserve the earth's resources in the interest of the coming generations. The eventual goal is to make the area a zero-garbage zone.

Dr Radhika Ramasubban, trustee, BBRT told MID-DAY, "There is rumour... a residential nuisance. Cleanliness is ensured by our cleaners who work in shifts."

The play troupe, Clean Air Island, is a non-government organisation (NGO) that has been active partners with the Brihanmumbai Municipal Corporation and other NGOs currently engaged in the ongoing zero-garbage pilot project in the Colaba area. They have performed over 100 shows of the play all over Mumbai in the last several months — at various companies during lunch hours, at residential complexes, schools, colleges and as dinner and lunch theatre at hotels.

The 'Return to Nature' promenade is the culmination of a five-year struggle by the citizens of Bandstand to reclaim this beautiful Mumbai waterfront. Almost lost to mindless landfill operations, land grab attempts and wilful degradation, it is today one of the most imaginatively restored public spaces in the city.

The design for the promenade was developed and implemented by architect P.K. Das, aided by a generous grant by Shabana Azmi from her MP fund, for the improvement of the waterfront.

The ongoing struggle now is to sustain what has been achieved — freedom from noise and dirt pollution and encroachments, and from threats to law and order by the activities of food shops, vendors and anti-social elements.

A community effort scripts a success story

THE development of the seafront at Carter Road and Bandra Bandstand has won international recognition, with the receipt of this year's award instituted by the Washington-based Waterfront Centre for Waterfront Development Projects. Selected among entries from all over the world, the award recognises the efforts of an entire community to 'retrieve' its waterfront for the public.

A few years ago, the 4.5-km stretch of the Bandra seafront was little more than a dumping ground, sewage disposal area and thickly populated by encroachers. It was P.K. Das, an architect by profession and also among the architects of the save-the-waterfront scheme, who took up the cause of the depleting open spaces in Mumbai and conducted an extensive study of Mumbai's waterfronts. Soon, the Bandra West Residents' Association (BWRA), the Bandra Bandstand Residents Trust (BBRT), P.K. Das & Associates and Member of Parliament Shabana Azmi came together to save the Bandra seafront. What



Bandra Bandstand after the redevelopment work

followed is a classic success story of citizens' civic efforts.

"We felt we needed to do something to protect our water-fronts," says Darryl D'Monte, president of BWRA and noted environmental activist. "So we got together and forged a partnership." Das handled the architectural inputs, Shabana

in the shape of the MHADA and the private citizens' forums worked in co-ordination to restore the picturesque coastline at Bandstand and Carter Road. The results of the redevelopment efforts are in plain sight — palm trees, amphitheatres, a children's park, an art court. Having re-designed the facade, there was still the question of maintenance. That's where Harsh Mariwalla of Marico Industries contributed his bit. Marico Industries has so far spent almost Rs 25 lakh towards the beautification drive and planted more than 30 species of palm trees. That's where the name Palm Promenade at Carter Road comes from. Another corporate, US Vitamins, contributes to the maintenance of Bandstand.

The seafront has gradually grown into a buzzing cultural centre, where concerts, yoga and tai-chi sessions and plays are held. "There's a play every Friday, and in January 2003 we will be organising a major concert and a carnival too," says D'Monte.

—UJJAYINI DAS

Citizens inspire Bandra face-lift

Nasser Lalljee

Bandra

ON this waterfront, there is certainly no Marlon Brando, but the people of Bandra Bandstand certainly have their own heroes.

It is to the credit of these heroes who set about saving a coastline that had been endangered by indiscriminate dumping. The movement took off with the Mohalla committee, which was formed in 1993, when a group of people started taking an interest in civic problems. They formed the Bandra Bandstand Residents Association in 1996, which was later converted to a trust in 2000.

The blatant dumping of rubbish along their precious coastline outraged the sensibilities of the local residents who had earlier fought it out in the court and got 1,500 trucks of debris removed from the area facing the Bandstand Fort. Once this was done the group moved ahead to try and reclaim whatever was left of the coastline. The idea was to prevent it from encroachments, particularly those that had come up in the area around the Seawalk hotel.

The citizens had already conceived of a promenade, prepared a plan and worked with architect P.K. Das, who designed and implemented it. Plans were approved by the BMC, MSDC, collector, and other concerned bodies. The funds were provided by Shabana Azmi, MP, Rajya Sabha, under the MPLAD scheme for the infrastructure. But seeing the manner in which the work was proceeding, and the effort being poured by the locals, more money was

invested into the project.

The construction started in May 1999. Exactly one year later May 2000 saw the Naval Police Band inaugurate the promenade at bandstand. Then came the Art fair on November 27, 2000. This was followed by a party for the under-privileged children in December 2000. An interactive play to highlight the problems of the common man was held next on the May 6, 2001.



The variety of events held at the promenade has brought the citizens closer to each other and there is a growing sense of camaraderie among all those who come here. They voluntarily stop people from creating nuisance, throwing rubbish as they have developed a sense of ownership. The promenade is now almost complete, and a 1.6 km stretch of reclaimed land, from Bandstand to St. Andrews Church corner, has been saved from certain disaster. Encroachment and other such nuisances would have certainly destroyed the entire already endangered coastline.

The people have developed a good trust and funds are slowly trickling in. The association and locals are appealing to every flat-owner in Bandstand to pay Rs 20 per month. Apart from this certain sponsors have taken a keen interest and have contributed towards the development of gardens and other features.

If this example is emulated, a number of public spaces will be reclaimed by the people, for the people.

THE TIMES OF INDIA - 'WESTSIDE PLUS' MAY 29, 2001

Winds of change sweep across Mumbai's vandalised waterfronts

By Gunwanthi Balaram

MUMBAI: "In a city gasping for breath, it is quite dreadful," observes British architect and 'Bombay boy' Pierre d'Avouine. "That Mumbai's greatest open spaces, its waterfronts, are being so vandalised that its people can derive little benefit from them." Treated as dumping grounds for debris, garbage and sewage, or as free sites for encroachment, several of Mumbai's waterfronts are actually shunned by its residents. So, it is heartening to find some citizens' groups and architects launching joint initiatives to nurse their bit of waterfront back to life—as in Bandra, for instance. Walk along the Bandra waterfront now, and you will find that the dramatic black rocks along the old Band Stand are rising from the debris, as it were, as are the mangroves off Carter Road. What's more, a new promenade is being constructed along these contours of seafront so people can take a brisk walk and get a breath of fresh air.

The Bandra project, on which work started a couple of months ago, is a part of architect and housing activist P.K. Das' masterplan for the restoration of the city's waterfront. Drawn up over two years ago, the masterplan looks at the phased rejuvenation of three types of waterfront areas—public spaces like beaches and waterfront promenades; native settlements like fishing villages; and seaside heritage precincts like the Worli, Mahim, Bandra and Vashi forts.



CITIZENS' WALK: The landscaped promenade at Bandra Band Stand, master-planned by a local architect, will involve citizens' participation in its execution and maintenance

To begin with, he is sensibly tackling public spaces. These include 14 independent schemes estimated to cost about Rs 1 crore each to execute. Committed to the rules of the coastal regulation zone, the architect is anti-reclamation and believes instead that "it is important to stop the abuse of our existing waterfronts and work within the existing realities to progressively restore and preserve their natural beauty". His restoration projects envisage the creation of landscaped walkways, pedestrianisation, seating, lighting, security, drainage, planting of suitable trees and shrubs and the installation of plaques on the history of the waterfront/neighborhood.

"Above all, they involve citizens' participation in execution and maintenance." The Bandra scheme is being executed under the supervision of a team of local residents' associations with an initial grant from Rajya Sabha MP and actress Shabana Azmi. She has donated Rs one crore from her MP's constituency development fund to the Bandra-Juhu waterfront development programme—Rs 30 lakhs each for Carter Road and Band Stand and Rs 40 lakhs for Juhu.

"We will mobilise donations to carry on the upgradation work, and collect a small monthly maintenance fee from our 1,200 members to maintain the promenade. There will be no entry fee and everybody is welcome to use the promenade," says Arup Sarbhaddhary and Ka-

mala Soni of the Bandra Band Stand Residents' Association. "Impressed by the work so far, new sponsors are coming forward."

"I'm thrilled, my faith in the abilities of the local citizens' groups and the architect of the scheme has been vindicated," says Shabana Azmi. "Such localised initiatives are the best alternative to large grandiose plans which move away from citizens rather than draw them in. They also cut across class barriers," maintains the MP, adding that she intends to continue to support them in every way she can.

Work on the Juhu project will commence next month, according to Ms Azmi. It envisages sprucing up the beach as well as the 'influence areas', i.e. the Juhu-Ira Road and the seven axis roads leading to the beach, and creating a plaza around the Shivaji statue with proper sanitation facilities for both hawkers and visitors. Several agencies, including the traffic police, the taximeter and hawkers' unions, residents' groups and the National Airport Authority have been consulted on the issue and have agreed to cooperate in the Rs 2.4 crore project, adds Mr Das. The plans for the Dumburda-Vi waterfront have also been cleared by the BMC, and the architect and local citizens' groups are discussing how best to implement the programme. "Hopefully, it will come together, it's hard work, but very rewarding," he says.

Newspaper coverage during 2001-2002 recounting the struggle and the success of citizens to develop the Bandra Waterfronts

Court.³⁷ At the forefront of the citizens' movement were Sultan Nathani, Gerald Saldanha, S.N.Rao, Kekoo Gandhi, S.S. Varde and others, some of whom are no more. Ghanshyam Kalsekar, a barrister, filed one of the first PILs in the country to oppose the constructions which were coming up at Land's End.³⁸

The construction of the hotel began in 1991-92 and was again challenged by a petition filed by Varde, Kisan Mehta of the Save Bombay Committee, and others on the grounds that it had violated the DP and CRZ regulations. However, in 2000, this petition was also dismissed in favour of the hotel.³⁹ Having been cleared of all the charges by the High Court, Regent Hotel, which has been bought over by the Taj group and rechristened the Taj Land's End, was allowed to be built. The citizens had fought vehemently but failed to stop its construction.

Another problem arose when a Korean ship named Zehn Don, which was on its way to be scrapped, was grounded on the rocky coast off Carter Road during the monsoon of 1996. Raj Pradhan of Rashmi Developers had purchased the wreckage from its owners. He wanted to convert the ship into a commercial venture in the form of a floatel, with restaurants, bowling alley and a club with accommodation. Had the floatel come up, conditions at Carter Road would have deteriorated significantly since parking provisions for over 200 vehicles, taxis and autorickshaws would have had to be made. It would have been difficult to stop ancillary developments, unauthorised encroachments of stalls and shops and the spread of litter and plastic bags etc on the waterfront. The environmental damage on account of this development would have been irreversible.⁴⁰

The developers managed to secure the Collector's permission to build a temporary road to

the ship on the pretext of removing the residual oil from it. But, in violation of the rules of the CRZ, the owner proceeded with landfilling and building a road from Carter Road to the ship's site.

Noticing the rubble being dumped in the sea, environmentally conscious local citizens' groups protested. Although the permission for the construction of a temporary pathway for removing residual oil from the ship was ostensibly granted by the Suburban District Collector, the residents realised that the landfilling and road construction could have been permanent and disturbed the tidal movement along the shore. It could also have destroyed the mangroves. Following the protest, the order to build the temporary road was revoked by the Mumbai Suburban District Collector.⁴¹ But even after this construction continued.

The Bandra West Residents' Association (BWRA), formed in 1988, protested against the road. Public action followed: the residents, led by Meena Menon, an activist, and Das of the Mumbai Nagrik Vikas Manch, a united forum of various NGOs, blocked Carter Road, gheraoed the transport contractor and stopped the bulldozers. The owner of Rashmi Developers, Raj Pradhan, arrived at the site and a heated argument followed. The residents refused to move and the police intervened. After a prolonged discussion it was agreed that the work would not continue until the Suburban District Collector certified that the road was temporary. In spite of this agreement the construction work continued.⁴²

A petition was then filed by residents in the High Court. The court granted a stay on construction. The order stated that the vessel Zehn Don would have to be scrapped, broken into pieces in situ and removed. The temporary pathway would be built

only to facilitate the removal of sludge collected from the ship and it would be dismantled thereafter. The entire operation would be done without causing degradation to the area.

This was a great victory for the residents. It was a matter of concern that the Maharashtra Tourism Development Corporation had even given a provisional approval for this scheme. Had this venture been permitted it would have set a precedent for private promoters to buy old ships and turn them into commercial ventures along the coastline.⁴³ It also once again exposed the nexus between unscrupulous developers and the authorities.

In 1992, after the communal riots in Mumbai, citizens formed a Mohalla Committee to ensure peace and harmony in the neighbourhood. Since Bandra was, by and large, a peaceful area, the committee members took over other responsibilities, such as the protection of the coastal landscape. To halt its degeneration and the abuse of the seafront, the Bandra Bandstand Residents' Association (BBRA) was formed in 1996.

The fort and hill had long been vandalised by film units precisely because of its spectacular location, though the fort had been classified as a Grade I heritage monument, protected under the Maharashtra Ancient Monuments and Archaeological Sites and Remains Act of 1958, and under the state Department of Archaeology. In 1996 the precinct of the fort was used as the setting for a play, *The Legend of Rama*, directed by Amir Raza Hussain, and the rubble from the sets was dumped in front of the monument. The action was challenged by residents in the High Court. The court allowed the play to be staged but with an undertaking from the organisers, that the debris would be removed. Expectedly, the debris was not removed. This

created such an ugly sight that the media, along with some important citizens of Mumbai, took up the issue. Ultimately, the residents, led by Arup Sarbadhikary, pursued the matter in the courts and got the organisers to remove the debris and clean up the surroundings of the fort.⁴⁴

The builders of Regent Hotel had dug large parts of the hill and vandalised the slope to build a landscaped garden. This was also stopped by the local residents who took the matter to the police. Encroachments and dumping of debris and garbage from all parts of the city had caused the degradation of the coastal area at Bandra. The BMC had also been a party to this. In 1997, the BMC had callously dumped slabs of asphalt and tar debris from the repair of Linking Road in front of the fort. Since the fort is on the coastline, which is protected by the CRZ, the BMC was also responsible for violation of the regulation.⁴⁵

The presence of people making and selling illicit liquor in distilleries hidden in the mangroves made the Carter Road waterfront inhospitable and unsafe for the public. A major problem facing the residents was the growth of illegal constructions along the coastline. Plots for over 7,000 unauthorised huts were marked by slum dwellers on a stretch of 1.8 km of land filled by a slumlord, along the coast of Carter Road.⁴⁶

More than 1,000 people made markings for their huts on the marshy land. The land that the encroachers planned to occupy was a long strip adjoining the sea and owned by the government.⁴⁷ Slum dwellers who were evicted from their original habitation, and located within a distance of 500 m from the rail tracks on the central and western railway, had found this place convenient, since, except for a few mangroves, the entire coast was

vacant. But neither the slumlord nor the prospective occupants were bothered about the fact that the shanties they intended to construct would have been within the high tide range. The slum dwellers claimed that a member of Parliament had given them permission to build their hutments there.⁴⁸ The encroachment was stopped by the timely intervention of the residents.

In another case of land grab, a builder had laid the foundation for a building on the coastline adjacent to Chimbai Road. The residents protested strongly. The builder threatened them with dire consequences if they called the police. But the residents called the Additional Commissioner of Police (North West), who sent in a demolition squad. The residents lodged a formal complaint with the Suburban Collector since the land came under his jurisdiction. The Collector denied having given permission for construction of the building. His office, had, in fact given *pautis* (receipts) only to fishermen to use the coastline for drying fish and nets. But the builder had wheedled the *pautis* out of them and was using them as a kind of permission to carry out his plan. It was a clear case of the builder engaging in an illegal activity which was thwarted by a vigilant public. Even so, the coastline near Chimbai Road was dotted with illegal constructions and it provided shelter to criminal elements, including those engaged in the sale of illicit liquor.⁴⁹

Arup Sarbadhikary describes the severe deterioration which was taking place on the waterfront at Bandstand and Carter Road, "The sea wall at the edge of the road had been demolished and rampant dumping of debris and garbage in the sea continued. This was being done under the guise of filling up the land for the 120 feet relief road, which was shown in the DP. Many of the quaint villages

around Carter Road had also vanished by the '90s and were deleted from the Heritage List under pressure from builders. The entire northern part of Carter Road had become a debris dump like Bandstand, and huts and shops started advancing menacingly from both ends."⁵⁰

Although the vigilant citizenry of Bandra had succeeded partially in protecting their waterfront, stretching from the fort to the Danda fishing village, from appropriation by builders, government agencies and criminal elements, the coastline still remained out of bounds to the general public. Their activism to protect the seafront from environmental degradation and social degeneration found a solution in the master plan, drawn up by Das, for the development of the entire coastline of Mumbai. This design provides the basic vision and model for the protection and redevelopment of over 4 km of the seafront and the construction of the promenades along with the restoration of Land's End.

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Popularising the Waterfront

In 1997, Das presented his report, titled Preliminary Survey of Restoration of Mumbai's Waterfronts, based on a survey of the western waterfronts of Mumbai, at a meeting organised by the Mumbai Nagrik Vikas Manch. This is a forum of various NGOs — Nivara Hakk Suraksha Samiti, Bombay Environmental Action Group, Youth for Unity and Voluntary Action, Society for Promotion of Area Resource Centre, Girni Kamgar Sangharsh Samiti, Moragaon Mangela Koli Samaj and Human Rights Law Network — united for the purpose of addressing issues related to Mumbai's development and planning. This meeting was organised to invite participation of various residents' associations representing people from Shivaji Park, Bandra Bandstand, Carter Road, Juhu and Versova and also some senior bureaucrats and concerned citizens.

The report outlined the master plan to restore the natural beauty of the seafronts in a creative but practical manner, to work within the existing reality, and to solve key problems through simple, modest design solutions. The proposed design also created momentum for positive change through people's participation. It concerned itself with the phased rejuvenation of three types of waterfront areas, public spaces like beaches and waterfront promenades; old settlements, such as fishing villages; and the seaside heritage precincts of Worli, Mahim, Bandra and Vasai forts.¹ The larger objective of the master plan was to initiate a movement for the restoration and development of Mumbai's public spaces, and the waterfront, in particular.

The proposed ideas and designs were uncomplicated and no major construction on these waterfronts was advocated. Instead, the task was to halt the abuse of the waterfronts; and reallocate spaces and activities with minimum restructuring.

Most importantly, the underlying philosophy of the master plan was that the waterfronts should remain the collective asset of the citizens, and a vital, vibrant element of the city's environmental and social fabric.

The Bandstand and Carter Road waterfronts were also studied as part of the survey. The plan and design for the redevelopment of the seafront at Bandra was neither drawn up formally by a single, private agency nor was it imposed on the people as is the case in many development projects. Ideas and design guidelines of the preliminary plan were presented to the residents of Bandra who evinced much interest. Though the preliminary plan was prepared by Das, it evolved into a complete one through the participation of the residents. Parts of the plan were, in fact, discussed at the waterfront itself.

Suggestions, such as the construction of a jogging track and parks, were discussed and dropped. The principle agreed upon was to provide unrestricted access to the people for walking or sitting and to organise social and cultural activities. Most importantly, it was meant to fulfil the larger goal of enhancement of community spirit and public participation in preserving the waterfront. The contours of the design for the promenade were fixed, keeping in mind the natural environment and public opinion. A study of the topography of Bandra's waterfront, especially the rocks and mangroves, was also undertaken.

These ideas were then collated into a cohesive single plan that included participation of the people for whom it was designed. The final plan made provisions for an open-air stage for cultural performances and for steps leading to the rocks to enable people to interact with others and experience the majesty of the sea. The design maintained



A smart example: Carter Road Promenade, Bandra, is the outcome of a comprehensive waterfront development plan



*Before the makeover,
the Bandra Bandstand coastline
was a litter-strewn eyesore*

the natural contours of the waterfront. Low walls, bordering the promenade, further ensured openness and easy access.

The BBRA approved the plan, incorporated its own suggestions and forwarded it to the BMC and the Collector. The BBRA got actively involved in the project. After a great deal of effort a sponsor was found; Shabana Azmi, a socially concerned actor and Rajya Sabha Member of Parliament (MP), allotted Rs 1 crore under the Member of Parliament Local Area Development (MPLAD) scheme. We recount the story of how the promenades have changed the lives of the residents in the suburb. More importantly, we explore the example of the promenade as a site of citizens' democratic participation in decisions regarding the development of their neighbourhoods.

The making of the promenades

The enthusiastic residents decided not to wait for permissions from the apathetic authorities and commenced work on the promenades in 1999. Even after the permissions were obtained from the BMC and Collector, the road department issued a stop order, stating that the seaside was reserved for a highway as per the old DP. This obstacle was overcome after clearance was given by the Additional Municipal Commissioner of Western suburbs, and also by top Maharashtra State Road Development Corporation (MSRDC) officials.

When the work started, there were encroachments and a huge open garbage yard at the southernmost end. Construction was taken up northwards and the one-km stretch of the promenade up to St Andrew's Church was completed without waiting for the encroachments to be removed on the southern side. However, when the major portion of the promenade



Gone to waste: debris mars the Bandra Bandstand area

was constructed, the encroachers co-operated after a series of dialogues and vacated the unauthorised occupations.

As the promenade slowly wound its way, hugging the sea for more than 1.5 km, more and more people came to first see and then enjoy the space hitherto lost to them. Several residents contributed in diverse ways to make the promenade a reality. Take Pheroza Seervai, "who never returned empty-handed from a government office, always managing to extract the necessary permissions"; Salim Khan, who "generously gave a large sum of money and got donations from responsive Bollywood stars"; the soft-spoken Khorshed Gandhi, "who was always at the forefront of a signature campaign of protest."²



*Before development:
illegal dumping and
land-filled area along the
Bandra Bandstand waterfront*



*Walking away: the Bandstand
promenade and garden*



A popular waterfront, the Bandra Band-stand Promenade

Residents also acknowledge the helpful and sympathetic attitude of some officials, such as S. J Kunte, Additional Municipal Commissioner, without whom the project would have taken much longer to complete.

Exactly a year later, in May 2000, the Bandstand Promenade was inaugurated with lots of fanfare and the Naval Police Band in performance. The residents were so enthused that they formed the Bandra Bandstand Residents' Trust (BBRT) and entered into agreements with the BMC to maintain the promenade. Their long-term objectives were to ensure its use as a free facility for the public. They were also concerned about maintaining the gardens, and providing security against encroachments and criminal elements, raising environmental awareness and conducting cultural events for all age groups to foster neighbourhood solidarity.

The trust constituted seven trustees and six committee members. They held regular meetings on

issues relating to administration, fund-raising and organising programmes. At present, the maintenance cost incurred by BBRT is approximately Rs 30,000 a month. This amount is to be collected from the 150 buildings in the neighbourhood by appealing to these societies to contribute Rs 20 per apartment per month. This is to promote collective ownership of the public space and create awareness about preserving the environment. Although raising funds has not been easy, the participation of people has been very encouraging. The trust also entered into agreements with some corporates, one of them being US Vitamins, which maintains a children's garden and amphitheatre.

While the promenade was being developed, Lokhandwalla Builders tried to take over the Land's End hill under the pretext of making a garden and jogging track. The builders secured permission to "beautify" the ancient Bandra fort and applied to the Heritage Committee of the BMC to take over the remaining portion of the hill to convert into a garden. They cut huge chunks of the hill near the Bandra fort to create a waterfall. The builders sought to privatise the space for the Regent Hotel and its guests and thus prevent access to common people and residents. Every attempt by the builders was foiled by the citizens' association, which filed police cases.

Realising the dangers of losing this space, the BBRT also applied to the BMC for preserving and maintaining Land's End. The Lokhandwalla Builders' proposal was, however, rejected by the Heritage Committee as it was more like a five-star hotel's landscaped garden than one for the general public. The Heritage Committee gave clear guidelines to develop a garden more like natural woods, with a large number of palm trees, and minimal change to

Palm trees at Land's End Hill before 1970





the original topographical features.³

Recognising the efforts of the citizens in successfully managing the popular promenade, the BMC finally allotted Land's End to BBRT for restoration in 2002. The hill and the area between Hotel Sea Rock and the fort on the seaside was to be developed according to plans prepared by Das and again funded by Shabana Azmi, under the MPLAD scheme.

Citizens had been struggling since the '70s to protect this open space. Their activism was finally successful in safeguarding the hill from further degradation and construction. In the first phase the BBRT has replaced the greenery of the much-ravaged hill. Its contours have been restored by terracing the earth and developing a 1000-seat

amphitheatre, with a stage below the existing palm trees. Its restoration has not only led to the conservation of the hill but added value to the open space by providing a platform that fosters community spirit. In 2004 the fort was also given to the BBRT by the State Department of Archaeology and Museums to protect and maintain.

Thus, practically the entire coastline at Bandra Bandstand, starting from St Andrew's Church to the tip of Land's End, where the Bandra Fort is located, has been taken by the BBRT to protect as a wonderful space under community control, for the benefit of the people. In both the Bandstand and Carter Road promenades, the public has free access. Visitors enjoy a stroll, sit on the benches, hold short

Land grab in the Bandra fort precinct - the struggle to stop the construction of a five star hotel at Land's End lasted for 15 years. The residents efforts to protect this green zone from real estate aggression was particularly lost but remaining hill was regained and the hotel site restricted.



*A still moment: public gardens at Bandra
Land's End waterfront after development*



An amphitheatre built on Land's End Hill as part of the redevelopment plan

programmes on the hill and enjoy sweeping views of Worli and Mahim Bay. Several music and theatre programmes have already been held here, and been greatly appreciated.

The promenade at Carter Road has had a different history from that of the Bandstand. In fact, it was the BMC that conceived of a project for developing a promenade at Carter Road around 1991, like the one at Marine Drive and Worli seaface, and started dumping debris along the coastline for its construction. The residents of the area opposed the project as the design did not follow natural contours and would destroy mangroves. They took the matter to court and the BMC lost the case. Meanwhile, the funds for the promenade were reallocated and it was left partly constructed. The BMC only completed the first 200-m stretch, adjoining the Otters Club.

Nothing happened till Shabana Azmi and Das stepped in after having successfully launched the Bandstand project. The development of the promenade found a new lease of life as the BWRA took up the work. There were hurdles, such as obtaining permissions from various government agencies. The BMC took its time to grant a No Objection Certificate. While the requisite agreement was entered into with the BMC, the BWRA found that the Law Department of the BMC would add new clauses to the original agreement and delayed the process for several months. Roshan Dabhoiwala, treasurer of BWRA, and an old resident of Carter Road, says without hesitation, "It is in spite of the BMC that the promenade has come up, not because of it." The permission of the Suburban District Collector and the Maharashtra Maritime Board was obtained after a long period of chasing the officials.

This was only the beginning, they found. As

D'Monte observes, the seniormost officials — the Additional Municipal Commissioners, the ward officers, now redesignated Assistant Municipal Commissioners — were most cooperative and always ready to iron out problems. "However, lower down the line, the BMC officials harassed volunteers — taking literally years to give permissions (even after work was nearly completed) and raising absurd objections. It would be too charitable to put this down to conventional bureaucracy: in all probability, this intervention by citizens challenged the arrangements that officials from the BMC to the police maintain with regards to commissions on permissions, *haftas* from hawkers, and other such illegal payments. The Maharashtra Maritime Board, whose jurisdiction and authority to intervene in many of the construction projects on the promenades is itself in question, has been most intransigent in this regard. Citizens have, on occasion, had to remind the authorities that they were doing their work for them, at their own time and labour, and did not deserve to be harassed in this manner." A major part of the problem, according to D'Monte, arose from the withholding of information by the authorities. Instead of cooperating with the associations, most of the time they stubbornly held on to facts which could have benefited the citizens' groups. On two occasions subsequently, the BWRA was compelled to seek information on the promenade under the Right to Information Act.

The permission for the construction, development and maintenance of the Carter Road promenade was finally granted to the BWRA in 1999 by the BMC. By then, the work on the promenade had advanced considerably. Shabana Azmi contributed a generous sum of Rs 1 crore under the MPLAD scheme. Corporate sponsorship of Rs 22-25 lakh



came from Marico Industries for greening the promenades with palms. Once construction began, there were other problems: encroachments, illicit liquor distillation, dumping of construction debris and garbage in the mangroves and along the seafront. The police busted some illicit liquor units, nestling in the thick mangroves off Carter Road. A number of garbage bins placed along the promenade also proved to be a nuisance. Residents argued that the garbage dumped in these bins came from the villages off Carter Road, while most buildings in the area sent their garbage directly to the collection vans. Plots for construction of illegal shanties, marked along the waterfront while the promenade was under construction, were removed after the intervention of the residents along with Shabana Azmi and Das.

The restored and restructured 1.3-km-long Carter Road promenade was officially opened to the public in January 2002 with a carnival. There was a series of cultural events, leading to a grand concert. Around 20,000 people took part in these celebrations and demonstrated their joy in participating in a truly public project, which was open to everyone without

any fee or restriction.

The promenade offers a paved pathway along the coast with palm plantations, a children's park and a pet park. Over 70 sq m of garden along the promenade is sponsored by Marico Industries. Harsh Mariwalla, chairman and managing director, took a personal interest in the scheme to sponsor and develop these areas. The 40 different types of palms on the promenade will eventually form a kind of museum. Marico has launched a pilot project to regenerate the mangroves along the coast and also sponsored activities on the open-air stage at the northern end of the Carter Road promenade.

There are regular cultural, educational and entertainment programmes, including tai-chi and yoga. A specially designated "pet park" has been created on the seashore to accommodate walkers with dogs and other pets. To date, Marico Industries has spent over Rs 25 lakh on the project, including providing special lighting for the mangroves at the edge of the promenade every night. The Union Bank and Development Credit Bank have provided security cabins. Proctor & Gamble and Hitachi provide funds every month for the security and

Carter road seafront before development - dumping and the abuse of mangroves.



Carter Road Promenade



*Carter road
promenade and the
mangroves
conservation.*

cleanliness of the promenade. "The object is to give something back to society and to play the role of a responsible corporate house," says Harsh Mariwalla.⁴

D'Monte considers this a unique project in this country as it has brought together diverse elements: citizens' groups, a public-minded MP, dedicated and creative architects and corporate sponsors. The project is a laudable attempt to beautify the coast and make it available to citizens for recreation. "Though Mumbai is a coastal city, we have turned our backs to the sea," he adds as a reminder.

The development of the seafront at Bandstand and Carter Road has provided an alternative to the

majority of the middle and lower income groups who have very little opportunity for leisure and relaxation in a city where more and more facilities and space are being privatised. Exclusive projects such as multiplexes, clubs and malls are fast robbing the public of its open space.

The promenades have made a significant difference in the outlook of the people living in the area. There is a decline in anti-social activities, earlier so rampant on the seafront in Bandra. The residents can now use a space that rightfully belongs to them. The fact that there is no entrance fee, as in Joggers' Park, which preceded the promenades, makes a critical difference. Joggers'

Park was the creation of one of Bandra's celebrated sports masters, the late Oliver Andrade, who coaxed the Lokhandwalla Builders to fund this park on the seafront.⁵ It is extremely popular and regularly frequented by health enthusiasts, but entry is restricted.

In contrast, the promenades allow free access to everyone. They have also contributed to developing better social interaction and civic sense in the people. The young, who might otherwise have spent their evenings pub-hopping, have found a better way to spend their time. Women have an opportunity here to spend some leisure time, have the option of meeting friends or avail of some solitude or be an active part of a public sphere. The gender dimension is relevant: there is virtually no other public or private space—including theatres and restaurants—which women can visit alone. Children run and play, space for which is so limited in a crowded city like Mumbai. Young romantic couples frequent it too. As for the health-conscious, there is ample space for jogging and workouts. This is a public space that has restored safety, respectability and dignity to all those who come here.

It has also given a new meaning to people's attitude to public space, which they now perceive as their own. What was, for several years, the backyard of filth and anti-social activity, is now quite a social and cultural hub. The poor and homeless rub shoulders with the ultra-rich. One can see a new sense of pride on the faces of people, particularly those who live here.

Free access to these promenades may seem to suggest that this is a large unguarded public space; in reality it is not so. The seafronts are under the constant vigil of residents. People in the immediate neighbourhoods have come together to

form citizens' associations, and they have ensured a high standard of maintenance. They meet regularly to discuss all matters that affect the space and their neighbourhood. Those who use it, do not, generally litter the place or break the rules. People share the responsibility of keeping the place clean.

This is an important beginning for citizens' participation in decision-making and for control over development programmes that affect their lives. Learning to work together for the general good and taking collective decisions is an important part of the democratic ethos. It is significant that the middle and upper classes, most of whom generally function in an individualised and isolated fashion, have come together here.

Popularising the waterfront

The following responses from a cross-section of people are testimony to the popularity of the Bandstand promenade. A group of elderly women who come for regular walks feel that the promenade is "the best thing that could have happened to the locality". They have been attending functions here and found them enormously appealing. They feel that the promenade has enhanced community feeling. Another elderly woman observes, "The promenade was badly needed. It has made people more outgoing and health-conscious. The handicapped feel safe here as no cyclists are allowed."

A young girl of about 25 finds the place "beautiful and safe". The rules, according to her, are the best thing about the promenade and they are well followed. Because of the development "there is a demarcation between the road and the shore and people can use it more effectively". It has had a good effect on community life since the promenade



*A popular cultural venue
- the Bandra Land's End
amphitheatre*



*'Celebrate Bandra' -
Cultural shows during
the Bandra Festival*



*Paying homage to local flavours:
Cultural performance at the Land's End.*



Music on the Carter Road promenade

is a meeting place for people of all age groups. Her only complaint is that the ground paving is uneven in places and unsuitable for serious joggers.

Two washerwomen had another grievance. They said that they had been using the seafront to wash clothes for the last 30 years ever since their families migrated from Hyderabad. As a result of the recent development, they were not allowed to spread their washing on the promenade any more. "No one said anything to us before, but now we are asked to wind up by 4 pm. Only four or five families are left as the rest have returned to their native place."

Two nuns from Bandra, who get free time to

walk only on Sunday evenings, find the promenade to be a "blessing" since "the road was unsuitable for walks before the development". An elderly Indian couple settled in Essex, and currently visiting India, found the promenade "marvellous". The lady who is in India to convalesce, finds the seafront particularly salubrious. They find the promenade well maintained at present and hope that it continues to be so. "People in India as compared to people in the United Kingdom lack civic sense. We noticed a well-to-do lady throwing litter on the road from her car. It is good that the promenade is well guarded and it is accessible to all classes," they said. A middle-aged engineer from Delhi, who was sitting



Children have their space too at the Bandra Carter Road promenade

alone on the steps and gazing at the setting sun, found the promenade "peaceful and comfortable". He said, "I have been to other public places in Mumbai but I prefer the promenade as Marine Drive is too crowded and impersonal and Juhu too sandy."

A group of five high-spirited young men, mechanics by profession, said that they used to come here even before the development of the promenade. "At that time," they said, "we could

bring bottles of liquor." Similarly, a middle-aged Koli couple finds the promenade at Carter Road "nice". They use it for walks, and several people from their community do so too, they observe.

An elderly man from Bandra observes, "After the development of the promenade more people have started walking since more space is available. But the mangroves around the area are not clean. They stink. But I realise that the cost of cleaning them is too much." Another elderly man commented, "The area had sand and pebbles and it was not possible to walk here before the development. Most people have stopped going to the Joggers' Park as one has to walk round and round, whereas on the promenade one can walk straight and the entire stretch of sea is visible here." Several elderly women and young girls find the promenade "safe and can be visited even at twelve in the night".

Community spirit best manifested itself in the two-week long **"Celebrate Bandra"** festival held during November 15-30, 2003. There was a range of venues, Land's End, Bandstand, Carter Road and the Reclamation promenades, public gardens, schools and colleges, community halls and street corners. The events included music concerts, a skating rally, a tour down Bandra's heritage lanes, a treasure hunt, road races, a French fusion, formal jazz concert, art exhibitions and dance performances. Other talents showcased were to do with literature, art, music, sports, cuisine, dance and theatre. Columnist Anil Dharker wrote, "The best thing about the Bandra Festival is that it's a citizens' initiative, conceptualised and put together by individuals who live in the suburb and citizens' groups which operate from there..... On the day Mukta performed —brilliantly, let me add—the audience was packed not only up to the very last row, people were

even sitting on the rocks and walls abutting the amphitheatre. These, presumably, weren't people who were invited, thus by their unsolicited presence, making this a real 'people's festival.'⁶ The success of the Bandra waterfronts redevelopment project is also, in a small way, reflected in the several awards it has received, including the prestigious Deutsche Bank Urban Age Award in 2007 and Clearwater Citizens' Award by the Waterfront Centre, USA, 2002.

Issues arising from Bandra's experience

The success of the Bandstand and Carter Road projects throws up a number of larger issues pertaining to the promotion of an all-inclusive planning and design process with citizens' participation. One must reflect on the role of the architect and other professionals in planning and development for the public interest. The support lent by professionals to such movements is often very inadequate. They are trained to work with clients or patrons and seldom with collectives such as citizens' associations.

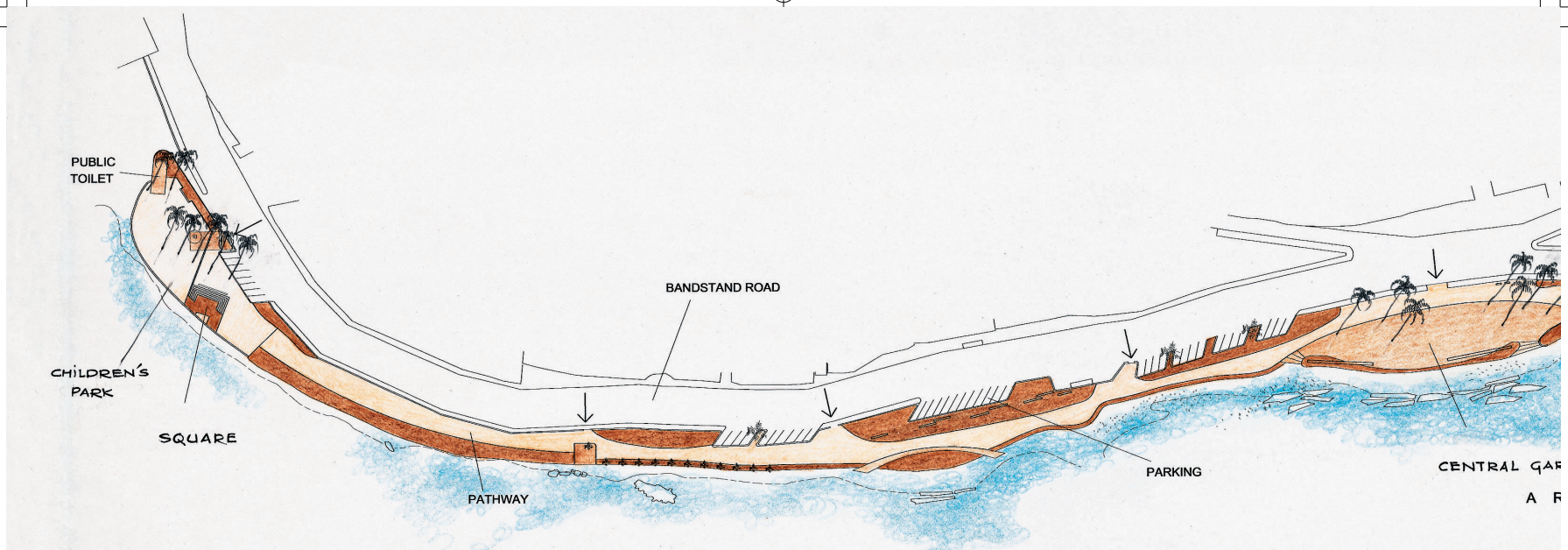
Much of the time there is a barrier between the professional, who prepares the design and the plan, the agency involved in implementing it and the people whom it benefits. The people and their needs are seldom taken into account by the professional in the design prepared for projects of public interest. In Bandra, a very different process emerged. An initial design prepared by Das was used to stimulate citizens' interest. People then began to understand the different social dimensions of the project — the way it would change their lives — and wanted to get involved. Regular discussions gave the process momentum.

This process, whereby a design evolves as a

result of people's participation, is extremely important. It is also important, in our view, for an architect to realise the significance of strengthening citizens' movements with planning and design ideas and translating their needs and demands to forms of spaces and structures. The architect, therefore, needs to undertake a larger responsibility — to play the role of an activist and to relate design with larger and more important factors of social and political importance. It is only in this way that the initial design ideas, possibly shaped by individual fancies and limited design objectives, will take firm root in the social and cultural framework of popular demands.

Wolf Von Eckardt, an art and architecture critic for the *Washington Post* and author of several books on architecture, city planning and design, in a hard-hitting criticism of city planning, states "Logic would seem to dictate that we first attempt to find out just what people's needs and interests are. That is urban research. Secondly, we would figure out how to accommodate reasonably these needs and interests in a given space and time. That is urban planning. And thirdly, we would seek to translate these arrangements into physical structures so that they have the desired effect. That is urban design. The three are obviously closely related and would modify each other in a creative give-and-take up and down the line. Unfortunately, this simple and logical sequence more often than not eludes what American city planners so fondly call 'the planning process'."⁷

Significantly, professionals from various fields brought their expertise to the Bandra project. Architects, conservationists, engineers, environmentalists, historians and sociologists have been involved in its planning and the management. One



*Sketch plan of the Bandra
Band-stand waterfronts
development*

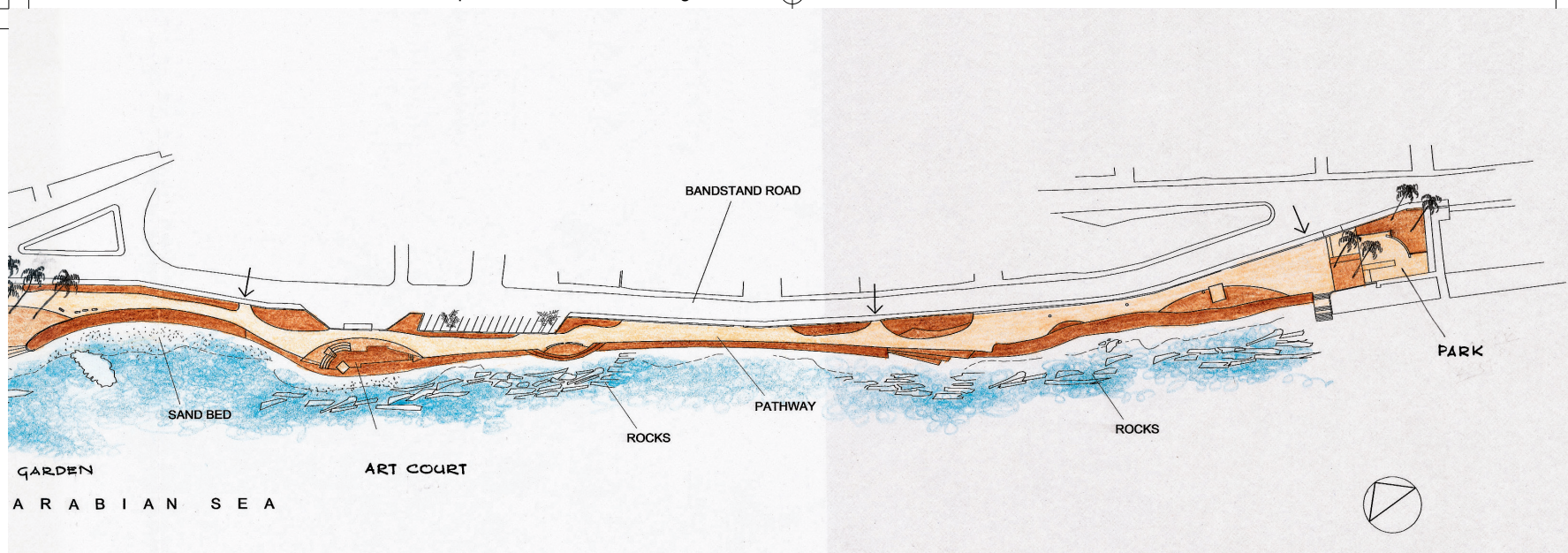
of the reasons for the success of the projects in Bandra can, to a large extent, be attributed to the dialogue and understanding between the professionals and the active community while evolving a dynamic practice for its implementation.

The design that evolved in this manner represented diverse voices and interests. The process was essentially democratic in character. Different classes, communities, age groups could be accommodated. Both at Bandra Bandstand and Carter Road, people — not only of different age groups but also from different communities and classes — including fisherfolk and slum dwellers, share space with the middle and upper classes. In this sense, one could argue that a successful public space is truly democratic with room for dialogue and shared living. As journalist Gunvanthi Balaram writes, "Indeed, last Sunday...the CEO of a big company and a film star went jogging past a group of Koli women from the local fishing village, who were sitting and gossiping away at the Carter Road promenade. It was a wonderful, telling moment to capture."⁸

Needless to say, projects initiated by ordinary people always need financial support. Our experience shows that it is almost impossible to get sponsorship in the early stages of a project launched in this manner collectively by local residents. The financiers often doubt its seriousness, unsure whether it will

take off at all. In the case of both the Bandra projects, financial assistance from private sponsors came only after the major part of the work was executed and its success was much publicised in the newspapers. The successful implementation of the project instilled confidence, not only in the prospective sponsors but also in the various government agencies. The sponsoring agencies also found a new opportunity to advertise and popularise their names, brands and products. Such collaborative efforts have achieved substantial recognition, and are now being considered as a model for management and maintenance of public spaces in Mumbai. People in the city are aware and have experienced the danger of arrangements whereby the government or the BMC has allowed individual sponsors to take charge of public spaces in Mumbai, which has resulted in their misuse and misappropriation. Often, these contracts are violated and public access restricted. In most such cases, the one common feature is that there is no participation by the public.

What is notable in this instance is that private sponsors have entered into an agreement with local residents' associations, thereby ensuring larger collective control. In both instances, the BMC and the government have given primary responsibility to the associations to maintain the area with publicly mobilised funds. Thus fund-raising becomes part of



a democratic process and expands the support base as well. The associations also generate their own funds by organising various cultural and social activities.

The Bandra experiment was also possible largely due to the financial support provided by Shabana Azmi under her MPLAD scheme. For Azmi, it was her personal commitment to restore the city's cosmopolitanism, which had been damaged after the riots following the demolition of the Babri Masjid in 1992. Regeneration of public spaces was one way to ensure better intermingling and integration of communities. "Creating awareness about the degradation and disappearance of public open spaces in Mumbai," Azmi says, "is my way of repaying this city which has given me so much."⁹

Azmi's commitment to the project comes from her social consciousness, which is reflected in her association as an activist with the Nivara Hakk Suraksha Samiti, an NGO. Besides, as she herself explains, the MPLAD fund has been used for the building of community houses and hospitals but never for the development of public open spaces. Most of the MPs, particularly the MPs of the Lok Sabha, prefer to spend the money only in their constituency because they want to be seen to be doing something for the people who voted them to power. Since Azmi was a nominated member and did not nurse a constituency, she wanted to use the

money allocated to her for any area in India. She had to persist for three years to obtain the funds for the promenade project, and now more MPs are



*Discussing redevelopment:
Rajya Sabha MP
Shabana Azmi and the
residents of Bandra with
the police*

emulating her example.

More importantly, it was the design prepared by Das, which exemplified the democratic principle, "of inviting greater civic involvement of people as active participants rather than as passive recipients in the whole process," that convinced Azmi about the value of the project. She firmly believes that it has succeeded only because of the active role of Das and the residents' associations in taking the responsibility for implementation. Their perseverance and unwillingness to accept defeat ensured its successful implementation and sustainability.

Admittedly, it is not always possible to get a spirited parliamentarian to provide large funds for projects that have a significant impact on the city's landscape and influence public life. The question, therefore, remains: can local residents raise initial funds for the development and maintenance of public spaces in their area? Demanding funds from local area corporators, MLAs and MPs for collectively controlled projects is part of the struggle for protection and development of public space in Mumbai. How much funds the elected representatives have access to, for what projects, and in what manner they are utilised, is seldom available for public scrutiny. At best, they allocate funds to individual projects. MPs in Mumbai receive Rs 2 crore per year for the development of their respective constituencies. The respective figures for MLAs is Rs 80 lakh and for corporators approximately Rs 20 lakh. The city elects 6 MPs to the Lok Sabha, 34 MLAs and 224 municipal councillors. Besides this, Mumbai also has three or four nominated members of the Rajya Sabha. Sadly, many of these representatives do not have a comprehensive vision of development. Projects are haphazardly drawn up without proper plans and

designs and often contrary to the larger scheme because professionals are seldom consulted.

The funds are rarely used for the benefit of the general public. For example, the report of the Comptroller and Auditor General, 2001, shows that a third of MPLAD funds, which have been available since 1993, is left unspent on an average. The planning commission reveals problems in the nature of works undertaken with the help of these funds. A great deal of money, for example, has been spent on roads and bridges and other projects with an eye on short-term electoral advantages. Needless to state, seldom are people involved in decisions on the utilisation of funds.¹⁰

The Bandra experience highlights that it is possible to raise funds for community projects through contributions made individually or through the co-operative societies. Membership mobilisation drives and regular campaigns help in expanding the base, and in turn, the financial support. Questions of finance are thus connected with a socio-political process for democratisation. Mobilising participation and accountability are thus important aspects of fund-raising for public projects. Since the government and municipal corporation have gradually done away with providing funds for public spaces, particularly open spaces, under the excuse of privatisation of services and public utilities, it is imperative for citizens to intervene and initiate ways of undertaking projects to retain their open spaces.

The other important issues raised by the Bandra project relate to conservation and urban renewal. It must be remembered that the development of the seafront at Bandra Bandstand and Carter Road is not an isolated effort but part of a conservation and renewal policy for the development of existing and

potential public spaces in Mumbai. In this context, conservation is understood to include not just management of public spaces but also democratic values which should be integral to urban planning.

Currently, Mumbai is witnessing a number of initiatives for the protection and preservation of heritage precincts that cover primarily buildings, and some open spaces, too. In fact, most conservation projects are commissioned projects, involving palaces, forts and houses of the rich, not public places. They are also limited by their engagement with meticulous restoration, which is in response to the ruthless demolition and lack of maintenance of old buildings by both the government and the builders. Such conservation efforts, regrettably, fail to incorporate new aspects of social and cultural life or fulfill contemporary social, cultural and economic demands. To only restore is a misunderstanding of conservation; it does not mean merely going back in time as an exercise in nostalgia. While restoration is a highly skilled activity, a broader social philosophy of conservation which recognises the social needs of the community is necessary. And for this to happen it is absolutely necessary to associate conservation with other movements for democratic rights in which people's participation and public engagement are necessary.

Some of the work carried out by citizens' associations in Mumbai, as Rahul Mehrotra, a conservation architect points out, "...addresses this issue of contemporary interpretations, of creating and making accessible public space and, more importantly, animating interstitial spaces in the city and creating thresholds between the many different worlds that exist in the city. In short, engaging with the idea of also simultaneously creating new urban typologies and inventing significance in response to

specific problems."¹¹ Important examples of the participatory-conservation approach initiated by these groups, are the historic Oval Maidan and the Kala Ghoda area in south Mumbai.¹²

New developments, therefore, do not necessarily mean a break with the past and its deep-rooted socio-cultural influences. These issues were carefully discussed in the Bandra project. While introducing a major development plan, conservation of environmental and ecological conditions was sought to be dealt with sensitively. For example, it was recognised that the mangroves all along the Carter Road coastline greatly influenced the contours of the development. Similarly, the interesting rock formations and the peculiar water's edge all along the Bandstand were integrated in the plans for their development.

Questions of conservation were more directly dealt with in the case of Land's End, at Bandra. The development became challenging because the hill at Land's End and the Bandra fort have been declared heritage precincts by the state department of archaeology. While protecting the fort and restoring its surroundings, radically new interventions in many forms were made. A large open-air stage, along with a viewing gallery, built on the hill slope with facilities for social and cultural activities, is one such example. This will not only enable people to come to the hill but will actively ensure their participation in the protection and conservation of this important site, abuse of the place by drug addicts, sex workers, anti-social elements or commercial interests. The introduction of social and cultural activities will help restore the use and dignity of this place and expand its function.

Increased involvement in the promenades has boosted community sense and neighbourhood



*Promenade landscaping
- the Bandra
Bandstand Seafront*

identity. In our view, the most significant aspect of conservation movements is to reinforce the active participation of communities in protecting their local resources. This understanding of conservation stands in sharp contrast to the one that attempts to exclude people from their resources and heritage.

In this context, it is relevant to record the philosophy of people's participation in public projects, developed and introduced by a Scottish ecologist, sociologist, urban planner, Patric Geddes, who first came to Bombay in 1914-15. Geddes believed that in the new period of social and political evolution in which reconstruction of the city was taking place, new ideas of citizenship and a sense of human fellowship and helpfulness would

also emerge. This would express itself in greater participation in the improvement of the city in the long-term interest of enhancement of life of all citizens.¹³ The idea was to involve people in improving their surroundings, thereby influencing the development of the city and its politics.

His respect for tradition led him to argue for better maintenance of resources such as tanks and wells. Rather than see them as a malarial hazard as the sanitary officers were inclined to do, Geddes valued them not only for being an assured source of water but also for having a positive effect on the atmosphere.¹⁴ Speaking of the great Masunda tank of Thane, Geddes strongly recommended its improvement not only as a source of water but as a

water park, a beautiful evening resort for the public. He argued that "any and every water system occasionally goes out of order and is open to accident and injuries of very many kinds, and in these old wells we inherit the ancient policy of life insurance, of a very real kind and one far too valuable to be abandoned."¹⁵

For Surat he proposed that by just planting more trees, cutting a few paths, filling up some unsightly holes, making a few bridges from bamboos and branches, a public park could be developed from the existing *nullahs* (drains). Young boys and girls could be mobilised as civic volunteers in the development of these facilities. No city, he believed, was too poor to undertake such modes of improvement, or to achieve substantial success within half a generation, even without government help.

Elsewhere, he noted with approval, the existence of the tradition of a "floating car", accompanied by a "water festival", with illuminated lanterns in some cities. Instead of filling up tanks at the outbreak of malaria, he advocated the revival of the "water festival", not only because it was the most joyous form of celebration, but also the best way to keep the tanks clean. When properly maintained, he found the temple tanks and city tanks "the very finest and most beautiful of public places and public gardens in the world."¹⁶ He also defended the ceremonial procession of Lord Jaggannath's "car" which had obviously come in for a lot of criticism from the authorities. In it he saw "a civic institution and a festival essentially beneficent". It encouraged the maintenance of good roads, discouraged perpetual encroachment upon streets, and in the collective pull, an admirable form of civic education took place.¹⁷

Geddes was invited by the Maharaja of Indore in 1918 to find ways to improve malaria and plague-

infested conditions in the city. He spread the news that a new kind of pageant and festival would take place on Diwali day. The new festive procession, it was announced, would not follow either the traditional Hindu or Muslim route through the city, but the one along which most houses had been repaired and cleaned. Much house repairing, cleaning and painting was carried out all over Indore. On Diwali day a grand procession took place, symbolising the need and importance of cleanliness in the city. The effect of the exercise was immediately apparent. A new enthusiasm and confidence spread among the people to be clean and beautify their homes and surroundings. The plague came to an end, partly because the city had been cleaned up and partly because the season was over.¹⁸

Meanwhile, the promenades have come about and are here to stay, despite the problems that have arisen. Some fisherfolk, backed by questionable interests and associations, have taken over a small part of the promenade, some dog owners refuse to comply with the rule, prohibiting walking of dogs on it, while a few hawkers have slowly found a way to sell their wares on them.

The major problem facing the Carter Road promenade is that of maintenance and finance. The associations are perennially short of funds. Around Rs 30,000 a month is needed for its maintenance. Though several sponsors have been approached, adequate funds are not forthcoming. During high tide, the sea wall constructed along the promenade gets damaged and even breached in some places.

One way to overcome this, several people have argued, is to charge a small entrance fee. But others say this is a public space, and it is meant for everyone: that charging a fee, however small, would undermine its very *raison d'être*. D'Monte states: "This is the



*A public garden at
Bandra Band-stand
Promenade*

basic difference between a community-led project and one like the Joggers' Park, which is essentially driven by builders."

Drinking and drugs are also prevalent. Police complaints have been lodged to get rid of drug addicts. On weekends a large number of visitors come crowding the place, resulting sometimes in unruly behaviour. Students from a nearby college drive their motorcycles recklessly, disturbing the residents and visitors.

D'Monte raises a more fundamental shortcoming of the projects when he points out that they have not given sufficient thought, from the very inception, to the inclusion of slum settlements and fishing villages.

He elaborates, "Both Bandstand and Carter Road have substantial slum colonies on the seafront and landward side respectively, but their needs have not been incorporated into the project.

"However, difficult — if not impossible and impractical—this might have worked out in the end. On Carter Road, it took another NGO, Reef Watch, concerned with cleaning up the beach front and mangroves, to make contact with the Danda fishing community to ask how they could be drawn into the scheme. It was only when some fisherfolk began to park their boats on the cleared area on the shoreline, designated as a dog park, that BWRA made some overtures to this community. The irony is all the

greater, considering that there is a fishing village—Chimbai—sandwiched between the two promenades and falling victim to rampant conversion of plots for high-rise apartment buildings.”

The BWRA is planning to extend the promenade till Danda, thus increasing its length to 1.5 km, and also develop the area around Otters Club where several illegal stalls have come up. All these plans require permissions from the BMC, the Collector, and the Maharashtra Maritime Board, as the land belongs to it, and for very simple permissions, the association has to approach each one of them.

An application was made to the Maharashtra Maritime Board in May 2002 for permission to undertake four projects along the Carter Road promenade, viz. a pet park, children's park, garden strip and a small garden outside Otters Club. The project is yet to take off as the Maritime Board has not given permission yet, though the Suburban District Collector and BMC have. Bureaucratic red tape continues to impair future projects and further improvements on the promenade.

At Land's End, the BBRT, which was given the Bandra fort for protection and maintenance by the State Department of Archaeology and Museums, soon intends to undertake the urgently required repairs. Constant vigilance, participation, solidarity and maintenance are regular concerns of residents' associations both at Bandstand and Carter Road. Their struggle to maintain collective control and the open and democratic character of the waterfront continues.

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Democratising Public Spaces

The story of Carter Road and Bandstand would be incomplete without a mention of another promenade in Bandra-Reclamation, which has a very different history. It owes its origin to an ambitious government project that sought to link Bandra and Worli across the sea. This called for landfilling, which was carried out by the MSRDC, but far in excess of what was permitted.

In complete neglect of environmental considerations, the construction was undertaken by the state government. The local people were neither consulted nor informed about the project. As a sop for it because it evoked some opposition, a promenade was constructed on illegal landfill. In 2001, Indian People's Tribunal on Environment and Human Rights carried out an enquiry on the project. Their report states, "...not one but several aspects of the Environmental Regulations of the country have been violated. The most important being the non-consultation of the local community and the fact that the condition to hold a public hearing on the project was never complied with."¹ Even vital information was not disclosed to the public. The project was initially stated to cost Rs 350 crore in 1999, and the estimate was then raised to Rs 500 crore in 2000.² According to recent newspaper reports, the project cost has escalated to Rs 1300 crore in 2005.³

The residents of the area have no control over the management and maintenance of the promenade. Referring to the MSRDC, an active member of Bandra Reclamation Area Volunteers Association (BRAVO), an umbrella association of four residents' associations in the area, despairs, "It's like talking to a wall, there is no effort to understand our problems. If the MSRDC wants to do whatever they want with the road and promenade, they should also take responsibility for what happens there."⁴

Anoop Babani, chairperson of the Citizens' Initiative for Bandra Reclamation, one of BRAVO's constituents, formed in 2003, asserts that the poor lighting and seclusion provides a perfect location for nefarious activities.⁵ Several crimes, including murder and robbery, have occurred and reported in the media.

However, two other efforts at redevelopment and protection of the waterfront in Mumbai that deserve mention are Juhu and Versova, where citizens have been particularly active and effective. These two struggles have followed very different trajectories and highlighted different, but important, issues that are integral to efforts for protection of beaches and waterfronts in our city. We will discuss these in some detail.

Juhu beach is over three km in length, the largest beach strip in Mumbai, and the most popular open space along the sea after Marine Drive. Thousands of Mumbaikars use the beach for walks and recreational purposes. It is also an important tourist attraction, a visit to Mumbai being incomplete without a visit to Juhu, famous for its pony rides and popular snacks like bhel-puri, pani-puri etc. But it had been subjected to increasing degradation, pollution and encroachment over the last few decades.

Unlike in Bandra, the struggle in Juhu has been more prolonged and difficult. The residents' associations such as Juhu Citizens' Welfare Group, the Lions Club, the Rotary Club have had to file PILs in the High Court and depend on the court for the requisite permissions for implementation of the redevelopment plan.

The story of Juhu beach goes back to 2000 when Shabana Azmi and Das mooted the idea of redevelopment of the beach under the aegis of the Indian National Trust for Art and Cultural Heritage



Juhu Beach - A popular destination.

(INTACH). With its support, Das carried out extensive studies and made the first proposal, which was published by INTACH. The redevelopment was funded partly by Shabana Azmi, and largely by Hema Malini, both Rajya Sabha MPs, through the MPLAD scheme. The proposal included clearing of encroachments, redevelopment of the beach as well as the eight access paths, and relocation of the hawkers' stalls currently on the main beach. The suggestions were accepted by the various citizens' associations, unified under the Juhu Vikas Manch. Subsequently, several plots on the beach were recovered from encroachers and the members are personally involved in the maintenance of the beach, with little help from the luxury hotels that dot Juhu beach.

The redevelopment, had encountered several obstacles at various levels, including a series of court cases. Given that Juhu beach is under the ownership of various government agencies, any development work has to receive prior sanctions from the state government, BMC and AAI. A major difficulty, for example, was created by the AAI which gave initial approval but later denied having issued a No Objection Certificate.

The opposition from the hawkers' association, led and instigated by short-sighted politicians for their own interests, created further delays. The issue of the right of hawkers and vendors to carry on their trade is an important one. There is certainly a need to protect their rights and recognise their contribution to the city. Besides, planned development can accommodate the interests of different groups. The Juhu redevelopment plan proposed not eviction, but relocation, of hawkers to a specific area along the beach so that they could be part of the comprehensive redevelopment. A 'food court', with

proper drainage, garbage collection, lighting, paving and other facilities was recommended for all 80 licensed stalls occupying the centre of the beach. The hawkers' association initially consented to the scheme, but later changed its stand and filed a review petition, drawing attention to an earlier order sanctioning the scheme in the High Court. This petition was dismissed. It further filed a special leave petition in the Supreme Court, where it was disposed with the direction that the matter be decided by the High Court.

In its final order, however, delivered in 2004, the High Court directed all authorities concerned—the BMC, the Collector of Mumbai, suburban district, and AAI—to initiate action according to Das's plan. The Supreme Court upheld the order of the High Court and the redevelopment of the seafront is now in progress, despite innumerable obstacles.

The politicisation of the issue of redevelopment was witnessed when a petition was filed in the High Court, objecting to the plan on the pretext that the importance of the statue of Shivaji was being diminished by the proposed construction of the food court in front of it. This was a distortion of facts because in the plan, the food court was proposed opposite a public garden which was to be developed in front of the statue and adequate distance was to be maintained between the statue and the court. The High Court dismissed the petition and observed, "...at the moment, the area surrounding the statue is extremely unsanitary and chaotic. Vehicles are parked around and next to the statue. In fact, this position will improve once the scheme is implemented."⁶

The nexus between the property owners, real estate agents and brokers, on the one hand, and the elected representatives is also much clearer in



Sun set on Juhu Beach

the case of Juhu. For example, when, the beach was cleared of encroachments, the owners of properties colluded with slumlords and a few elected representatives to campaign against the plan and even intervened legally to stall it. The rich, who are often opposed to hawkers and encroachments by the poor, chose in this case to make common cause with them only to oppose the plan.

The Juhu experience raises doubts about the credibility and integrity of many of the elected representatives who, in a democratic system, are expected to represent the genuine needs and demands of the public. The experience in Juhu and many other areas of the city has revealed their true

character. There have been recent instances where the local corporators have demanded the abolition of collaboration between citizens' associations and the BMC for development work in their area. The corporators have also argued for dissolution of the Advanced Locality Management (ALM) groups. The idea of ALMs was introduced by the BMC to formalise the participation of residents in decision-making in all matters relating to their area. Their participation has resulted in significant projects, including the protection and development of public space. In Juhu, the ALMs have been at the forefront of beach redevelopment. They have been the main petitioners in the PIL that led to the court order for the

implementation of the plan.

In Versova, the problem of encroachers, slum dwellers, illegal dumping and destruction of mangroves has been the focus of the struggle. After many years of complete degradation of their waterfront, the residents from Seven Bungalows and the surrounding areas of Versova formed the Save Versova Beach Association (SVBA) in 1994 with a view to stop further abuse of the beach.

The slum dwellers of Sagar Kutir, a colony of around 2000 hutments at the edge of the beach, have been extending their boundaries by building more and more huts on the beach. They enjoy the protection of the elected representatives and state agencies, who nurture the colony as a potential vote bank. Usha Kiran, chairperson of the SVBA, asserts that though the encroachments are illegal, they are often sanctioned by the state. The Collector's office initially legalised the huts built before 1986 but subsequently extended it to 1991, 1995 and then finally to 1999.

The other encroachers are builders who carry out massive dumping of debris and cut mangroves. The Society for Clean Environment filed a petition in 1991 in the Mumbai High Court against the government, BMC and the developers, objecting to the illegal constructions on the coast. In 1996, the court ordered a stay on illegal landfilling in the area. Despite this ruling and the CRZ notification, dumping continues.

The SVBA plays an active role in maintaining a vigil over any illegal encroachments and landfilling. The members have, in several instances, brought these activities to the notice of the police and prodded them into taking action. They are also in touch with local fishermen, and are trying to protect their locality from being encroached upon and

destroyed. The association has helped to develop public spaces, such as the Nana Nani Park in Seven Bungalows and Sunset Point Park along the Versova seafront. Sankalp, another residents' association in the area, has undertaken the maintenance of the Dadabhai Naoroji Garden at Seven Bungalows. It has been mobilising the people and increasing their awareness of the civic and environmental issues beleaguering their area. In 1996, a Vishal march, organised by the association, which included several celebrities as well, was instrumental in drawing the attention of the state authorities towards the issues of degradation of the waterfront.

In 2000, the Save Andheri Versova Environment (SAVE) Forum was formed to protect open spaces and the coastline, deal with hawkers and take on the task of conservation and revitalisation of mangroves. The forum approached the MoEF whereupon the state government was directed to protect the mangroves on the coastline. It filed a petition in 2001 in the High Court against the state and central governments, and BMC to remove debris and let the mangroves rejuvenate or plant new ones. The court ruled in favour of the association. The BMC has made trenches for the sea water to enter the mangroves and placed signboards, prohibiting any further encroachments along the beach. However, 50,000 truckloads of debris, which has been dumped over the years, has to be removed and the BMC neither has the money nor the manpower to carry out the task.

The SAVE Forum has put forward a proposal to utilise the debris in the development of a promenade along the coast. The proposed 1.5 km-long promenade has been designed by architect Pankaj Joshi. Permissions have been obtained after overcoming the usual red tape. The coastline is

under the authority of several government agencies, responsible for carrying out different functions. The land is owned by the Collector, the BMC is responsible for maintaining the cleanliness of the beach, and the police for its security. Plans for development of the coastline have to receive sanction from all the authorities, who are adept at passing the buck. It's a constant struggle and though the illegal landfilling has not completely stopped, major dumping has been restricted.⁷

Residents of Powai have also managed to save the beautiful Powai lake from degradation. The lake, which was built by the British in 1890 as an emergency measure to mitigate an anticipated drought, has been a victim of large-scale construction in its vicinity. It has been clogged with debris and polluted by toxic waste from industries, which has proved harmful to the fish in the lake. Thousands of fish were found dead in 1993.⁸ Though more than 1.5 lakh residents have been added to the area over the last 15 years, the BMC has not developed a new sewerage system for this suburb. Thus sewage from the newly developed areas flows directly into the lake.⁹

Water hyacinths are growing wildly in the lake, suffocating the fish, apart from covering the surface area of the lake. Illegal encroachments harmed the serenity and natural beauty of the lake.¹⁰ This artificially created water body would have died a natural death had it not been for the Save Powai Lake Abhiyan, started by citizens, around 1997 to desilt it.¹¹ The residents had started Shramdan to remove the hyacinths with the help of the students and staff of IIT.¹²

Several such examples can be found all over the city where residents have played an active role, with or without the cooperation of the BMC and the police to make their urban environment healthier,

safer and more aesthetically pleasing. In the past, the government and municipal authorities almost never sought community consent for their public projects, but now there is a growing pressure from citizens for inclusion in the management of crucial public areas. It is their right and responsibility to participate in the management of land, water and protection of monuments and all that surrounds them and lends meaning to their life.

...

A somewhat different kind of project for conservation of a public space involving residents and civic agencies is the conservation project for Banganga which began in 1984. The dense construction around the Banganga area showed a complete lack of sensitivity to the historic temple complex, which was originally built by the kings of the Silhara dynasty, which ruled Mumbai from the 9th to 13th centuries. The tank, an important water body fed by a natural fresh water spring, and of great religious significance to pilgrims who "come to offer prayers and cleanse their souls by washing off sins with a dip in this equivalent of the Ganges," was being polluted by pilgrims, immersing food, floral offerings and idols during rituals.¹³ The carelessness of people apart, this remnant of heritage came under threat even from the BMC. Shockingly, the draft DP for 1981-2001 proposed that the tank be filled up and used as a playground by 2001. The final revised DP, however, retained the tank and dismissed the proposal.¹⁴

The conservation project for Banganga was proposed by Harshad Bhatia, urban designer and architect, in 1984. It paved the way for involvement of residents and civic agencies. The residents, led

by Rocky Crasto, a Congress functionary, formed a group in the late '80s, which was responsible for cleaning the tank, removing the silt, repairing the dislodged steps of the ghat and keeping a check on undesirable activities and encroachments. Another Malabar Hill resident was responsible for drawing attention to its historic value and getting it listed as a Maharashtra state protected site.

In 1991, the Municipal Commissioner formed the Banganga Conservation Committee, under which the project commenced with the collective participation of the residents. The committee agreed to the recommendations proposed by Bhatia. Two members of the Banganga Conservation Committee, Sadashiv Gorakshkar (former director of the Prince of Wales Museum) and Anita Garware (chairperson of India Heritage Society), were instrumental in getting sponsors from international banking institutions to fund a music festival organised by the Maharashtra State Tourism Development Corporation.

The voluntary efforts of citizens, the support of officials and the involvement of many professionals have yielded encouraging results. As Bhatia observes, such projects are important not just for "area improvement or neighbourhood development", they also serve the community needs of the city and maintain the traditions embedded within its cultural milieu.¹⁵

The beautification plan of Marine Drive, which aims at making it a hawker-free zone and a "world class tourist attraction", is essentially a government initiative. The redevelopment plan for Marine Drive, drawn by architect Ratan Batliboi, is being implemented by MMRDA. The refurbishment plan includes the strengthening of the sea wall while making provisions for a walking track and

recreational centre.¹⁶

The Association of South Mumbai NGOs, which was founded in 1995, has taken a keen interest in the restoration. Many residents' associations — Nariman Point Association, Nariman Point-Churchgate Citizens' Association, Marine Drive Citizens' Association, Federation of Churchgate Residents and so on — have been independently working for citizens in the area and are collaborating for the restoration of the promenade. They are hopeful of being involved in decision-making.¹⁷ Over the last three decades, citizens' involvement not only with respect to the waterfront but also for the management of open spaces, and for a better quality of urban life, is becoming more and more visible.

...

The increasing deterioration of the urban environment and the laxity on the part of government bodies to check the process, along with a growing sense of people's rights and power, has resulted in the growth of a number of associations and groups. Not only in Mumbai but worldwide, small, informal groups, have been asserting their rights to challenge an indifferent government and demand amenities which enhance their lives. The underlying impulse behind these decentralised, informal, unstructured, non-bureaucratic and spontaneous associations is to work outside the government and sometimes independently of government bodies.

In such a scenario, it is therefore very encouraging that the judiciary has taken a reasonably activist stand, as observed by Shiraz Rustomji, a city lawyer involved in several PILs concerning open spaces and amicus curiae in a few.¹⁸ He believes that, in



The Banganga conservation Committee along with active citizens has been instrumental in preserving this historic temples and water-body precinct



Delayed renovation: work on the Marine Drive promenade took its own time

Mumbai, there is a struggle to preserve open spaces and seldom to create new spaces. Ten years ago, litigants had to focus their objections on illegality and identify the sections of the relevant laws that were being breached, which was often difficult because the real purpose was to emphasise that public interest was being undermined.

The picture, however, changed after the Supreme Court judgment in the Bangalore Medical Trust case, which was a landmark judgment for open spaces.¹⁹ In Bangalore, land designated as a public park was leased by the state government to a private nursing home. This was challenged and the Supreme Court not only pronounced the dereservation illegal but also stated that parks and open spaces are of paramount importance and, further, any citizen in the area who is interested in maintaining the park can do so. The judgment opened up new avenues and also established that the court would judge the action of various agencies concerning the maintenance and development of open spaces against the touchstone of public interest.

The other concept, developed by the Supreme Court and implemented all over the country, is that of public trust, which states that natural environment like land, water, earth, rivers and beaches, are held temporarily by the state as a public trust for the people at large and therefore, cannot be bartered away. This concept originated from former union environment minister Kamal Nath's case: he diverted the course of the Beas river that was flowing past his farm in Kullu-Manali. The Supreme Court issued him contempt notices and fined him Rs 20 lakh. The court also said that damage in such situations has to be compensated for—a useful provision in the case of open spaces and now part of the law of the land.

Taking legal recourse has its shortcomings, of course — enormous delays and the high cost of litigation, and the fact that most judgments relate to upper middle class issues, which do not affect the under-privileged. Nevertheless, the judiciary's outlook has undergone a positive change over the past decade.

Conclusion

To D'Monte, if there is one overwhelming lesson that the Bandra citizens' movements have demonstrated, it is the insistence that all public projects of this kind should be open to public scrutiny. There ought to be a list of schemes, he suggests, in each ward available to anyone submitting a proposal. At the monthly meeting held by the Assistant Municipal Commissioner, these ought to come up for discussion. This would presumably prevent aberrations like the permissions given to create a traffic island for a laughter club near Joggers' Park or turn a public park over to spiritual groups for meditation, also in Bandra.

There are other lessons to be learnt too. While an individual or group initiative is crucial to trigger action, it must crystallise into an association for the action to become effective and sustained. The group must then equally rely on experts, who play an important role in identifying problems and offering possible solutions. Their contribution is critical.

In the final analysis, in spite of our cynicism and lack of faith in the government and the civic and planning agencies, we cannot function independently of them. The ownership of public spaces, and land, in general, must vest with the government, only then will it be available for development for the larger public good. This will ensure collective control of common assets, as people can participate in

making decisions for their development and prevent them from being misused for vested interests, for such uses as shopping centres, malls, clubs and entertainment plazas.

Since the government cannot be absolved of its responsibility, citizens must build up pressure through different means for the effective implementation of creative and useful regulations and the introduction of relevant policies. The police, municipal bodies, planning and development authorities must be pressed to provide support for all kinds of socially beneficial ventures by citizens.

Lastly, experience shows that terms like 'people', 'citizens' and 'communities', generally used in the discourse on popular struggles, movements and initiatives, tend to conceal the conflict of interests within any 'people' or 'community'. People who come together for a purpose may not reflect a singular interest—in fact, most times, they do not. Therefore, in a situation where interests differ, a great deal of caution must be exercised so that the better off, the more influential and outspoken do not hijack a project to serve their own interests, while claiming that it serves the common good.

The interests of the disadvantaged and the marginalised must not be sacrificed to any cause, however enlightened. Many associations face the dilemmas cited by Lois Wille in *Forever Open Clear and Free*: "How to civilise, and yet democratise? How can one incorporate into public space a higher aesthetic while also promoting mass usage and participation? How can public space provide a model of civility if it must be achieved by partisan appeals?"²⁰ One possible way to resolve these dichotomies in our opinion is through strictly observing democratic principles and inculcating a civic sense and responsibility among citizens.

We share the sentiments expressed by Wille, who documents a somewhat similar story of how the people of Chicago struggled to rescue the city's lakefront from abuse and encroachment. Wille writes: "The great struggle for Chicago's lakefront is not over. Contemporary attempts to divert the lakefront to commercial or private use are unrelenting. Those, like myself, who would defend or extend this parkland are an embattled minority who often find themselves trapped in a rhetoric that juxtaposes elitism to popular usage or economic development to urban refuge."²¹

The residents of Bandra, Juhu, Versova and future generations must be ready for an unrelenting struggle against the forces of so-called development and destructive ventures and take the responsibility for maintaining high aesthetic standards of beauty and social responsibility for all public spaces. Lewis Mumford in *The Highway and the City* says: "Perhaps the best reason for bringing out this book now is that it may still further widen the circle of public discussion, and thus prepare the ground for a more humane order of building and living than that which a money-centred and power-intoxicated economy has seen fit to impose."²² It is this concern with humane architecture and democratic functioning that underpins our struggle to beautify and humanise the landscape of Mumbai. As Zillah Eisenstein, Professor of Politics at Ithaca College, and activist, observes, "Democracy thrives in the open public spaces when body and mind can be exercised." All over the world, waterfront regeneration is successfully carried out with significant community impact. We must become a part of this truly global movement.

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18. Shiraz Rustomji is a conscientious lawyer, sensitive to issues of public interest, and has represented the struggles of the residents' association in Juhu by filing a PIL in the Mumbai High Court. Subsequently he also represented the petitioners in the Supreme Court when the High Court order was challenged by vested interests. His belief and commitment to protecting public spaces in Mumbai helped him to represent the matter and to obtain favourable orders.

19. The Supreme Court in its judgement observed, "Public park as a place reserved for beauty and recreation was developed in 19th and 20th century and is associated with growth of the concept of equality and recognition of importance of common man. Earlier it was a prerogative of the aristocracy and the affluent as a result of royal grant or as a place reserved for private pleasure. Free and healthy air in beautiful surroundings was privilege of few. But now is a 'gift from people to themselves'. Its importance has multiplied

with emphasis on environment and pollution. In modern planning and development it occupies an important place in social ecology. A private nursing home on the other hand is essentially a commercial venture, a profit oriented industry. Service may be its motto but earning is the objective. Its utility may not be undermined but a park is a necessity not a mere amenity. A private nursing home cannot be a substitute for a public park."

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Appendix

APPENDIX I-A

Development Control Regulations for Greater Mumbai 1989

21. Recreational / Amenity open spaces-(1) Open spaces in Residential and Commercial layouts-(a) Extent-In any layout or sub-division of land admeasuring 2500 sq. m. or more in a residential and commercial zone, 15 percent of the entire holding area shall be reserved for recreational spaces, which shall as far as possible be provided in one place. Such recreational spaces will not be necessary in the case of land used for educational institutions with attached independent playground.

(2) Open spaces in industrial layouts / Industrial plots-(a) In all Industrial plots over 1000 sq. m. in area, 10 percent of the total area shall be provided as an amenity open spaces, subject to a maximum of 2500 sq. m. Such amenity open space shall have proper means of access and shall be so located that it can be conveniently utilised by the persons working in the industry.

APPENDIX I-B

Development Control Regulations for Greater Mumbai 1991

23. Recreational/Amenity Open Spaces-

(1) Open spaces in residential and commercial layouts-

(a)Extent-In any layout or sub-division of vacant land in residential and commercial zone, open spaces shall be provided as under:

- (i) Area from 1001 sq. m. to 2,500 sq. m. -15 percent
- (ii) Areas from 2501 sq. m. to 10,000 sq. m. -20 percent
- (iii) Area above 10,000 sq. m. -25 percent

(2) Open spaces in industrial layouts / Industrial plots-(a) In all Industrial plots over 1000 sq. m. or more in area, 10 percent of the total area shall be provided as an amenity open spaces, subject to a maximum of 2500 sq. m.

APPENDIX-II

Regional Plan for Mumbai Metropolitan Region 1991-2011 MMRDA

13.8.4 Recreational and Tourism Development Zone (RTD)

The present Regional Plan had identified a number of places for Recreational and Tourism activity and a few areas were even earmarked as 'R' Zone. However, in the absence of planned effort by any public agency, and because of lack of any incentives for private development of these areas, no new major recreational area or facilities could be created in the Region during the last two decades. Over the years, because of the general increase in income and mobility the demand for recreational and tourism facility has increased manifold and the existing facilities, particularly the popular ones, like Matheran are proving to be highly inadequate.

The revised Regional Plan has therefore proposed creation of Recreational and Tourism Zone of 500m. width around places of recreation and tourism value, such as, archaeological and historic monuments, religious places of architectural, natural and scientific interest, wild life sanctuaries, national parks, rivers and lakes, and areas of natural scenery. Some of these areas are identified in the revised Regional Plan.

Sanjay Gandhi National Park at Borivili is the largest RTD zone. The present area of this Park is 8616 ha. And it extends upto the southern bank of Vasai River. The forest area across the creek is equally beautiful and has great recreational value. The revised Plan suggests inclusion of this area, admeasuring about 1693 ha., in the National Park. It is understood that the Forest Department has already mooted a proposal to this effect. More such areas can be identified later with the approval of the Tourism Department and BMRDA.

In the RTD Zone, a very restricted development intended for promoting recreational activity and tourism, will be permitted. This will include hotels, holiday homes, resorts, club houses, restaurants, shops, swimming pool, camping grounds, water sports facility, etc. is dispensed with in the RTD Zone. Similarly, an FSI of 0.2 is proposed in the RTD zone as against 0.05 in 'G'-Zone.

13.8.5 Green Zone (G-Zone)

In the present Regional Plan, a number of activities such as expansion of Gaothans, housing for co-operative societies of local villagers, holiday resorts, bungalows on 1-acre plot, transit godowns, highway amenities, small-scale industry etc. are permitted in the G-zone. However such developments have concentrated along the important inter-city roads in the Region. Recognising the inevitability of such developments, new areas along inter-city roads have been included in 'U-1' or 'U-2' Zones in the revised Regional Plan. Rest of the area, which includes agricultural land, plantation areas, hilly areas, forests other than the Reserved or Protected Forests and low-lying areas are designated in the revised Plan as Green Zone ('G'-Zone)

'G'-Zone, much like Forest zone, was once seen as a conservation area. The aim was to protect agricultural activity, preserve area for recreational use and arrest urban sprawl. With agriculture becoming increasingly non-remunerative farmers are keen to convert their land for non-agricultural use. On the other hand, many space extensive activities are no longer possible in urban areas because of high land values. Under these circumstances, certain degree of development in 'G'-Zone is inevitable. The proposed D.C. Regulations therefore intend to permit certain selective developments such as farm houses, week-end houses on 2000 sq m plots, holiday homes, resorts, large institutions on minimum 2.5 ha plots, films shooting sites on minimum 5 ha sites and certain obnoxious or hazardous uses with adequate environmental protection measures. The FSI proposed for such activities is 0.05 which with a view to help minimise adverse impact on the character of the countryside.

13.8.6 Forest Zone (F-Zone)

This is a highly restricted zone consisting of Reserved Forests and Protected Forests under the Indian Forest Act, 1927 and forests acquired under Maharashtra acquisition of Private Forests Act. It does not include private lands under forests or plantation. Although any activity which is permissible in 'G'-Zone will also be permitted in 'F'-Zone, it will be subject to clearance from the Forest Department. Since the diversion of forest land for non-forest purposes is highly restricted under the provisions of Forest Conservation Act, 1980, no development of the type permitted in 'G'-Zone is likely to take place in 'F'-Zone on any substantial scale. The forests account for 1143 sq m or 25.8% of the Region's total area. A large part of these forests i.e., about 28% is degraded. Afforestation of these degraded forests lands will be an important step in improving Region's environment religious places of architectural, natural and scientific interest, wild life sanctuaries, national parks, rivers and lakes, and areas of natural scenery. Some of these areas are identified in the revised Regional Plan.