

## **Tracing the Historical Trajectory of Land Reclamation in Mumbai and Its Progressive Alteration of the Koli Community's Legal and Economic Relationship to Coastal Land**

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### **ABSTRACT**

*Mumbai is one of the most important trade centers, not just in India, but in the world. Once under the rule of colonial powers like the Portuguese and the British, the city and its dwellers have seen many changes in its topography and demography. This essay will explore one element of this history; the evolution of the 'original residents' of the city and fisherfolks, the Kois, and their relationship with the sea. The research will explore this dynamic with respect to modification of sea-spaces and their change in their use under colonial and post-independent regimes and try to grasp how the Kolis negotiated and adjusted to this intervention in their ancient homes and fishing ground, largely without their opinions or consents from the vantage points of economics, infrastructural development and legality.*

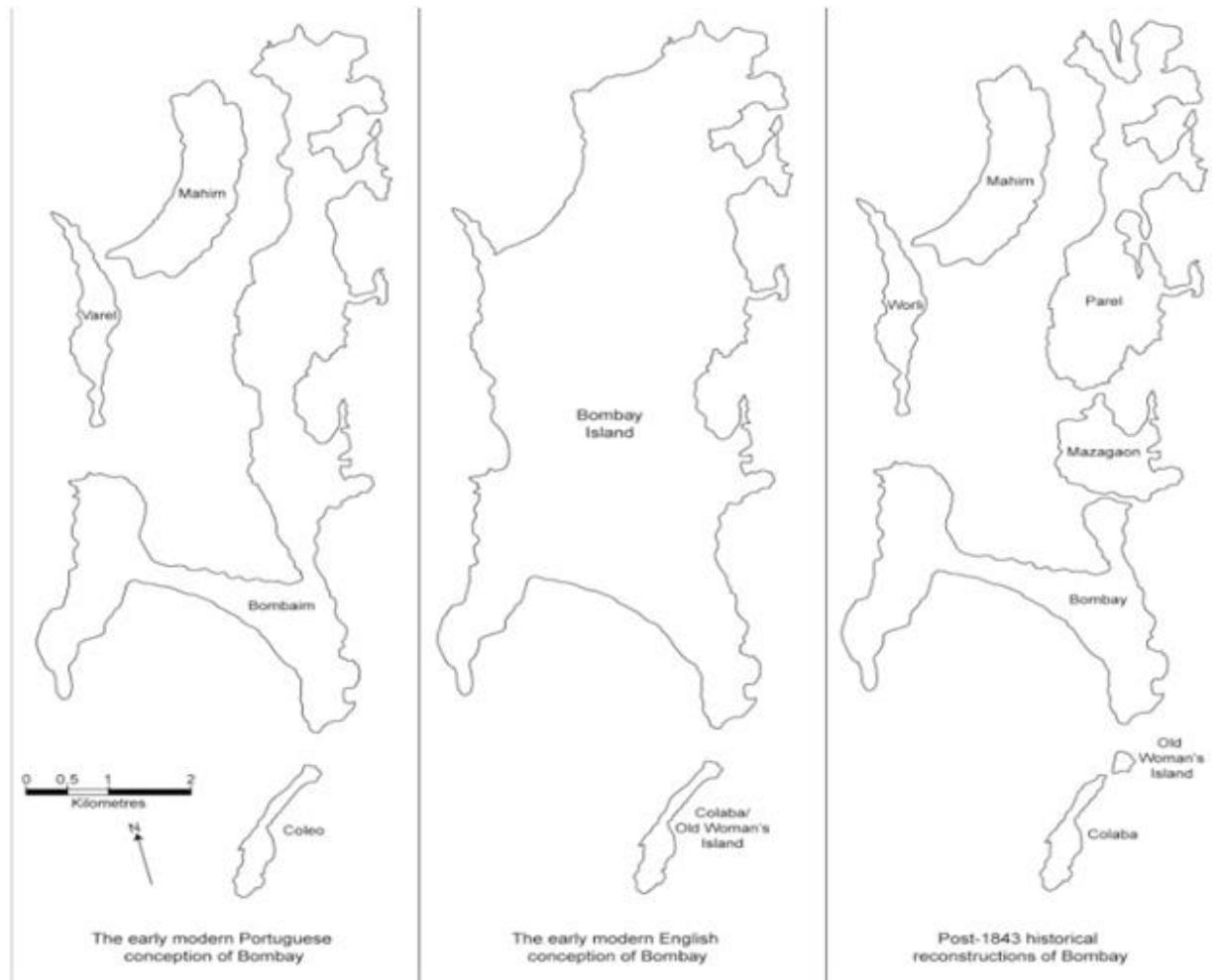
*Ultimately, the paper aims to trace the intertwined history of the Koli people with the seas, for it is also the history of Mumbai and millions of people who call it home through socio-historical analysis and first-person accounts.*

**Keywords:** Indigenous voices, Land reclamation, Mumbai, Koli, Fishermen, Colonial-infrastructure, Domestic governance.

### **Introduction**

Known as the financial capital of India, the *Maaya Nagri* (city of magic, dream or illusion) and one of India's most populated cities, Mumbai has an origin story unlike any other. The city which is called home by over 28 million people (Johnston, 2026) is built on a landmass which did not exist in a continuous form until about 400 years ago. What is now a single peninsula was once seen as a group of 4 islands by the Portuguese and 2 islands by the British but is widely regarded today as a collaboration of 7 distinct islands; Colaba, Old Woman's Island, Bombay,

Mazagaon, Parle. Worli and Mahim, separated by tidal creeks, mudflats and salt marshes (Riding, 2018, p.30).



The integration of these islands, as one would assume, was not accidental or natural but a deliberate attempt to 'reclaim' land involving filling of tidal channels, construction of causeways and sea-walls and conversion of marsh into 'constructable' landmass of a438 sq kilometers (Perur, 2016). This paper will try to understand this geographical transformation in relation with a historical analysis entangled with the Koli community's people, a lineage of fisherman tribes who are considered the 'original' Mumbaikars and have been inhabiting these islands long before Portuguese or English intervention and whose settlements 'koliwadars' still exist scattered around the Mumbai Coastline (Ganesh and Jayprakash, 2021).

The central argument of this paper revolves the claim that the integration of Mumbai was not a singular or homogenous event but a sequence of phases which had different configurations of

ruling powers, legalities and economic ideals and more importantly, how these phases have distinguishably redefined the relationship of the Koli community with their land and water. To discuss briefly, these phases can be seen as 4 distinct time periods: first, the colonial era which saw the construction of embankments, the first series of practical land reclamation proposals of the 1660s and the completion of the Hornby Vellard project of the mid-19th century; second, the late colonial period which is mainly characterized by Backbay reclamation efforts of the 1920s, which can also be considered a watershed event denoting a shift from mere land reclamation engineering to a the creation of a planned motif of constructing a new-found of urban realty, owing to its massive scale, huge financial structure and political linkages; third, the period of post independence where the city witnessed official Indian government projects like the establishment of Nariman point and the construction of the Bandra-Worli sea link while the legal codes of environmental protection and coastal regulation were still coming up gradually and finally; the fourth period which over-saw the making of the Mumbai Coastal Road Project which is intermingled with environmental law, judicial review and community resilience. After discussing the 4 distinct phases as mentioned above, the argument will then examine the shifting classifications and contrasts of the Koli identity, classified as backward classes entitled to certain protective and strengthening rights to actually having near-zero legal instruments to protect their rights or recognizing their customary claim to marine resources. Ultimately, the paper will conclude after a detailed study of all the abovementioned facts, viewpoints and legal analyses.

For the purpose of the rigorous research that this topic involves, this paper will synthesize verifiable information from geo-historical evidences, urban history of Mumbai, Indian environmental laws on coastlines, Coastal Regulation Zone (CRZ) notifications 1991, 2011, 2019, other relevant laws and legal cases and lastly, the viewpoints and research done by NGOs, field journalists and the lived experiences of the members of Koli community.

### **1. The Pre-Colonial and Early Colonial Era**

Before the arrival of colonial powers like the British and the Portuguese, the Koli community was inhabiting the archipelago and relied on fishing, coconut farming, salt production and boat-making for their livelihood. There is also evidence that this Koli territory was heavily involved in the maritime trade between Western India, the Middle East and East of Africa (Sakhare, 2025). Moreover, the name of the city is derived from a Koli goddess deity *Mumba Devi*, yet again asserting the community's role in the making of the city (Groundxero, 2019).

In this period, the relationship of the Koli community with the sea and its offerings was not overseen by a ruling power who set rules to what 'property rights' they had. Free access to seafaring, fishing and collection of salt was often governed by age-old community rules and kinship and the seasonally submerged areas were seen as just sea and not as an opportunity for

agricultural land (Riding, 2018, p.28). This is a critical standpoint in this paper because it shows that Kolis' relationship with the seas and its coast precedes any formal and legal 'codes' set up by the Portuguese, the British or the Indian government subsequently. In 1530, the islands were acquired by the Portuguese from the Mughals and were later 'offered' to the British crown as the dowry of Catherine of Brazanga in 1661 (Nagendra and Mundoli, 2023), there were no initial large-scale attempts to alter the geography of the region. The central interest of the Portuguese lay in religious dominance and commercial control and not majorly on infrastructural development (MeMumbai, 2025).

The change is set to have begun with the East India Company taking the direct administrative command from the crown in 1668 (Riding, 2018, p.32). The company officials began seeing the marshy, tidal and waterlogged land between the islands; the primary Koli fishing grounds, as being wasted because no economic activity could take place there. To make this 'wasteland' of some use, the land had to be 'reclaimed' by land-filling the empty spaces between the islands and draining the marshes so that they could be converted into agricultural or urban buildable land, for the earliest attempts to reclaim land from the sea were made to produce vast quantities of rice to generate revenue and make the colony self-sufficient (p.30, 33, 35, 36). This colonial and economically driven reclassification of inter-tidal zones and marshes as 'waste' and this reclamation of land was the foundation upon which snatching the everyday, natural rights of the Koli community was to be carried out and justified over the coming centuries.

## **2. Colonial Reclamation: Phase 1, The Making of 'Bombay Island' (1661-1845)**

The historical analyses of Bombay's early land reclamation drives demonstrates that this prevalent idea that creation of Bombay from the unification of seven distinct islands was inevitable and in a way, preordained is in itself, a colonial narrative rather than neutral geographical opinion. Riding (pp.28-30) also shows that while the Portuguese saw the archipelago as four different islands, the British understood the central space as a single entity and this is reflected in their subsequent efforts of land reclamation. The first major project of this kind was at the Great Breach embankment between Worli and Malabar Hill. It was proposed by Er. Elias Bates and was started and finished in the 1720s. The labour was largely carried out by a mixed force of the sepoys, Gujarati and Marathi migrant workers and the local Koli people under the supervision of an Indian Engineer, Ramji Shivji Purvoo (p.36).

Riding further demonstrated that while these early projects did not explicitly hinder the salt production, they did in fact affect the Kolis' community fishing in between islands as there were disruptions that followed in tidal flow and certainly, marine habitat. On the other hand, the East India company directly controlled this new-found land and used it to displace the existing Indo-Portuguese landholders. The impact of this changing geography was not limited to the Koli

community alone. *Kunbi*, an agrarian community of Maharashtra, was forced to cultivate this new land, an effort which was ultimately not very profitable (p.38). These early events also highlight an emerging pattern which would be observed throughout the subsequent history of Bombay; an indigenous community whose labour helped turn a new leaf in the city's timeline by giving a structure to the new found land, and whose entire generations revolved around the sea waters, was left without a formal voice in the decisions about the reclaimed land and its uses.

## **2.1: The Hornby Vellard**

By the late 18th century, Bombay had emerged as an important trading centre but the British believed that its geography limited its growth. Movement between the islands depended on the tides, seawater damaged the farmland and constructing roads on this marshy land was difficult. Looking for a solution here gave birth to one of the most significant and ambitious projects of this period of reclamation, the Hornby Vellard project constructed on the great breach between Worli and Mahalakshmi (Dutta, 2026). Vellard seems to be a distortion of the Portuguese word *Vellado* meaning embankment or fence (Yule and Burnell, 1886, p.357). is Substantially completed between 1782 and 1784 under the supervision of Governor William Hornby, this was a causeway construction programme which jolted all the seven distinct islands into one consolidated landmass. Like the earlier Bates project, the construction of the Hornby Vellard also depended on the local workforce comprising of Kolis and western Indian migrant workers.

The construction of the Hornby Vellard boosted British ambitions and over the next century, a series of such embankments linked Mahim, Sion and Colaba where marshes were filled, hills were flattened and creeks were narrowed to reclaim the low lying land which created space for markets, housing and docks (Dutta, 2026). For the Koli community, this was an early alarm of the changing times. The creeks which previously supported specific fishing patterns were either narrowed, drained or sealed, permanently altering the marine ecology of the coast (Nagendra and Mundoli, 2023). A template was set which clearly showed that both, colonial and post independence Indian governments were to see the sea as an inexhaustible resource of buildable land which will reap huge profits for the real estate companies and big business corporations but whose cost will disproportionately be borne by the indigenous fishing people whose life depends on the sea.

Moreover, the series of embankment construction and land reclamation shrunk the natural presence of wetlands and mangrove cover. As rapid development engulfed the city of Bombay, the buffer zones which naturally regulated seasonal flooding in the city gradually disappeared. Rivers, once flowing freely were hemmed in by rapid construction and all of these changes in topography, when combined with inadequate drainage built for a small city and unpredictable coastal climate have rigged the city with a near permanent flooding problem. As always, the

worst affected groups from these floods are daily commuters, office goers and working class families. The 2005 Bombay floods is an example of this and although there have been efforts since to counter this problem, many experts attest to the permanence of this issue (Dutta. 2026).

By the time this process of “artificial topographic unification” was completed in the mid 19th century, the identity of the Koli community had transformed from being the sole inhabitants, the citizens of the sea to one demographic group among many like Parsis, Gujaratis and Marwaris etc competing for space and resources in a developing colonial port city (Harvard Mellon Urban Initiative, n.d.).

### **3. Colonial Reclamation: Phase 2, The Backbay Reclamation Scheme (1860s-1929)**

If the Hornby Vellard era understood land reclamation as consolidation of urban space, the Backbay reclamation scheme of the late 19th and early 20th centuries saw it as an instrument of real estate development and elitist growth in Bombay. The first Backbay reclamation was formed in the early 1860s during the times of economic prosperity. It was aimed at reclaiming the entire bay south of Marine Lines but the venture soon ceded into bankruptcy (Indorewala, 2025). The end of the American Civil War meant reflooding of the market with American cotton and thereby reducing the demand of Indian cotton, affecting the major source of wealth in Bombay export and hence, a fall in land prices (Dharohar, 2026). Later, a partially reclaimed narrow strip of land was used in the building of the Bombay, Baroda and Central India Railway (BB&CI) (Indorewala, 2025).

About half a century later, a more significant scheme was launched under Governor George Lloyd, from 1918 to 1923. The government proposed the reclamation of around 1,145 acres of the Backbay shore between Colaba and Marine Lines in an effort to reduce crowding in the working class districts of Bombay. However, the plan constructed by the British town planner W.R. Davidge wanted a large area with public buildings, offices and spacious residential lands, leaving negligible land area for the poor it was supposed to be reclaimed for. The project was then given to a newly formed Development Directorate which was unfazed by general public accountability. The scheme quickly became infamous for financial mismanagement. The then municipal councilor of Bombay, Khurshid Framji Nariman led a public awareness campaign from 1925 and published a series of articles that brought out cost overruns, inefficient dredging equipment that were purchased before formal project sanctions and the irregularity of contract awardings. The government then formed a Backbay enquiry committee which subsequently confirmed many accusations as led by Nariman, stating that the sea wall was indeed miscalculated and thousands of cubic yards of fill was lost through it. It ultimately recommended that only some of the originally intended plan should be actualized. Only one of the four planned blocks of approximately 440 acres was ultimately constructed by 1929 out of the 1,145 acres

planned, with a major portion allotted to the military and some of it to construct what is now the Marine drive. The reclaimed land later became a business district and is now named after the man who confronted British corruption: the Nariman point (Saikot, 2011) (Yazdi, 2026) (TIFR, n.d.).

For the purpose of this paper, the significance of discussing the Backbay reclamation episode lies more in its effect on the Koli community and less on the engineering failure. Unlike the Hornby Vellard which was at least framed as being made for flood control and did urban consolidation, the Backbay scheme was outrightly prepared to create high value spaces for residential and commercial use. Even the controversy associated with it had to be dealt with available colonial means; at no point in any documentation does the name of the Koli community appear as the rightful stakeholders. The history is largely silent on the interests of the indigenous fishermen. This is a peak example of the widening class gap in the city. As trade expanded and wealth flooded Bombay, the reclaimed land and its allocation and acquisition became a matter of intense contest among wealthy colonial settlers, businessmen and national political leaders. The original inhabitants of the city, the people whose entire existence depended on the sea, were conveniently sidelined from having coastal rights.

#### **4. Post Independence Era of Bombay**

India gaining independence from the British Raj in 1947 did not deter the urban growth propelled by land reclamation; if anything, it enhanced the pace of Bombay and later Mumbai's urban discovery and as time went on, Mumbai continued to grow into a commercial hub, home to the film industry of India and the financial capital of India, all while simultaneously absorbing the rapid population influx in the city. The decades following 1940s saw the building of reclaimed Backbay tracts in Nariman point business districts while on the western seafront, the city kept expanding commercially. Studies suggest that post 1947, land reclamation almost tripled in Mumbai (Nair, 2012). Although this period is not documented much from the perspective of the Koli community, a pattern can still be observed; unconsulted and inequitable infrastructural growth deep into the Koli fishing grounds which is well proven through the construction of the Bandra-Worli sea link in 2009-10 (Kamaraj IAS Academy, 2022) and the ongoing Versova-Bhayandar coastal road which is expected to be made by 2029, will be over 26 kms in length, cost over 18,000 crore INR and will pass through Koli fishing hamlets like Aksa, Marve, Charkop, Malwani, Madh and Manori. It is expected to fell around 50,000 mangroves and possibly end the source of livelihood for many small fishermen (Tirodkar, 2026).

Harishchandra Keroba Nakhwa, the then president of the 'Worli-Koliwada Nakhwa *Matsya Vyavasaya Sahkari* society', a corporation of the fishermen of Worli and Koliwada recounts that when the pillars of the Bandra-Worli sea link were being erected in the hearts of Koli fishing

grounds, the fisherfolk were not even consulted. These pillars later caused the unfavourable alteration in fish migration patterns, causing economical losses to the fishing populations (Dixit, 2019). This is a very important community testimony because it suggests that the absence of indigenous consultation was not just a colonial artifact frozen in time; it very well is the case even in Independent India with its own well-written constitution, elected governments, a judiciary and even some environment laws. The construction of the Bandra-Worli sea link is a proof that even today, there are high profile infrastructural projects being executed that see community rights as externalities that are to be dealt with and 'managed' after the project is completed and not as valid stakeholders that are to be consulted before the project begins.

It was against the backdrop of continued state-led land reclamation, growing environmental awareness, 1984 Bhopal gas tragedy and increasing political organization among the coastal fishing communities that India's first dedicated coastal regulatory framework came into force in 1991.

### **5. Legal Architecture: Coastal Regulation Zones (1991, 2011 and 2019)**

The Ministry of Environment and Forests issued a notification in February 1991 which marked India's first coastal regulation zone code under the Environment (protection) Act of 1986, which itself was an aftermath of the devastating 1984 Bhopal gas tragedy. The notification declared the entire stretch of land which was influenced by tidal action to be a coastal regulation zone and established a 500-meter buffer zone measured from the high tide line where construction was not allowed. Although the 1991 notification provided the first formal legal recognition to the coastal rights, it can be called a defensive document which applied a single simplified national definition and standard to every coast without enquiring into the local variations and only considered 'distance from the sea' as a factor. For Koli people, it meant that their densely populated and centuries old settlements on the Bombay coast were to be treated under regulations as five star hotels, offices of MNCs or shopping complexes which were 500 meters from any shoreline. The early legal mechanism also made no major initial efforts to formalize, regularize or recognize the existing settlements built on the shoreline which left many dwellings in Koliwada facing a continuous existential and legal ambiguity (Tiwari, 2026).

#### **5.1. The 2011 Notification: Recognition of Fisherfolks' Livelihoods**

2 decades of complaining resentment from the fishing communities who protested that the 1991 notification failed to distinguish them from elitist urban infrastructural developments and the Maharashtra's own state governments who believed that the same coastal regulations that applied to the scarcely populated shoreline of the Lakshwadweep island can not work for the dense Bombay urban shoreline led to the first major revision in the CRZ notification in 2011 (Tiwari,

2026). The notification, for the first time, explicitly discussed the protection of the fishing community's livelihood as one of its central tenets alongside preservation of coastal ecology and promotion of economic activities in the regions. It also introduced specialized provisions for certain regions like Greater Mumbai which mandated the related state or union territory coastal zone management authorities to always include representatives from local/indigenous populations in the governing committees (India Water Portal, 2011).

The 2011 notification famously classified the Koli settlement in the heart of Mumbai under the CRZ III category, a classification generally reserved for the undisturbed rural coastline settlements, despite their proximity to the dense metropolitan areas. This was deemed a massive step because it stopped Koliwada from becoming high rise vertical slums in the name of apartment complexes which lack basic amenities or adequate infrastructure (Kapoor, 2020). Along with this regulatory revision, the Ministry of Environment and Forests also released a draft Traditional Coastal and Marine Fisherfolk (Protection of Rights) Act in January 2011 which was intended to formalize the rights of the fishermen to continue carrying out their traditional coastal fishing and resided the rural administration with the right to determine the extent of collective and individual fishing rights (India Water Portal, 2011). This proposal, however, remained a draft and was never turned into a binding legal force, suggesting that even in an attempt to empathize with the Koli community through legal measures, no comprehensible law that recognized their original claim to the sea was ever brought into force.

## **5.2. The 2019 Notification: Reclassification and its Consequences**

The benefits of the 2011 amendments soon fell short. It was revealed in the investigation report for the 2019 notification of CRZ that over 10 amendments made in the 2011 notification and 30 in the related environmental impact assessment notifications were done without the mandatory public notice period for the changes they were supposed to trigger. When the Ministry of Environment, Forest and Climate Change finalized the 2019 notification, it brought in some changes after the public comment period on the draft had already closed which prevented meaningful public scrutiny from taking place in the final provisions (Kapoor, 2020).

Among some of these late changes was a reclassification of Koliwada (a Koli settlement) in Mumbai, changing its status from CRZ III to CRZ II which means the rural and protected category to the urban and development oriented category. This categorization is often seen as arbitrary because it stripped the Kolis of the legal protection that kept their livelihoods and dwellings safe along the coast and threw them in the same rat race of urban development norms. With the permitting of future developments within the centuries old Koli territory, the 2019 notification put these people in the same vicious cycle of development and re-development as the rest of the city, also impacting their fishing business and ordinary everyday lives (Kapoor, 2020).

It should also be noted that an interim 2018 version of the 2019 notification was infamously known to not even make a mention of Kolis' rights as opposed to the 2011 version (Dixit, 2019). Instead of helping them with time, the subsequent notification seemed to be pulling them downwards to the misery of urban poverty.

Across all these notifications, a pattern can be drawn. The Koli people possessed no legal rights' apparatus prior to 1991, some statutory and protective benefits in 2011 in an effort to recognize the peculiar nature of their sustenance and livelihood and ultimately, absorbing them within the same redundant urban generic classification in 2019, showing that even rarely occurring and hard fought civil rights could later become contingent and reversible, rendering people hopeless and that the complicated legal and administrative processes can evade public spaces and community identities, often without repercussions.

## **6. The Koli Community and the Paradox of Social Welfare vs. Absent Land Rights**

Any analyses of the Koli community should begin by a clear distinction in understandings of two distinct ways community welfare works; the social welfare schemes that theoretically understand the history and issues faced by certain group of people and 'classify' them into benefit deserving categories such as low caste or below poverty line people etc and the other which prepares a property rights or resource availability framework which guarantees the indigenous people or the target group (here, the Kolis) their rightful claim to the coast and the sea. While both theoretical and practical help is appreciated, lofty talks without any way to actualize the help is nothing but a formality.

When it comes to the abovementioned classification, the Koli community is recognized differently across different regions in the country; as an Other Backward Class (OBC) in Maharashtra, Gujarat and Karnataka and as a scheduled caste and scheduled tribe in some specific regions of the country. The ultimate status of the community's 'legal identity' remains ambiguous, also because of internal disagreements, with some members wanting the label of 'scheduled castes' dropped because of the stigma attached while some others wish to retain the benefits provided by the classification (Britannica Editors, n.d.). Bombay High Court's 2007 judgement in the Prakash Jayawant Koli vs. State of Maharashtra officially confirmed that Kolis of Maharashtra are constituted under OBCs in Maharashtra, decided on the basis of their traditional fishing occupation and coastal habitat but also informed that it is indeed a tedious task for the state to differentiate between actual and fraudulent Koli caste claims (Kumar, 2007).

The social-welfare classification has been existing with the absolute lack of any comparable legal instruments that attest to Koli community's customary right to coastal regions and marine resources on which their lives depend. This is not an observation solely from the example of

Maharashtra or Koli community. The legal framework that governs the coastal and submerged lands in India seems to have residues of the colonial era and can be seen in line with codes such as the Maharashtra Land Revenue Code, 1966 which posits the ownership of the sea bed, foreshores, coastlines, harbours, creeks or other public lands to the government, except certain cases where legally recognized rights can be verified. As a result of this, the indigenous and customary users of such natural spaces do not get the automatic proprietary rights to them unless these are explicitly mentioned under the law, rendering access and usability rights subject to statutory provisions and administrative regulation (MHBL, 2015). The draft Traditional Coastal and Marine Fisherfolk (Protection of Rights) Act of 2009 came closest to bridge this gap, but, as mentioned above, it was never enacted (India Water Portal, 2011).

Finally, the economic aftermath of this functioning gap is also considerable. According to the data from 2019, the number of Koli families residing along Mumbai's western coast were then 15,000 which spanned across different locations and primarily relied on marine livelihood options like fishing, salt making and boating for survival (Dixit, 2019). The number is certain to have increased by now. As of 2025, Maharashtra's fishing population was the fifth largest in the country and within these Koli communities, homemaker wives play a central economic role, overseeing the fish trade, stock and marketing while the men are out fishing in the seas. As a traditional means of saving, these families convert their earnings into gold and keep them for security (Bansi, 2022). The persistence of Koli families in a unique occupational and economic framework while possessing a dependable and formal resource-rights structure is a proof of their resistance but also brings forth a paradox and asymmetry in the role of the Indian state machinery; the will to recognize them as valid claimants to socio-communal protection and welfare but the reluctance to recognize their ancient, customary and indigenous right to the coast, a denial which is the primary cause of the rise of welfare needs.

## **7. The Coastal Road Project: Intensified Reclamation and Shrinking Rights**

The Mumbai Coastal Road Project (MCRP), First proposed in 2012 under the leadership of the then Chief Minister of Maharashtra, Prithviraj Chavan, is an eight-lane expressway that connects South Mumbai with the northern suburbs via an elevated road built on reclaimed land with the help of stilted sections, bridges and an undersea tunnel. Although estimates vary, the length of the project road is somewhere between 29 to 36 kilometers and has costed somewhere between INR 12,000 crore and 15,000 crore (LTJ, 2020) (Kujur, 2024) (Maharwade, 2023). The project received official clearance in 2015 and reclaimed approximately 170 hectares of land from the sea of which almost 20% was mangrove cover. The project, as expected and usual, was passed without any consideration for community opinion or public hearings (Groundxero, 2019)

A reaction from local fishing communities was obvious. In 2019, the Worli Koliwada Nakhwa and Worli Macchimaar Sarvodaya filed a legal petition citing the loss of sea access and destruction of marine breeding grounds due to rampant construction which was estimated to directly affect around 11,000 Koli people. In February 2019, the Bombay High Court ordered Maharashtra's state commissioner of fisheries to conduct a survey and hear the grievances of the people affected. Following this, in July of the same year, the High Court directed to halt the construction on the grounds that environmental clearances that were obtained were not compliant with the required standards and an absent scientific background analysis that should have been done beforehand (Kujur, 2024).

The state government and Brihanmumbai Municipal Corporation (BMC) appealed against the High Court's stay to the Supreme Court. In the legal battle that continued over the years that followed, the Supreme Court gradually allowed the construction of the coastal road subject to explicit conditions that safeguarded fisherfolk livelihoods (Chowdhury, 2022). In February 2020, a senior counsel of advocates argued before Chief Justice S.A. Bobde and Justices B.R. Gavai and Surya Kant that the reclamation process which was ongoing was happening at an unprecedented pace and risking irreversible damage to the traditional fishing grounds in Worli, much more than the Supreme Court had permitted in its December 2019 order (LTJ, 2020). By 2022, in multiple cases, like Municipal Corporation of Greater Mumbai vs. Worli Koliwada Nakhwa Matsya Vyavasay Sakhari Society Ltd., a bench comprising Justices D.Y. Chandrachud and Hima Kohli partly allowed the BMC's application to continue with the coastal road and allied construction projects like underground parking and green parks. It also directed the corporation to file an affidavit which explained the procedure to incorporate the measures of rehabilitation of fisherfolk as attached with the CRZ and asked by the bench. It also reiterated that upholding the rights of these fishermen was their primary concern in allowing the project (Chowdhury, 2022).

That being said, despite these conditions imposed by the bench, the public opinion from ground zero tells a different story. Nitesh Patil, the secretary of the Worli-Koliwada Nakhwa society had reported a sharp decline in the quantity of fish because of the destruction of the rocky shore which served as their primary fishing ground and rising water level and destruction of the fish breeding grounds due to landfilling, forcing the fishermen to travel farther into the sea to catch fish. Likewise, Ritushree Diwakar, a resident of the coast remembers a three-year struggle to just widen the gap under one of the bridges constructed in the project, so as to navigate from under it (Maharwade, 2023). Apart from Worli, the *Vanchit Machhimar Sahakari Sangathan*, which is a collective of Mumbai's fishermen, said that around 2,500 families were affected by the project. The organization also protested outside the BMC headquarters after the 2021 demolition drive carried out in the long standing Dadar fish market. Not only did it directly threaten the

livelihoods of people involved, it is also said that the compensation offered to the affected parties was grossly inadequate (Narharisetty, 2021).

Many environmental organizations like the Bombay Environmental Action Group and *Vanashakti* that are based in Bombay have also challenged various aspects of the implementation of the project in the courts, alleging a widespread disregard and non-compliance of the mangrove forest, compensation and relocation laws even though court orders have been directed. Various fisheries' leaders like Dhiraj Bhandari of the Charkop Koliwada Machhimar Sahkari Samiti have repeatedly countered the destruction of the mangrove ecosystems along the coast. Locally referred to as Kharfuti or Kandalvan, these forests serve as important natural breeding grounds for many marine species which are traded by the Koli community, while simultaneously serving as natural shock absorbers against the floods which threaten the city of Mumbai every year (Re-Mumbai, 2026). The first section of this project was inaugurated by the Chief Minister of Maharashtra in March 2024. It is a 10.5 kilometers of link between Worli and Marine Drive and has been in operation since (Kujur, 2024). The later phases along with the on-going Mumbai Trans Harbour Link project continue to worry the Koli fishermen deeply, especially the ones living along the northern and western coastlines (Muller, 2025).

The way governments usually compensate for projects like this is mostly uniform throughout the country; in lump-sum i.e. one time payment instead of a structured and long term livelihood rehabilitation. An ordinary fisherman and the ex-president of Worli-Koliwada Nakhwa *Matsya Vyavasaya Sahkari* society Harishchandra Keroba Nakhwa had a problem with this arrangement. He found it rather unfair to expect an entire family and their upcoming generations to survive on a one-time payment when their sole source of livelihood has been snatched. This captures the crux of what Koli have been complaining about; the mismatch between finite, transactional logic of state's compensation and the multigenerational nature of the loss borne by the Koli community (Dixit, 2019). Another worrying and pressing issue here is that many of these problems have occurred despite court orders being in place. It is imaginable what was happening before these orders were directed.

## **8. Discussion: A Comparative Synthesis of Koli Community's Socio-legal Relationship to Mumbai in Different Eras**

When the four phases as discussed above are read in totality, they display a discernible arc of Koli identity and relationship with the Arabian sea and the Mumbai coastline as it has evolved over hundreds of years. In the pre colonial era, the Koli community's relationship with the sea was natural and customary, absolutely untouched by codes and laws. During the times of early colonialists, it remained financially healthy, for the rulers till then had a little interest and vision required to physically alter the coastline. The first wave of colonial reclamation, often noted by

the Hornby Vellard turned Koli's from the citizens of the sea to labourers who dug their own graves through the land reclamation projects or worse, as bystanders who awaited their fate. Crucially, it was in this age that a legal labeling was normalized which considered the mangroves and sea bed as 'empty' or waste area with potential to be used for infrastructural developments.

The Backbay Reclamation Scheme of the 1920s marked another important shift. Reclamation was now an instrument of the elitist and urban real-estate development and with a negligible regard for the rights of indigenous populations. The market value of reclaimed land increased and political stake rose and the interests of the community that relied primarily on the sea for survival got ignored in the process. After independence, projects like the Bandra-Worli sea link prove that land reclamation has just changed nature from colonial to the Indian government. A change began from 1991 though; legal accountability through the Coastal Regulation Framework under which the interest of the fisherfolk could be named, defined and protected. About the trajectory of the framework from 1991, 2011 and 2019; the Koli community saw a phase of complete legal invisibility (1991) followed by a brief period of protective classification (2011) and then a partial reversal (2019) which pushed Koliwadas back into the generic classifications of urban development as the reclamation pressure from the projects such as Coastal Road development intensified.

The Coastal Road Project has added a new dimension to these developments. The judiciary has now become the primary site where the Koli community's claims are made, contested and vindicated. The Kolis of the 18th century had no method to register their dissent against the Hornby Vellard and the Kolis of 1920s were powerless against the rampant corruption in Backbay reclamation but in 2019, they were first able to secure a high court stay on construction of the coastal road project and secondly, have the Supreme Court direct authorities to ensure rehabilitation of the fishing community. Even if partial, this should be seen as a genuine win for democracy. On the other hand, the persistent mis-management in compensation and loss of mangrove cover despite the court orders are the reminders of the inherently corrupt system which diffuses any attempts towards betterment.

A mechanism worth noting here is the mechanism by which the Koli's are kept perpetually dispossessed. In the colonial and early independence period, the mechanism of dispossession was primarily physical and direct; causeway embankments were built, creeks were sealed and the effects like disruption in fishing cycles, destruction of fish breeding grounds and interruptions in sea navigation for the Kolis can be seen as by-products of the engineering works that were being carried out. The mechanism adopted an administrative and regulatory fervour in the 21st century through a change in CRZ classification from category III to category II through a notification process which disregarded public consultation which was supposed to be a primary step and has made it easy for builders and developers to convert centuries-old fishing ground into land

reclamation and subsequently, urban development areas and apartments without having to build causeways or sealing creeks. This shift from direct physical displacement to administrative re-classification is arguably, the single most important and continuous transformation in the legal identity of the Koli people and their relationship with the sea. The object of state power has gradually shifted to the legal classifications through which the coastline is governed from the coastline itself.

## **Conclusion**

This paper has attempted to trace the trajectory of land reclamation in Mumbai dissecting across the early colonial period that saw the Hornby Vellard and unification of the seven islands, the late colonial Backbay reclamation scheme which got intertwined with high end elitism in real estate and a major corruption scandal, the post independence reclamation through massive infrastructural projects like the Bandra-Worli sea link and the much recent Coastal Road Project. It has analysed how each phase is intricately linked with the existence of fishermen communities and have redefined the legal, social and economic identities of the Koli people at each juncture along with their relationship with the sea and the coastal land that have sustained them for centuries. The patterns observed are not homogenous or consistent but show volatility and successive reconfiguration; from an uncoded natural claim through a period of near-total exclusion from decisions over land reclamation for developmental project, to brief periods of relief which saw social welfare classification and qualified statutory recognition under the 2011 CRZ Notification, followed by a legal reversal in 2019 to most recently, probably the most ambitious reclamation drive the city has ever seen.

Economically speaking, the community has diversified its way from solely surviving on marine resources to sometimes work for daily wages on the same projects that threaten their livelihoods to the concurrent situation where support groups, litigation and protest have given official compensation a central place in the discussion. Many scholars have also called out for deliberate inclusion of indigenous Koli knowledge and experience in the urban planning framework of Mumbai, claiming that this inclusion can make the city genuinely more inclusive and that the native coastal populations will not be seen as obstacles in the way of development, as objects that need to be 'dealt' with (Srivastava and Sayyad, n.d.). It is highly doubtful whether these ideas will ever be brought into force but if efforts are not made at least in this direction, history suggests us that there will always be tension persistent between the city dwellers who live in high rise buildings, have their businesses on the reclaimed land and drive on the sea link project road and the natives who have been inhabiting the city since centuries and for whom the sea and the coast are not merely aesthetic sights to behold but their source of identities, lives and livelihood.

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