

# Selective Inclusions and Exclusions

## Land-Use Planning and Development in Ratnagiri

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Ratnagiri, a small town on the western coast of Maharashtra, is an important urban settlement in the Konkan region. This article examines the town's uneven spatial and economic development by focusing on the fishing and tourism sectors, highlighting the historically generated and socially produced contradictions and contestations within and between them. It argues that the very instruments of spatial planning meant to address uneven development end up reinforcing and exacerbating existing spatio-social and political inequalities. It goes on to trace the processes by which spatial planning becomes an arena where regulations are bent and flouted by directly influencing local and state-level actors through a negotiated approach to planning.

Ratnagiri is a small town on the western coast of Maharashtra, which serves as the administrative headquarters of Ratnagiri district. This coastal town is an important hub for economic and infrastructure development of the Konkan region, which is one of the least industrialised and backward regions in Maharashtra. The town has a high concentration of state and district-level government institutions, higher educational institutions, markets, and other urban social facilities. It is also known worldwide for its mango and fish exports. However, with a population of 76,229 people (Government of India 2011) and slow population growth over the past decade, Ratnagiri town, covering a mere 8.58 square kilometres, is struggling to carve out an independent identity within a governance framework that favours larger and more financially robust urban centres.

In this article, we argue that the very instruments of spatial planning that are intended to foster local economic development end up reinforcing and exacerbating existing spatio-social and political inequalities. Tracing the history of Ratnagiri's urbanisation, we contend that powerful configurations of local and regional actors such as local politicians, real estate developers, industry owners, and the landowning elite lobby to shape regulations, visions, and even the designs of plans, and influence the implementation of projects on the ground. Placing this in the context of small and medium towns whose autonomy remains closely circumscribed by state intervention, and whose revenue sources are limited, we examine the implications of the politics of spatial inclusion and exclusion on Ratnagiri town's development trajectory.

This study is based on fieldwork in Ratnagiri town conducted between September 2011 and May 2013. A number of stakeholders were interviewed to examine the ways in which different actors are shaping the process of spatial planning and economic development in Ratnagiri. In addition, we examined various government documents, and state and local-level news articles and reports. The paper is divided into three sections. In Section 1 we outline the history of uneven socio-spatial development in Ratnagiri and how this has influenced different economic sectors, particularly fishing and tourism, both of which are dependent on the coast. Section 2 discusses the major contestations around economic activities in the town. Section 3 examines the ways in which spatial and economic development instruments have been designed and implemented, and the role played by different actors in influencing these decisions. The last section also discusses the

The authors would like to thank Seema Kakde and Sirish Damle who were central to the data collection and analysis processes. We would also like to thank an anonymous reviewer for valuable suggestions to improve the paper. This research was supported by the Ford Foundation, New Delhi.

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spatio-social outcomes of the development process in Ratnagiri and its effect on the poorest and most vulnerable urban groups in the town.

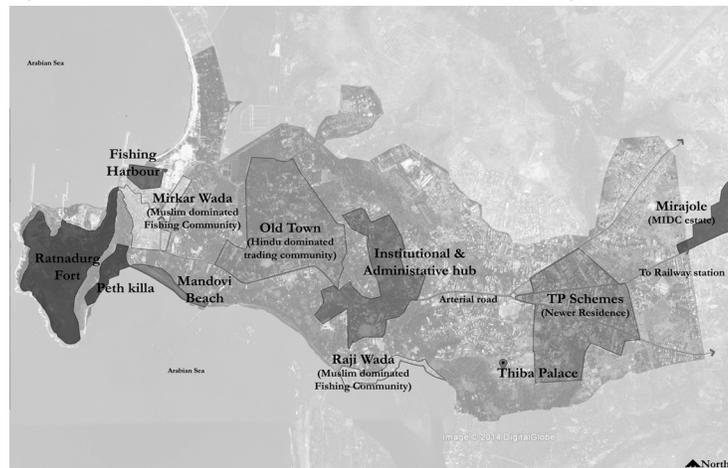
### 1 Uneven Development of Ratnagiri Town

Ratnagiri town emerged from the consolidation of several villages on the Konkan coast in the 19th century. While traditional activities such as fishing and agriculture were the mainstays of the villagers, the British carved out an urban settlement in Ratnagiri by locating several administrative institutions there, thus introducing a service economy. Post Independence, the Government of Maharashtra extended support for infrastructure development and economic development in Ratnagiri district by building urban infrastructure, and promoting fishing and horticultural activities through loans, incentives, and subsidies. However, the lack of development opportunities in the town was compounded by its distance from policymaking and economic hubs in the state.<sup>1</sup> Till the 1970s, Ratnagiri was connected to Mumbai only via sea.

The period from the 1970s to the 1990s marked the slow expansion of fishing-related industrial activities to the west and peripheral areas of the town; the development of residences to its east; and the town being made the administrative centre for the Konkan region. The state government also set up a Maharashtra Industrial Development Corporation (MIDC) estate on the eastern fringe of Ratnagiri to boost economic development, provide employment, and promote small and medium industries in the Konkan region. The construction of the Konkan railway in the 1990s improved connectivity with the hinterland, bringing in tourists and business travellers. Land prices and building activity began increasing in adjoining villages and the eastern periphery of the town in anticipation of industrial development. However, development interventions by the state have been sporadic, driven by regional political and economic factors and influenced by powerful local actors.

A unique feature of Ratnagiri town is that almost 98% of its working population is in the tertiary sector, but that there is great inequality in terms of incomes and livelihoods. The socio-economic disparities are manifest in the spatial geography of the town, which stretches linearly from the west to the east along the Ratnagiri-Kolhapur state highway (DESIGNO 2006). Broadly, the town can be divided into its old core area and its developing peripheral areas (Figure 1). The historical core area comprises the old *gaathan* residential areas, the informal market centre, and the administrative complexes. It has developed organically, and is very congested. The inhabitants are predominantly Hindu, belonging to the middle and upper classes. There are upper-caste landowning communities, a trading community, and people in the service sector. These communities have strong regional political and economic linkages through migration to Mumbai. The trading community is influential in the town through its investment in the hotel industry, religious organisations, and educational institutions. These groups comprise the

**Figure 1: Location of Different Communities and Activities in Ratnagiri Town**



Source: Google earth imagery 2014, Graphics: Purva Dewoolkar, based on author's observations.

powerful elites in the town and wield considerable influence over the Ratnagiri Municipal Council (RMC).

The western periphery of the town along the coast, which is close to the Mirkarwada harbour, is inhabited by poor migrant communities and the fishing community, which is mainly Muslim. The fishing villages are densely populated and poorly serviced. The migrant communities live in informal settlements. There are several formal and informal workshops, ice factories, and fish-cutting and processing industries around the harbour, initiated by the local government and private entrepreneurs. The wealthier Muslims have moved into new housing colonies on the eastern periphery of the town, and diversified into new trades, commerce, and the construction industry.

The periphery on land is a mixed landscape of newly planned layouts inhabited by professionals and government staff, housing colonies for the middle classes and the urban poor, modern market complexes, and medium-scale heavy industries. Due to the availability of private-owned land and proximity to the MIDC estate, this area has been a prime site for construction activity. In the last 20 years, local builders and developers have made inroads into the town's economy and become an important lobby in influencing its development. The spatial development of Ratnagiri town is, therefore, uneven, fragmented, and contested, with spatial fault lines between communities and classes building up over time through social practices and planned interventions.

The development, use, and regulation of land in the town is the RMC's responsibility.<sup>2</sup> The development of the harbour, however, is under the state government. We argue that decisions on the use of coastal land, whether for fishing or tourism, are largely based on the political equation between the state and local governments. With the notification of the coastal regulation zone (CRZ) in 1991 and the amended CRZ notification of 2011 prohibiting any development activity within 500 metre of the high tide line (Ministry of Environment and Forests 2011), Ratnagiri's coast has become an area of intense contestation between large hotel owners, migrant communities, real estate developers, Muslim fishing communities, and state government agencies, each claiming it for different purposes.

Given that one-third of Ratnagiri's area has been affected by CRZ norms, the town was forced to grow eastwards towards the railway station after 1991, but in an unplanned manner.<sup>3</sup> In 1996, the RMC proposed to incorporate 24 villages in the periphery for it to be able to undertake planned urbanisation and increase its revenue base.<sup>4</sup> This was stiffly resisted by the peripheral villages. Local and state-level political dynamics have ensured that the proposal is still pending.<sup>5</sup>

Ratnagiri town's socio-economic profile and the trajectory of urban development show that it is caught in a complex web of development constraints that play out unequally within it. In the following section, we examine the growth trajectories of two important economic sectors, and the social and spatial contestations within and between them.

## 2 Social and Spatial Contestations

The fishing and tourism sectors play significant roles in the economic life of Ratnagiri, but they have very different organisational structures and trajectories of growth. Each sector also has its own stakeholders, and spatial, infrastructural, and labour requirements. Each is regulated and controlled by different social rules, and governed by policies and institutions at the local, state, and central levels. As will be seen, there are inherent contradictions and contestations in each of these economic drivers that stem from historical socio-spatial divides. Given that the two sectors have competing demands on the use of coastal land, we focus on the contestations that arise because of their unequal development.

### Fishing and Its Unequal Growth

Fishing is an important economic activity in Ratnagiri town, and the Mirkarwada harbour is a major fish landing and processing centre, with 534 mechanised and 66 non-mechanised boats. The annual turnover at the harbour alone is around Rs 700 crore – from buying and selling fish, and processing and packaging it for export. Over the last two decades, fishing in Ratnagiri has expanded significantly due to the availability of facilities for cold storage, ice factories, and processing, developed by the state fisheries department, and local and regional investors. With the help of modern technology, the speed and scale of operation has increased from that of a traditional occupation to a more market-based, export-oriented industry.

However, the expansion of the fishing sector has largely benefited rich boat owners and local and regional entrepreneurs, who have set up factories, while the majority of traditional Muslim fishermen and workers earn low wages, suffer poor working conditions, and lack organised structures to negotiate their demands. The poorer Muslims own small boats or work in the harbour as labourers, in transportation, net making, boat repairing and so on. Women form the majority of the workforce, as seasonal contract labourers, in the fish-cutting and processing industry. There are three large, congested fishing villages in Ratnagiri town – Mirkarwada, Bhatkarwada, and Rajiwada. The strong community control over fishing through fishing societies, and the lack of connectivity

with the core area has resulted in the segregation of the community from the town and also created deep divides within it. In addition to the local population, there are very poor seasonal migrants from Karnataka, Tamil Nadu, and Nepal, who are very vulnerable groups and live in settlements near the harbour.

The response of the state machinery to such unorganised fishing activity in Ratnagiri has been partial, and has, we argue, benefited large trawler owners and entrepreneurs instead of improving the overall conditions and livelihoods of the community. The fishing harbour was constructed by the state government with the help of a centrally-sponsored scheme. However, a proposal to provide much needed facilities such as toilets, a proper loading dock, shops, and temporary shelters for workers in the harbour is still pending with the state fisheries department. The department has the powers to regulate, restrict, or prohibit certain fishing activities in a specified area; licensing of fishing vessels; registration of vessels; and so on. Despite having an office in the Mirkarwada harbour, it has played a limited role because some of its powers are effectively curbed by the informal social control of fishing societies. The result has been overfishing, misappropriation of subsidies, and flouting of regulations.

Despite the growing scale and importance of fishing, the RMC has done very little to support and strengthen the sector. An analysis of spatial plans and infrastructure projects reflect an ambivalent attitude towards the fishing sector. The first Development Plan (DP) sanctioned in 1974 (Government of Maharashtra 1974) designated two special planning zones, one for fishing (near Danda in Mirkarwada), and one for light industries (near Zadgaon), to enhance employment opportunities. Funds from the Integrated Urban Development Programme (IUDP) were earmarked for developing these special planning areas. Since the RMC did not have enough funds to acquire land in the designated areas, it was wealthy entrepreneurs who bought the lease rights from the original owners. This resulted in the appropriation of the special zones by entrepreneurs, who have since changed the land use category of their plots.

The requirements of the predominantly Muslim fishing community, whether related to their work environment or their living conditions, have been ignored by the local body. Thus, there is no proper, well-lit access road to the harbour or Mirkarwada village. The failure of the RMC and State Pollution Control Board in preventing the discharge of untreated waste water into the sea and the lack of a sewage treatment plant in the town has polluted marine life and indirectly affected the livelihood of traditional fishermen.

Local councilors and fishing societies representing the Mirkarwada area have shown very little interest or ability in demanding basic facilities for the fishing community. Leaders of the powerful fishing associations lobby for licences and subsidies with the state fisheries department, circumventing the urban local body. Interestingly, these powerful leaders indicated that any concerted demand or vocal protest from their side could be construed as communal in nature, and they were

not in favour of collective protests. Therefore, the ways in which fishing society leaders wield extensive power over the rest of the fishing community leads us to argue that they have deep influence over the sector and prefer maintaining the status quo in an undemocratic manner.

The failure of the local and state administrations to improve the conditions of the traditional fishing community has allowed the rich and elite sections to grab opportunities to expand their role in the fishing sector and allied activities. This has polarised communities in the town, exacerbated income inequalities and life chances, and fragmented the polity, spatially as well as socially.

### Skewed Tourism Sector

The Konkan region is an important and growing tourist destination, with the circuit comprising Jaigadh, Ganpatipule, Ratnagiri, Pawas, and Sindhudurg attracting a large number of visitors. Tourism is an economic driver in Ratnagiri, which is being promoted both by the state government and market forces. In the past, the relative isolation of the region implied low volumes of mainly domestic tourists. Improved connectivity via the Konkan Railway and the coastal highway has begun to bring in larger volumes of tourists to the town, which acts as a node on the regional tourism circuit. The state government, through the Maharashtra Tourism Development Corporation (MTDC), has been promoting the Konkan region as a place for adventure sports, exploring pristine beaches and ancient forts, and for eco-cultural tourism – all of which are focused on the coastline. In addition to leisure tourists, large-scale projects in the region (such as power plants, private ports, and townships) are also attracting business travellers to the town. Ratnagiri being an administrative town, people from the region also visit it for official purposes.

In the tourism sector, there is a distinct gradation of accommodation options, their location, and the people they attract. Local entrepreneurs have businesses ranging from budget-friendly lodges to three-star hotels. Budget and mid-sized hotels catering for mainly leisure tourists are in the core area of the town. High-end hotels and restaurants are on the Thibaw Palace Road or around the Mandovi seashore. Resort-style developments can be seen in the adjoining village of Bhatye. Most of the large resorts or bigger hotels have been built by regional-level politicians and entrepreneurs with strong political connections. For instance, Landmark Hotel on Thibaw Road is owned by Ramesh Khir, who is also the district president of the Congress Party. Given the number of permissions and licences required for setting up a hotel, entrepreneurs need strong negotiation skills, political clout, and alliances with local and state government institutions. While family-run, low-budget hotels and lodges have been around for 30 years or so, the larger hotels and the resorts have been built recently in anticipation of the development of tourism in the region.

The hospitality industry in Ratnagiri is hierarchical. Most of the owners are from rich landowning communities in the town, or private entrepreneurs from the region. The majority

of the workforce comprises male migrant workers. Since wages are very low compared to Solapur, Goa, Pune, or Mumbai, Ratnagiri attracts poorly trained and unqualified people. Migrant workers and local informal workers are particularly vulnerable – they have little bargaining power in the hotel industry due to their outsider status and the lack of trade unions.

The structure of the tourism sector in Ratnagiri is skewed towards a few entrepreneurs, landowners, and large investors who control the sector's development and have an important say in providing tourism infrastructure, setting wage limits, and influencing permissions, exemptions, and concessions. A key power structure that deals with the various issues affecting the local hotel industry in Ratnagiri is the Hotel Owners' Association, which works as an informal pressure group to remove barriers to private players operating in the town.

Tourism is a state subject. In 1999, under the New Tourism Policy, the state government accorded it the status of an industry, thereby making it possible to attract private investments. The MTDC is the nodal agency created under the Companies Act, 1956 for developing and promoting tourism. But its regional office in Ratnagiri has been circumvented by networks that are able to directly lobby the state government for special packages, land, and other incentives. Entrepreneurs with strong regional political patronage networks are able to leverage their political connections and gain access to coveted beachfront properties. Nonetheless, the district collector is an important gatekeeper, with the authority to control access to land, and selectively grant permissions and licences for operating units.

The RMC has actively lobbied the state government and the MTDC to gain access to state funds and schemes for the development of tourism-related projects because it views tourism as a revenue and employment-generating sector. Konkan packages were used in the 1990s to develop tourism, which led to the beautification of Thibaw Point and the improvement of Mandovi beach. Umesh Shetye, who was president of the RMC in 1996-1998 and 2001-2006, played an active role in obtaining funds from the state for tourism development, which coincided with the period that construction activity began to boom on the town's peripheries. His influence was strengthened by his close ties to the trading and builder community, and his ability to negotiate with state-level authorities across party lines.<sup>6</sup> In spite of the RMC's efforts to develop the tourism sector at the local level, several overriding state regulations and decisions make this extremely challenging.

The discussion highlights the ways in which two important economic drivers have made considerable spatial imprints on the town. Both the sectors are organised in a hierarchical fashion, are seasonal in nature, and dependent on informal and migrant workers. Large boat owners and hotel owners exert strong localised community control, dictating the terms of engagement in the sectors, and influence the RMC and state bodies for allocation of resources. It is evident that regional political and economic factors have led to the opening up of these sectors to market influences, but the benefits are increasingly being cornered by a few wealthy entrepreneurs, most of

whom are politically networked at the state level. The local body has responded favourably to the development of the tourism sector, and the needs of hotel owners and big entrepreneurs in the fishing sector. Yet it has largely ignored the demands of the local fishing community, small hotel operators, and the informal sector catering for tourists in the beach areas.

### 3 Politics of Inclusion and Exclusion

In this section, we argue that the uneven spatial development of Ratnagiri town since the colonial era has been reinforced by the politics around land-use planning, zoning, and the selective application of reservation of plots and CRZ regulations.

The intention of the DP was to ensure balanced spatial development and distribute economic opportunities to all through the allocation of land and infrastructure. The Maharashtra Town and Regional Planning Act (MRTP) 1966 promotes and regulates development in urban areas. Under this, urban local bodies have the authority to declare and prepare land-use plans that indicate zones for particular uses. The principle is to allocate land taking evolving needs and future population growth into consideration so that there are no conflicting land uses. Plans guide investments and the direction of spatial growth, consequently affecting land values at the local level.<sup>7</sup> Any development on land requires permission for converting it from agricultural to non-agricultural (NA) use, and it is the district collector who grants this.<sup>8</sup> NA land attracts a higher tax assessment, and landowners, developers, and entrepreneurs have vested interests in influencing the way the DP is prepared.

A set of development control regulations (DCRs) and building by-laws accompany the DP. These specify the limits and conditions for development, such as access, safety, and density requirements for open spaces, height restrictions, and land subdivision, and thus guide the process of implementation.<sup>9</sup> In general, violation of DCRs is rampant across towns given the lack of monitoring or enforcement capacity, outmoded standards, and the dynamic nature of people's needs on the ground (Boob and Rao 2012; Kamath and Deekshit 2014). The DP also seeks to allocate and spatially distribute public amenities through reservations. This powerful instrument enables it to acquire private land parcels and develop them into public amenities, although in most towns it has seldom been implemented due to lack of finances.

In 1974, Ratnagiri's first DP and DCRs were sanctioned by the state government. According to the DP, 135 reservations were proposed across the town. For the development of infrastructure in the undeveloped parts of the town, two town planning schemes (TPS) were drawn up by the RMC and notified by the state government.<sup>10</sup> One was partially completed near the Thibaw Palace to the east, where subsequently planned residential layouts and upscale commercial developments came up. The other was for the Atthoda Bazaar area, covering a part of the congested core of the town. Road widening was undertaken as part of this TPS, and it later ran into litigation over compensation and plot reconstitution, and was stalled indefinitely. One of the distinguishing features of the DP 1974

was the creation of the two special zones to promote fishing and light industries (Figure 2).

**Figure 2: Areas of Spatial Intervention and Emerging Contestations in Ratnagiri Town**



Source: Google earth imagery 2014, Graphics: Purva Dewoolkar, based on author's observations.

In addition to these spatial instruments used by the local government, CRZ notifications 1991 and 2011 were imposed on the local body by the centre, affecting building activity along the coast, the development of reservations in fishing villages and the Killa area, and the functioning of the fisheries and light industries zones. We argue that these spatial planning instruments have been used and implemented selectively, reproducing socio-spatial fractures. This has given resources to the powerful landowning and trading community while withholding them from the marginalised fishing community. Overall, there has been very little way of planned development in the town. This is partly because the RMC has limited influence given its lack of financial resources and its dependence on the state government for funds. The latter also has overriding decision-making authority on matters to do with town planning and economic development.

Ratnagiri's urban trajectory reveals manifestations of informality as a mode of urbanisation. The selective implementation of spatial planning instruments both by the state and local governments reveals how particular dominant social groups in the town have formed coalitions and manipulated political channels, particularly the urban local body, to further their own interests. The following cases illustrate how powerful multiple interest groups have influenced the way plans have been prepared, modified, kept in abeyance, or used to legitimise existing unauthorised developments.

Only 14 of the 135 reservations proposed in DP 1974 had been implemented till 1984. Most of these were parks and gardens, or roads in the low-density developing parts of the town. These reservations are important spaces for extralegal negotiations between landowners, the municipality, town planners, and other interest groups. We examine three reservations in the centre of the town – one for a community centre and vegetable

market; the other for a shopping centre (site no 12 as per DP 1974); and another for housing the dispossessed (those displaced due to road-widening projects). Of the three reservations, only the shopping centre has been built, bringing in rent for the RMC.

The fate of the other two reservations are in the balance as the area comes under CRZ II according to the stringent 2011 norms, and approvals are required from the Coastal Zone Management Authority (CZMA) at the state level for any development activity. Builders have shied away from this area because building permissions are indefinitely stuck at the state level. According to the office of the Additional Director Town Planning (ADTP) in Ratnagiri, the RMC has been deliberately stalling the development of these two public amenities. The reservations were approved in 1974 and the RMC could have easily sought possession of the plots (which it did in the case of the shopping centre). Meanwhile, the plots have been encroached on by poor migrants. This underscores the ways in which the urban local body has exploited gaps in the messy web of rules and regulations that are in conflict with another, transferred the blame to the CZMA, and delayed projects that do not have the potential to generate revenues for it.

Several important reservations along the coast, particularly in and around Mirkarwada, have not been implemented. Next to the Mirkarwada harbour, there is an informal fish market, some public toilets, and an Urdu primary school. The school has been refused permission for redevelopment and repairs while the RMC waits for state-level CZMA clearance. Many of the poor Muslim families send their children to this school. The market operates without any proper infrastructure. The reservation for a fish market in a more central part of the town has been changed to residential use and swapped with another plot on the periphery of the town that is at a distance from the harbour.

Likewise, some coastal plots to the east of Mirya Road, which were zoned for industrial use in the first DP, were revised to “residential and boat repair works” by the RMC in the draft revised DP of 1993. This reflected the interests of the powerful trawler owners and operators in the locality who required space for boat repairs. Also, many of the entrepreneurs in the fishing sector had been surreptitiously renting out buildings in the designated industrial zone for commercial and residential purposes. They stood to gain from the conversion of land from industrial use to residential use, which would legalise what was already being practised. The state government, however, objected to this and ordered that the coastal land be changed from an industrial zone to a no development zone in its proposed modification in Schedule B in 2000. By the time the new DP was sanctioned in 2005, the state had sanctioned this modification, thus rejecting the demands of the big boat owners and fishing entrepreneurs.

### Unmapping as State Government Strategy

The state government has been a powerful player in defining and redefining the use and management of coastal land, sometimes in favour of its own agencies and regional political leaders over the interests articulated by the local government or by

particular communities. As the legal custodian of all government land, the state government, through the office of the district collector, has been engaged in the large-scale transfer of public land in Ratnagiri district to other government agencies and private players. In recent years, a substantial patch of land has emerged due to natural siltation near the Mirkarwada harbour, where a break wall had been built to protect boats from wave surges. This land does not exist on the district collector’s land records and it is this deliberate unmapping (Roy 2009) or territorial ambiguity that has enabled multiple claims and contestations to emerge. While its location suggests that the land can be used for the redevelopment of the harbour, no such step has been taken by the state government or local administration, and neither has the fisheries department made claims on it. About 100 hectares of this land has been officially transferred to the Coast Guard by the district collector.

The residual portion remains fiercely contested. Migrant families have informally occupied the land with the help of the fishing societies in Mirkarwada. The collector tried to evict them twice, but they returned to the site each time. This is an example of the state trying to overcome local interests but being unable to do so because of the informal control large boat owners have over the harbour and its functions. Though the rich Muslim boat owners and entrepreneurs have been able to protect the livelihoods of vulnerable migrants from the actions of the state, they have also prevented the Hindu fishing community of the Bhagwati Bunder area, adjoining Mirkarwada, from accessing this piece of land, thus bringing out fissures in the fishing sector itself.

The RMC has been largely silent on this because the harbour is outside its jurisdiction. In this connection, it is important to mention that even though the RMC president elected in 2011 represents Mirkarwada, the peripheral coastal area has failed to get any significant development support from the local administration. For the first time, the Muslim community in Mirkarwada voted for the Shiv Sena-BJP alliance in the 2011 municipal council election, hoping that it would get basic facilities like water, sanitation, a school, solid waste management, and space for fish marketing and other livelihood related activities. Having been loyalists of the NCP-Congress alliance, the community felt that years of neglect had led to them being made invisible in the town’s development plans and policies. Thus, irrespective of which political parties control the local administration, the voices of the Muslim poor have been marginalised in the town’s development plans. This is in contrast to the keen interest and vocal support political parties have extended to develop, support, and intervene to change the land-use pattern and reservation plots for upper-class Hindu business groups and real estate interests in other parts of the town. The communal divide in the town and its manifestation in terms of the occupations practised, the areas in which people reside, and their numbers have clearly influenced the practice of partisan politics, which, in turn, has perpetuated differences between the communities.

The state’s role in producing contestations around coastal land also extends to the large, high-end, private resorts on

Bhatye beach, which are on land leased through the MTDC. The Ratnasagar resort, which was built in 2009, has blocked access to the beach for the local fishing community, which had traditionally used it for parking their boats, repairing their nets, and cremating their dead. The high-end “eco” resort caters exclusively for rich tourists from Mumbai and Gujarat. This violates the essence of the CRZ norms, which were instituted to protect the livelihoods of traditional fishermen. In this case, the norms have been sidestepped and liberally interpreted in the interest of the owners of the resort because of political clout. Any possibility of resistance at the local level from fishermen was neutralised in advance by negotiating with gram panchayat officials who were equally complicit in the development of the resort.

This is in contrast to the state government’s decision to strike down the tourism-related reservations proposed by the RMC for the Killa area around Ratnadurg fort as a part of enforcing the CRZ norms stringently. The Killa area has been demarcated as CRZ III. Thus, no development activity is allowed within 200 metres from the high tide line. The RMC had undertaken to develop a garden, picnic spot, and bus stand on reserved plots, which it had intended to do through the Konkan package from the state. However, the revised DP of 2000 showed that most of the reservations in the Killa zone had been changed to no development zones. Here again, the state government’s decision overruled the local body’s plans – a recurring theme in most small towns dependent wholly on the state for finances. However, the RMC continues to be proactive and has been influencing the development of tourism through flexible implementation of its land-use regulations. For example, several hotels have come up on the Mandovi beach in spite of the CRZ regulations, while proposals to expand fishing-related industrial units in the same coastal zone have faced challenges from the state CZMA.

In the town, the significant players are the developers’ lobby, land owners, and entrepreneurs, who have been influencing land use development patterns and their regulation through the office of the RMC. A move to expand the core congested area of the town by increasing floor space index (FSI) limits shows the negotiations and manipulations around land-use planning. When the opportunity arrived in the form of revising the existing DP and DCRs in 1984, the urban local body proactively sought to prepare a draft revised DP and DCRs. In 1993, the RMC put forward a series of contentious modifications, de-reservations and changes of reservations, and an increase in the limits of the congested area. We turn to this to illustrate the contestation around land in the city and the emergence of a strong real estate developers’ lobby.

In the draft DP of 1996, the RMC proposed to expand the current boundaries of the congested area citing changes in the dynamics of development and the people’s need for more building space. This implied that a larger area would be eligible for an FSI of 1.8, increasing the scope and intensity of development.<sup>11</sup> DCRs were also changed to increase built-up areas in the already congested core areas and spur commercial development in other growing areas. While sanctioning the final

revised DP in 2005, the UDD kept decisions regarding the fate of the congested area in “abeyance”. The state refused to allow changes in the DCRs and decreed that the standardised DCR for B and C class municipalities be enforced in Ratnagiri. The developers’ lobby contends that the expansion of the congested area is justified for redevelopment purposes, given its high density and the age of its buildings. But the state government believes that even low-density neighbourhoods have been deliberately included in the congested area to benefit from the higher FSI of 1.8. In this case, there is an ongoing tussle between the state and local developers, and the RMC has been caught in between. According to developers, the impasse is bad for business and they are now exploring other options such as introducing a policy for “cluster redevelopment” of the congested area through the RMC.

Clearly, developers in Ratnagiri have been manipulating the RMC to meet the growing demand for land in the core area for market-led development. The developers’ lobby tried to influence overall development in the town by persuading the RMC to propose a set of modified DCRs in 2008, ostensibly to address the unique problems of development that Ratnagiri faces as a coastal town. In 2008, developers, a section of landowners, and other influential people held that the existing DCRs had to be relaxed because the CRZ 1991 norms made almost one-third of the town’s area a no development zone. The Ratnagiri Builders’ and Developers’ Association (RBDA) formed a consensus at the local level and it was approved by the general body of the RMC in 2008. It then lobbied at the state level (particularly with UD desk No 12) to get the revised DCRs sanctioned. In 2011, the state government approved the application for the new DCRs with certain minor changes, becoming equally complicit in opening up the land market in Ratnagiri (Government of Maharashtra 2011). Ironically, in 2013, the adjoining UD desk No 13 furnished a framework for a new set of standardised DCRs for A, B, and C class towns, thus overturning the DCRs for Ratnagiri implemented in 2008.

These examples of changes in reservations, in zoning, and in revising the DP and DCRs not only reveal the deeply contested nature of development, but also how land-use planning is open to multiple interpretations, inclusions, and exclusions. Negotiations are concerted and scripted by some of the most powerful groups in the town, who leverage their wealth, position, access, and networks to ensure that the benefits of spatial planning are disproportionately in their favour. Each of these decisions has been through negotiations and compromises which are at best termed extralegal.

## Conclusion

The article highlights ways in which urbanisation in Ratnagiri has turned into an uneven contest. Powerful local actors such as elected representatives, businessmen, landowners, shopkeepers, and developers control the distribution of wealth, and also act as gatekeepers and decision-makers for economic sectors such as fishing, tourism, and construction. The spatial planning instruments in Ratnagiri are inextricably enmeshed in, and influenced by, the existing relations of power, which

also depend on communal and class hierarchies. They thus produce outcomes that perpetuate the uneven spatial and economic geography of the town.

It also brings out the inherent paradoxes in spatial planning and the challenges it faces on the ground. Roy's definition of urban informality is useful in understanding the complexities, and the sloppiness, of the urban planning process. "If formality operates through the fixing of value, including the mapping of spatial value, then informality operates through the constant negotiability of value and the unmapping of space" (Roy 2005). Our case studies of implementation illustrate how the urban is produced informally. The modes of informal urbanisation range from creating exceptions to the law (CRZ and resorts), keeping issues in abeyance and making modifications (DP, DCRs, and the congested area), and appropriating special use zones for other purposes (fish and light industries areas). Importantly, these strategies are all produced, sanctioned, and maintained by the formal system of planning in which the

state government is a key player and enabler. This contributes to the argument that the state itself is a highly informalised entity with the power to create distinctions between one form of informality and another, and accord legitimacy to one while declaring another illegal.

Some scholars (Roy 2009; Kamath and Deekshit 2014) have pointed out how the urban poor and the rich and powerful are able to evade or manipulate planning laws, producing multiple socio-spatial outcomes in urban planning. In Ratnagiri, informal migrant settlements can be found on government and private lands, occupying space created through policy loopholes and conflicting planning instruments. By and large, however, we found that the interests of the elites have dominated the process of mediating land use development, its control, and spatial planning. This raises questions about the possibility of radical spatial and social transformations in the future, which will bring justice to those who remain on the fringes of planning.

NOTES

- 1 Because of its relative isolation and remoteness, the British set up a mental asylum and a jail in Ratnagiri town, and also exiled Burmese King Thibaw to it. Mumbai is 384 km away by road.
- 2 The predominant land use is residential (70%), followed by institutional use (11%), while industrial use comprises a mere 5%, according to the Draft Development Plan of 2000 (Government of Maharashtra 2000).
- 3 The Coastal Regulation Zone notification of 1991 and the amended notification of 2011 restrict development activities within 500 metres of the high tide line in areas that have already been developed up to or close to the shore line within municipal limits.
- 4 The RMC, established in 1876, is a B class municipality despite being the headquarters of a district.
- 5 During the study period, the RMC was ruled by a Shiv Sena-Bharatiya Janata Party (BJP) alliance, and the state government was under the control of a Congress-Nationalist Congress Party (NCP) alliance.
- 6 This information is based on our discussions with various stakeholders in Ratnagiri town during the fieldwork.
- 7 These are long-range plans for 20 to 25 years. They are approved and sanctioned by the urban development department (UDD) at the state level. These zoning decisions are very hard to alter once sanctioned, and the formal process involves preparing a revised DP and DCR 10 years after the date of sanction.
- 8 For more details, see the Maharashtra Land Revenue Code, 1966, Government of Maharashtra.
- 9 In 1980, the UDD framed standardised building bye laws and DCRs for A, B, and C class towns under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act 1965 and the MRTP Act 1966, giving municipalities the power to enforce rules, penalise violations, revoke permissions, and, in certain cases, modify DCRs to suit local conditions (although this requires sanction by the UDD at the state level).
- 10 Town planning schemes are used to implement the DP, wherein land owners in a declared town planning scheme area pool together their land for the development of infrastructure such as roads, drainage systems, and public

amenities. This is done through the technique of plot reconstitution, where each plot owner gives up part of the plot for basic amenities. The value of the remaining plot increases due to the development of infrastructure and amenities. The local body does not have to acquire land and instead is able to provide infrastructure and collect betterment levies from the improved layouts. However, in Maharashtra, TPS is a lengthy process and mired in litigation over compensation and reconstitution of plots.

11 The FSI for the rest of the town is 1.

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