

தேசிய பெண்கள் ஆணையம்

NATIONAL COMMISSION FOR WOMEN (NCW)



सत्यमेव जयते

மெரினா கடலோர மீனவ மற்றும் இதர

பெண் தொழிலாளர் நிலை குறித்த

பொது விசாரணை

PUBLIC HEARING

ON MARINA COASTAL FISHER

AND OTHER WOMEN WORKERS And

MOEF NOTIFICATION, APRIL, 2003

நாள் : 21.05.03 புதன்

இடம் : முள்ளிமாநகர் சமூகக் கூடம்

(சீனிவாசபுரம்)

பட்டினப்பாக்கம்

சென்னை - 600 028

Date : 21.05.03 Wednesday

Venue : Mullimanagar Community Centre
(Srinivasapuram)

Pattinapakkam

Chennai - 600 028

அமைப்பு

பெண்கள் போராட்டக் குழு

WOMEN'S STRUGGLE COMMITTEE

சென்னை கடலோர மீனவர் பாதுகாப்புக் குழு

CHENNAI COASTAL FISHER PEOPLE PROTECTION COMMITTEE

அமைப்பு சாரா தொழிலாளர் கூட்டு நடவடிக்கைக் குழு

JOINT ACTION COMMITTEE OF UNORGANISED WORKERS

1,3வது குறுக்குத் தெரு, யுனைட்டி இந்தியாநகர், அயன்வாரம், சென்னை - 600 023

1, 3rd Cross Street, United Indianagar, Ayanvaram, Chennai - 600 023

போன் (Ph) : 26450071, 26220875 email:nmps@eth.net

500
100. PJB

SAVE MARINA AND LIVELIHOODS

The Tamil Nadu Government has signed a MOU in January 2003 with Malaysian Government on converting the Marina to house foreign embassies, five star hotels etc. This would mean evictions at a very large scale, denying livelihood to fisher and other unorganised women labour and violation of Coastal Regulation Zone etc.

Chennai Marina seashore, the second longest in the world, has eight fisher settlements. Government proposal will affect the livelihood of a lakh of people and the women will be affected the worst. Marina ecosystem comprises of the sea, sand and built structures within but confined to boundaries of Bay of Bengal on the East, River Cooum on the North, Buckingham canal on the west and Adyar river on the south. Marina ecosystem is a heritage area both natural and man-made.

There are more than one lakh of workers such as fisher people, construction labours, beedi workers, small vendors belonging to most backward class, backward class, dalits and muslims, who have been living together in peace for decades, depending on the Marina for their livelihood.

This area is ecologically sensitive and important as it influences the weather and temperature levels of Chennai city and provides much needed evening cool breeze. It is the only place available for the 60 lakh population of this growing metropolis as an open, outdoor lung space to escape from the sweltering heat and breathe fresh air, which is essential for public health and well being.

Custom and Tradition:

Maclean's manual of Administration, Madras Presidency, Vol.III, 1893, at page 163, gives the original name of Madras as Chennacopam. At page 216, a coopam is described as: "a village of small houses and huts inhabited by people of the lower castes, such as fishermen, etc. This name extends along the coast between Poolicat and Point Calimere.... The group of pointed roofs is the chief feature".

The families of fishermen have been traditionally carrying on this profession of fishing for centuries on the "Bay of Bengal" from the shores of Madras. These fisherpeople live in villages called kuppams namely TriplicaneKuppam, Ayodhikuppam, Nadukuppam, Nochikuppam, Dooming Kuppam, Nochi Nagar, Thideer Nagar, Ettukattidam- Mullima Nagar, Mullikuppam, and Srinivasapuram, which are close to the shore. In this context, it is necessary to place certain historical data with documents to substantiate the same. There is a very old document dated 10.04.1935, which is a memorandum submitted to the British Governor of Madras, Lord Erskine. The memorandum was presented then to request the Governor not to evict fisher folks from their place or residence in order to erect a Government building. The memorandum also contains statements that the land was registered in the name of grand father of the first memorialist on Annamalai Chetty, by certificates number 380 to 387 dated 5th March 1830. The memorandum also clearly describes the customs followed by the fisherpeople for generations on the limits of fishing of every kuppam, about their panchayat, headmen, etc.

Fisherfolk were called as "Pattanavan" from which the original name for Madras, Chennapatnam arose and presently being called as Chennai in Tamil. Edger Thurston has written a book entitled "Castes and Tribes of Southern India" published in 1909, which places the origin of the fisher people. Documents pertaining to period as early as 1567, 1673, 1710, 1733, 1843, 1864, 1889 and civil suit No. 162/1830 of the High Court, Madras, has been adverted to in the above treatise.

As early as 1886, the Imperial Gazettes of India, Vol IX, 1886, at page 109, quotes the census of 1881 and states that the number of sembadavar (fisher people) in Madras city was 10,273.

Each fishing community in a land area has a specific area in the sea called as "Seppadu". The right to fish for a community is restricted to their "seppadu" and one community is not expected to fish in another community's seppadu. This is the custom that has been in vogue for centuries and Madras is a city that originated from a group of fishing villages. The fishermen after fishing, leave catamarans and boats on the shore. Nets are dried and kept near the respective crafts. This has been the practise for centuries.

The fisher people watch the waves and they go when they know that they could get a catch that is worthy of the labour spent. This requires a constant watch on the sea and they would have to observe the signs and move into the sea at short notice. Such being the case it is neither possible nor practicable for them to keep their vessels, catamarans far away and live in a far off place and still hope to survive.

The profession is such that the whole family participates in and survives by what it fetches. The men push the boat and the cattamarans into the sea and spread the nets and bring to the shore the catches. Women and children unload the catch, sort it out and clean the same, while men folk dry the nets and arrange the catamarans and boats on the shore. The women auction the catch to the traders and take home the money to purchase various items required for cooking and cook for the family. A portion of the catch is given away to the old, widows, destitutes and such others so that they can sell it and support themselves. On this basis the whole family survives by the profession and their whole lives are spun around the delicate cattamarans and their house (hamlets) that forms the foundations of their very existence. They have no savings and the sea is their bank account. Composition of fish catch varies from one season to another, while 120 varieties are caught over the year by Marina fisherfolk and sold in the market.

Marina Ecosystem:

The Chennai Marina ecosystem is a very ecologically sensitive and important area as it has two principal rivers flowing into the Bay of Bengal the Cooum and the Adyar – through which intense interaction between the land and sea takes place. The Marina ecosystem is a fragile eco-system of great natural beauty and home to the breeding and nesting ground for Olive Ridley turtles. As already stated, it influences the weather and temperature levels of the city and is essential for public health and well being. It is the only outdoor space to breath fresh air. If there will be high rise buildings consequently there will be a very great impact on the people's health. Considering the above, Marina ecosystem falls within the defination of CRZ-I "Area

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சென்னை - 600 028

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that are ecologically sensitive and important such as national parks / marine parks/ sanctuaries, reserve forest, wildlife, habitats, mangroves, coral/ coral reefs, area close to breeding and spawning grounds for fish and other marine life, areas of outstanding natural beauty/ historical/ heritage areas rich in genetic diversity, areas likely to be inundated due to rise in sealevel consequent upon global warming and such areas.

In the event, this entire area should have been classified as CRZ-I where no development should be allowed except construction of dispensaries, schools, houses, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the Marina bio - sphere as it is permitted in sundarbans area by the West Bengal Government in S.O.329(E) dated 12th April 2001, Gazette of India, Extra No.237 dated 12th April 2001 and should be restored back to its natural form and beauty. In a meeting held in Feb 98 the Director of Environment, Government of TN had recommended that this stretch could be categorized as Regulated Zone-I an ecologically fragile area, state's coastal city as CRZ-I. As a result of not approving this stretch as CRZ -I, "ecologically sensitive and important area" is in a danger of being commercialised with huge, high - rise buildings that will totally destroy the ecosystem and savage the life of Chennai citizens.

The Chennai Coastal Ecosystem including the Marina ecosystem not confined to the boundaries of Bay of Bengal on the east, river cooum on the north, Buckingham canal on the west and Adyar river on the south and up to Thiruvannamiyur and beyond must be classified as CRZ-I area as there is a strong and unimpeachable case for classifying it. It is the age-old, with traditional fishing hamlets and fish catches with biological diversity.

Operation Beautification 1985:

Earlier in 1985, on 4th November in the name of beautification, the TN Government wanted to hand over the beach to commercial interests, took away the catamarans and other equipment of fisherfolks from Marina seashore. There was police firing on people's agitation in which six fishermen died and a fisher woman died in the protest hunger strike. Writ Petitions were filed in the Supreme Court by Fisher people and Pennurimai Iyakkam. The Supreme Court restored the right to life and livelihood of fisherfolks by granting a stay and asked the State Government to return the catamarans to the fisher people at the same place in the Marina.

Right to livelihood:

In the present situation, the Government suggested an alternate accommodation, namely "Oggiam Thorapakkam", which is about 20 to 30 kms from the city, where more than 3,000 families from various evicted slums of the city of Chennai have been provided accommodation. The fisherfolks, who will be evicted, have to compete with the local fishermen who are fishing in the near by lake. This would create social unrest and loss of lives. More than 95% of them are unemployed and the children have become dropouts from school. The bus fares from Oggiam Thorapakkam to the city is about 15 Rs., which is not affordable. The women are the worst affected.

This is violative of Art. 21 of the constitution, depriving the people of the right to life and livelihood.

Eviction would also infringe and violate their customary rights of each hamlet over the sea called 'seppadu' if the fisher folk of the kuppams are compelled to shift. Apart from these, the drift of the wind and the navigational difficulties are to be understood. Hence the protection of right to life and livelihood and classification of the Chennai Coastal Ecosystem as CRZ-I are imperative. Since the fisherwomen are integral part of the fishing process, they must be provided monsoon allowances when they are affected during the rainy season without work and food.

NATIONAL COMMISSION FOR WOMEN



PUBLIC HEARING ON MARINA COASTAL FISHER AND OTHER WOMEN WORKERS

Organisers: **WOMEN'S STRUGGLE COMMITTEE
CHENNAI COASTAL FISHER PEOPLE PROTECTION COMMITTEE
JOINT ACTION COMMITTEE OF UNORGANISED WORKERS - TN**

Date : 21.05.03 Wednesday Time : 5pm - 8pm
Venue : Mullimanagar Community Centre
(Srinivasapuram)
Pattinapakkam, Chennai - 600 028

Welcome: Smt.**R.Leelavathy**, Organiser, WSC

Presiding: Dr.**Poornima Advani**, Chairperson, NCW

Sitting: Dr.**Poornima Advani**, Chairperson, NCW

Ms.**Baby Rani Maurya**, Member, NCW

Depositions from

Mullikuppam - Srinivasapuram

Ettukattidam - Doomingkuppam

Thideernagar - Nochimanagar

Nochikuppam

Nadukuppam

Neelambashadarga

Ayodhikuppam

Tiruvallikeni kuppam

Chennai Coastal Fisher People Protection Committee - Pennurimai Iyakkam

Tamilnadu Slumdwellers Rights Movement - Consumer Action Group

Vote of Thanks by Ms.**K.Gajalakshmi**, Women's Struggle Committee

[TO BE PUBLISHED IN THE GAZETTE OF INDIA,
PART II, SECTION 3 - SUB-SECTION (ii)
EXTRAORDINARY DATED APRIL, 2003.]

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 22nd April, 2003

S.O. 114(E).— Whereas by notification of the Government of India in the Ministry of Environment and Forests number S.O. 114(E), dated the 19th February, 1991 (hereinafter referred to as the said notification), the Central Government declared Coastal Stretches as Coastal Regulation Zone and restrictions were imposed on setting up and expansion of industries, operations and processes in the said zone;

And whereas it has been brought to the notice of the Central Government that destruction of mangroves, depletion of ground water and certain other activities involving severe ecological damages have been caused as a result of large sized projects being implemented without clearance from the Government of India in the Ministry of Environment and Forests;

And whereas the issue has been examined by the Government of India in the Ministry of Environment and Forests;

And whereas the Central Government is of the opinion that the said notification should be amended with a view to preventing further ecological damages;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that notwithstanding anything contained in sub-rule (3), whenever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules;

And whereas the Central Government is of the opinion that it is in public interest to dispense with the said requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules for amending the said notification.

for amending the said notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rules (3) and (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification, in paragraph 3, in sub-paragraph (2), for clause (iv), the following clauses shall be substituted, namely:-

“(iv) Demolition or reconstruction of –

- (i) buildings of archaeological or historical importance;
- (ii) heritage buildings; and
- (iii) buildings under public use.

Explanation :- For the purpose of this clause iv, ‘public use’ shall include use for purposes of worship, education, medical care and cultural activities.

(v) All other activities with investment of five crore rupees or more;

Provided that activities involving investment of less than five crore rupees shall be regulated by the concerned authorities at the State or Union territory level in accordance with the provisions of sub-paragraph (2) of paragraph 6 of Annexure-I of this notification.”.

[F.No.J-17011/16/93-IAIII- Part-II]

V. Rajagopalan

(Dr. V. Rajagopalan)

Joint Secretary to the Govt. of India

Note: The principal notification was published in the Gazette of India *vide* number S.O.114(E) dated the 19th February, 1991 and subsequently amended *vide* notification-

- (i) S.O.595(E) dated 18th August, 1994
- (ii) S.O.73(E) dated 31st January, 1997
- (iii) S.O.494(E) dated 9th July, 1997
- (iv) S.O.334(E) dated 20th April, 1998
- (v) S.O.873(E) dated 30th September, 1998
- (vi) S.O.1122(E) dated 29th December, 1998
- (vii) S.O.988(E) dated 29th September, 1999
- (viii) S.O.730(E) dated 4th August, 2000
- (ix) S.O.900(E) dated 29th September, 2000
- (x) S.O.329(E) dated 12th April, 2001
- (xi) S.O.988(E) dated 3rd October, 2001
- (xii) S.O.550(E), dated 21st May, 2002
- (xiii) S.O.52(E), dated 16th January, 2003

மத்திய அரசின் சுற்றுச்சூழல் மற்றும் வனத்துறை அமைச்சகம் 19-2-1991ல் வெளியிட்ட இந்திய கடலோர கட்டுப்பாட்டு பகுதிகள் தொடர்பான விதிமுறைகளில் சில மாற்றங்கள் கொண்டு வந்து அரசாதாரண அரசு அறிவிக்கை ஒன்றினை இன்று (22-04-2003) வெளியிட்டுள்ளது. இந்த விதிமுறை மாற்றங்கள் இன்று முதல் உடனடி அமுலுக்கு வருகிறது. இதன்படி கடலோர கட்டுப்பாட்டு பகுதிகளில் உள்ள வரலாற்று அல்லது புராதான முக்கியத்துவம் வாய்ந்த கட்டிடங்கள், பாராம்பரிய சிறப்பு வாய்ந்த கட்டிடங்கள், வழிபாடு, கல்வி, மருத்துவ நலம், மற்றும் பண்பாடு போன்ற பொது உபயோகத்திற்கு பயன்படும் கட்டிடங்களை இடிப்பதற்கோ, புனரமைப்பதற்கோ, மத்திய அரசின் முன் அனுமதி பெற வேண்டும். மேலும், 5 கோடி ரூபாய்க்கு அதிகமான முதலீட்டில் அமைய உள்ள அனைத்து செயல்பாடுகளுக்கும் திட்டங்களுக்கும் மத்திய அரசின் முன் அனுமதி பெறப்படவேண்டும்.

விவேகானந்தர் இல்லம், டி.ஜி.பி அலுவலகம், சென்னைப் பல்கலைக் கழகம், மாநிலக் கல்லூரி, ராணி மேரி கல்லூரி, அண்ணா மற்றும் எம்.ஜி.ஆர் நினைவிடங்கள் போன்ற முக்கியத்துவம் வாய்ந்த பல கட்டிடங்கள் அமைந்துள்ள சென்னை கடற்கரை பகுதி, கடலோர கட்டுப்பாட்டு பகுதி - இரண்டு (Coastal Regulation Zone-II) - என்கின்ற பிரிவின் கீழ் வருகின்றன. எனவே மாற்றியமைக்கப்பட்ட இந்த விதிமுறைகள் சென்னை இராணி மேரி கல்லூரிக்கும் பொருந்தும் என்பது குறிப்பிடத்தக்கது.