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BREATHING FIRE
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SPORT » PAGE 17



Yahya Sinwar
Hamas leader
Yahya Sinwar
killed in Gaza:
Israeli military

Associated Press
JERUSALEM

Israeli forces in Gaza killed Hamas's top leader Yahya Sinwar, a chief architect of last year's attack on Israel that sparked the war, the military said on Thursday.

Troops appeared to have run across him in a battle, only to discover afterwards that a body in the rubble was the man Israel has hunted for over a year.

There was no immediate confirmation from Hamas of his death.

FULL REPORT ON
» PAGE 16

SC upholds Section 6A of Citizenship Act as valid law

Constitution Bench gives the ruling in a 4:1 majority judgment; the Section says people from Bangladesh who arrived in Assam prior to January 1, 1966, would be deemed to be Indian citizens

Krishnadas Rajagopal
NEW DELHI

A Constitution Bench of the Supreme Court, in a 4:1 majority judgment on Thursday, upheld the constitutionality of Section 6A of the Citizenship Act, 1955, which permits immigrants from Bangladesh residing in Assam to secure Indian citizenship. The court held it as a valid piece of legislation aligned to the preamble value of fraternity.

The principle of fraternity cannot be selectively applied to one section living in Assam while another lot are labelled "illegal immigrants", Justice Surya Kant, who authored the lead opinion for the five-judge Bench, observed.

"Our reading of the Constitution and precedents is

Section 6A was included with the objective of reducing the influx of migrants... The Assam Accord was a political solution to the issue of growing migration and Section 6A was a legislative solution.

CHIEF JUSTICE D.Y. CHANDRACHUD



A nation can accommodate immigrants and refugees, while simultaneously prioritising sustainable development and equitable allocation of resources.

JUSTICE SURYA KANT

that fraternity requires people of different backgrounds and social circumstances to 'live and let live'... When faced with the dilemma of disenfranchising millions or safeguarding a community's endogamous way of life, this court would certainly be compelled by the principles of fraternity to prioritise the

former," he observed. Section 6A, which traces its roots to the political solution of Assam Accord of 1985, mandates that immigrants who entered Assam from Bangladesh prior to January 1, 1966, would be deemed to be Indian citizens. Those who entered the State between January 1, 1966, and March 25, 1971,

would be conferred citizenship based on the fulfilment of specific procedures and conditions. The Section, however, barred citizenship to those who entered Assam after March 25, 1971.

Migration a burden, Justice Kant, in his opinion shared with Justices M.M. Sundresh and Manoj Misra, however said incessant migration from Bangladesh was indeed a burden on Assam.

But the blame for it could not be attributed to Section 6A alone. A large part of the fault lay with the government's failure to timely detect and deport the post-1971 immigrants from Bangladesh, he said.

CONTINUED ON
» PAGE 12 [SEE MORE](https://www.thehindu.com)

IN BRIEF



Bahraich case:
2 accused hurt
in 'encounter'

NEW DELHI
Two persons arrested in connection with the violence in Bahraich district sustained injuries on Thursday after being shot at by the police while allegedly attempting to flee from custody. » Page 4

Bomb hoax cases:
offenders could be
put on a no-fly list

NEW DELHI
Inter-ministerial consultations are under way to make amendments to the Aircraft Act to ensure a five-year jail term and placing offenders on a no-fly list for hoax bomb threats to flights, sources in the Ministry of Civil Aviation said on Telegram. » Page 14 [PressNation](https://www.thehindu.com)

Holding the reins



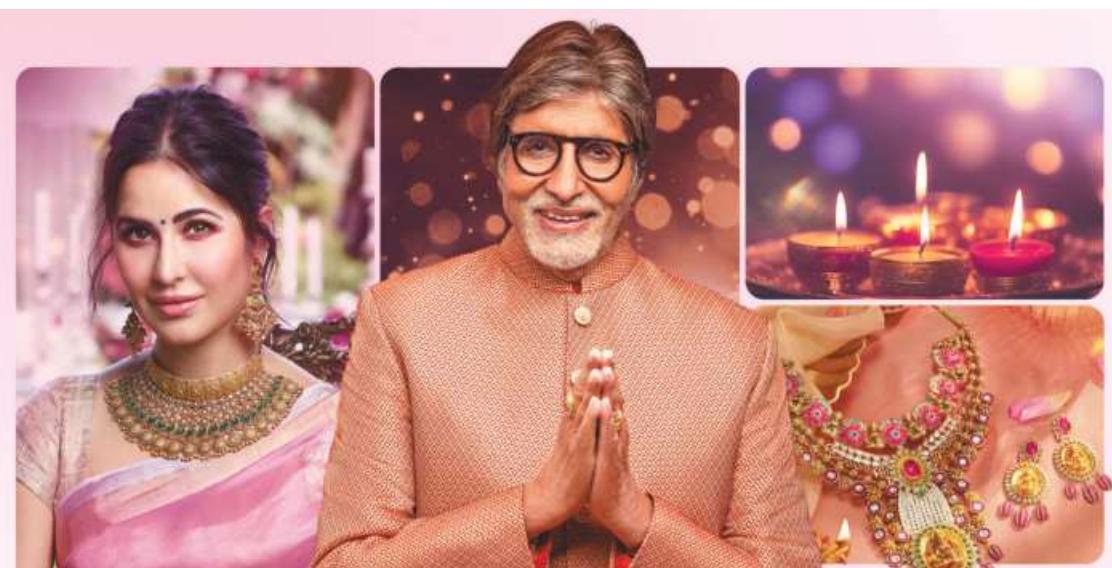
Wheels and horns: A man from Rajasthan leads his herd of cattle to the outskirts of Delhi for grazing on Thursday. SHIV KUMAR PUSHPAKAR

Centre to distribute 1,600 tonnes of onions

The Hindu Bureau
NEW DELHI

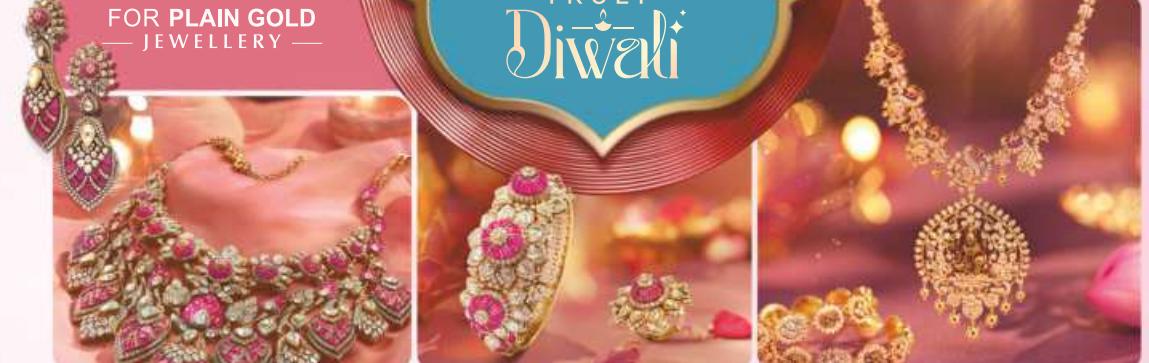
Union Consumer Affairs Secretary Nidhi Khare said on Thursday that the Centre will distribute 1,600 tonnes of onions in the northern region to address rising prices ahead of the festival season.

The Centre said 42 wagons, 53 trucks, of onions are being transported by the 'Kanda fast train' from Nashik to Delhi-NCR and it will reach the national capital on October 20.



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Saini takes oath as Haryana CM for second term along with 13 Ministers

The Hindu Bureau
CHANDIGARH

Nayab Singh Saini on Thursday took oath as the Chief Minister of Haryana for the second term, days after the BJP retained power by winning its third Assembly election in a row.

Mr. Saini's new Ministry has 13 members, including two women. Haryana Governor Bandaru Dattatreya administered the oath of office and secrecy to all of them at the swearing-in at Panchkula, which was attended by National Democratic Alliance (NDA) leaders, including Prime Minister Narendra Modi.



Once again: Nayab Singh Saini takes oath as the Chief Minister of Haryana at the swearing-in ceremony in Panchkula on Thursday. PTI

Goel, Shruti Choudhry, and Arti Singh Rao. Rajesh Nagar and Gaurav Gautam took oath as Ministers of State (independent charge). The highest representation has been given to the Other Backward Classes with as many as five legislators from the category made Ministers. Two from the Jat and Scheduled Caste communities have found place in the team.

During the election campaign, the BJP's outreach to Dalits was evident, and it was successful. Ms. Shruti is the daughter

of Rajya Sabha member Kiran Choudhary and Ms. Arti is the daughter of Union Minister Rao Inderjit Singh.

The swearing-in was held on the occasion of Valmiki Jayanti, which political circles are seeing as an attempt of the BJP to exhibit a "pro-Dalit" image. The Haryana Chief Minister also thanked Mr. Modi for his "inspirational leadership".

(With inputs from PTI)

New team

The new Cabinet Ministers are Anil Vij, Arvind Kumar Sharma, Shyam Singh Rana, Ranbir Singh Gangwa, Krishan Bedi, Krishan Lal Panwar, Rao Narbir Singh, Mahipal Dhanda, Vipul

Cong. flags off campaign vans to seek public opinion for manifesto

The Hindu Bureau
NEW DELHI

The Congress's Delhi unit on Thursday flagged off seven campaign vehicles that will be sent to different parts of the city and used to collect suggestions for the party's Delhi poll manifesto. As part of the 'Dilli-walon Aao-Dilli Chalo' drive, chairs have been installed on the vans to allow

people to sit and speak about what they want for the Capital.

State Congress chief Deven Yadav, who launched the campaign, said the public placed Aam Aadmi Party (AAP) national convener and former Delhi Chief Minister Arvind Kejriwal in the CM's chair for 10 years. However, the ruling party betrayed people's trust through "cor-

ruption and incompetence".

"People are now looking up to the Congress to provide a stable government in Delhi," Mr. Yadav said.

The Congress, which fought the recent general election in Delhi in alliance with AAP, will fight the upcoming poll alone and hope to make a comeback after drawing a blank in the last two State elections.

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On Valmiki Jayanti, AAP chief reaches out to community

Party gave Delhi its first Valmiki Minister, Deputy Speaker, says Kejriwal, adds that AAP has ensured MCD sanitation workers lead a dignified life

The Hindu Bureau

NEW DELHI

Am Aadmi Party (AAP) national convener Arvind Kejriwal on Thursday said that his party gave the city its first Minister and the first Deputy Speaker from the Valmiki community in an apparent reference to Rakhi Birla, who was appointed the Social Welfare Minister in the first AAP government in Delhi in 2013 and is currently serving as the Deputy Speaker of the Delhi Assembly.

Mr. Kejriwal made the remark at a programme near Red Fort to commemorate Valmiki Jayanti, a Hindu festival that celebrates the birth of the scholar who wrote the Valmiki Ramayana.

"AAP takes a lot of inspiration from the life of Lord Valmiki," he said, adding that since forming the government in the national capital, the party has taken several decisions in the interest of the Valmiki community.

Sizeable presence

The community is categorised in Delhi as a Scheduled Caste and has a sizeable presence in the city.

Mr. Kejriwal said that over the past two years, during AAP's rule in the Municipal Corporation of Delhi (MCD), thousands of ad hoc sanitation workers have been given perma-



Arvind Kejriwal addressing an event with AAP MLA Kuldeep Kumar (right) near Red Fort on Thursday. SPECIAL ARRANGEMENT

nent jobs and the process of regularisation will continue. "Just yesterday, over 600 sanitation workers were regularised," Mr. Kejriwal said.

He also said that after coming to power in the civic body nearly two years ago, AAP has ensured that sanitation workers get their salaries within the first week of every month to help them live dignified lives. "Before we took charge of the MCD, sanitation workers did not receive their salaries for up to eight months at a stretch," said the AAP chief.

He added, "Sanitation workers are not wealthy people. They are hard-working individuals who rely on their monthly wages to run their households, pay their children's school fees, and meet daily ex-

CM yet to get possession of 6, Flagstaff Road bungalow

The Hindu Bureau
NEW DELHI

Chief Minister Atishi on Wednesday night received a letter about the allotment of 6, Flagstaff Road bungalow, but she is yet to get possession of the house, the Chief Minister's Office (CMO) said in a statement on Thursday.

Ms. Atishi continues to live in AB-17, Mathura

Road, which was allotted to her when she became a Cabinet Minister last year, according to the CMO. The bungalow, where former Chief Minister Arvind Kejriwal lived, has been at the centre of a political storm with the CMO last week alleging that Ms. Atishi's belongings were removed from 6, Flagstaff Road and it was not being officially handed over to her.

An Air Quality Index reading between 201 and 300 is considered 'poor', 301 and 400 'very poor', and 401 and 500 'severe'.

Air quality continues to deteriorate

Press Trust of India

NEW DELHI



The 'supermoon', the year's largest full moon, lights up the night sky above India Gate on Thursday. The city witnessed a cloudy sky through the day with a maximum temperature of 36.2 degrees Celsius. PTI

Gym owner's murder: police teams from Delhi, U.P. arrest second shooter from Mathura

The Hindu Bureau
NEW DELHI

In a joint operation, the police forces of Delhi and Uttar Pradesh on Thursday arrested a sharpshooter from Mathura wanted for the murder of a gym owner in Greater Kailash I, said an officer.

Yogesh alias Raju, a resident of U.P.'s Badaun, is accused of working for Lawrence Bishnoi and Hashim Baba gangs.

His associate Madhur alias Ayaan was arrested by Delhi Police's Special Cell following an encounter in Narela on October 12.

Suspected gang war case

Raju and Madhur allegedly shot dead 35-year-old Nadir Shah outside his gym on September 12 in a suspected incident of gang war. Shah was accused of involvement in several criminal cases, including those pertaining to robbery and attempt to murder.

A senior officer said the Special Cell received a tip-off about Raju's presence in Mathura, following which a trap was laid in coordination with the local police. The suspect was seen riding

a motorcycle on the service road of the Agra-Mathura highway near the Baad railway station around 4 a.m. "On seeing the police teams, Raju opened fire. He fired three rounds while the police team fired two in self-defence," said the officer.

'Injured in retaliatory fire'
The accused sustained a gunshot injury in his left leg and has been admitted to the hospital, the officer also said.

.32 bore pistol with seven live cartridges, three empty shells and a motorcycle without a registration plate were recovered from the spot.

Superintendent of Police (Mathura City) Arvind Kumar said a case has been registered against Raju in Mathura under Sections 109 (attempt to murder) and 317 (possession of stolen property) of the Bharatiya Nyaya Sanhita and under relevant sections of the Arms Act.

He added that more than half a dozen criminal cases are registered against him in the State's Badaun and Kasganj districts, besides Delhi.

Delhi BJP urges party leadership to rethink stance on subsidies

Satvika Mahajan
NEW DELHI

With the local Bharatiya Janata Party (BJP) leaders pushing the national leadership to reconsider its position on the issue of offering subsidies, the party, which last held the reins in the national capital in 1998, has been holding detailed deliberations to firm up its strategy for the Delhi Assembly poll due early next year.

We have tried to impress upon the senior leadership that people of Delhi believe that if the BJP comes to power, their subsidies will be stopped. This is denting our chances. People are fed up with the AAP government due to corruption and lack of work. But if we don't act on this particular issue now, we may lose another election to AAP," another source said.

A member of the BJP's social media team said the party's campaign is currently focused on the failures of the AAP government and the need to bring in a double-engine government – a euphemism for the same party ruling both at the Centre and in the State – in the Capital. "But the party will have to re-evaluate its stance on subsidies to level the playing field for the BJP," he said.

Talking about the party's prospects, he added, "We will win seats in double digits but if we want to secure a majority, we will have to reassure the people that their subsidies will not go anywhere."

In 2020 and 2015, the BJP failed to cross the double-digit mark in the elections to the 70-member House.

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IN BRIEF



Actor Tamannaah quizzed by ED in money laundering case

Actor Tamannaah Bhatia was questioned by the ED on Thursday in connection with a money laundering case probe linked to the 'HPZ Token' mobile app in which several investors were allegedly duped on the pretext of mining Bitcoins and some other cryptocurrencies, official sources said. The Enforcement Directorate said the statement of the actor was recorded under the Prevention of Money Laundering Act at its zonal office in Guwahati. Sources said Ms. Bhatia received some funds for making a "celebrity appearance" at an event of the app firm and there were no "incriminating" charges against her. PTI

Teen apprehended on charge of selling porn videos online

Uttar Pradesh Police on Thursday apprehended a 17-year-old boy in Gorakhpur for allegedly selling over 4,000 child pornography videos online. The accused, who earned a 30% commission on each sale, obtained the videos through Telegram from a supplier named Raj, police said. The matter came to light after the cyber police department received a tip-off from a volunteer organisation, they said. A police team launched a probe and seized the accused's mobile phone after nabbing him on Thursday. During interrogation, the teenager admitted to using one Nekogram mobile application and Telegram to distribute the videos, SSP Gaurav Grover said. PTI

Received certificate for Emergency, says Kangana Ranaut

Press Trust of India
NEW DELHI

Kangana Ranaut's *Emergency* is finally ready for release with the Central Board of Film Certification (CBFC) issuing a censor certificate to the controversial film in which the actor and the BJP MP plays the role of Indira Gandhi.

"We have received the certificate for our movie *Emergency*," Ms. Ranaut wrote on her Instagram Stories. "We will be announcing the release date soon, thank you for your patience and support. @manikarnikafilms @zeestudiosofficial @nishantpititi," she added in her post.

The political drama, written, directed, and co-produced by Ms. Ranaut, was earlier scheduled to be released on September 6 after multiple delays but it couldn't be shown as its certificate was stuck with the CBFC.

J&K High Court to hear plea against L-G's power to nominate five MLAs

Press Trust of India
JAMMU

A Special Division Bench of the Jammu and Kashmir and Ladakh High Court will hear next week a plea challenging the power vested in the J&K Lieutenant-Governor to nominate five members to the Assembly of the Union Territory.

Chief Justice Tashi Rabstan agreed to constitute a Special Division Bench on Monday to hear the PIL with regard to nomination of the five MLAs, petitioner Ravinder Sharma said.

SC refusal

On October 14, the Supreme Court had refused to entertain the plea and asked the petitioner to approach the High Court.

As Mr. Sharma's counsel D.K. Khajuria moved the High Court and sought early listing of the petition, Chief Justice Rabstan

agreed to constitute a Special Bench to hear the matter.

Mr. Sharma, a former member of the Legislative Council and senior vice-president of the Pradesh Congress Committee, was also present in the court.

Mr. Sharma had challenged the provisions of the J&K Reorganisation Act, empowering the L-G to make nominations of five MLAs.

Seek advice

The petition contended that the L-G is supposed to seek the aid and advice of the Council of Ministers before making nominations, otherwise the provisions are *ultra vires* to the basic spirit and structure of the Constitution.

In the recently concluded J&K elections, the National Conference-Congress alliance got a majority with 48 seats in the 90-member Assembly.

Two accused in Bahraich murder case suffer gunshot wounds in 'encounter' with police

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Police personnel with the two accused who sustained injuries after being shot at while allegedly trying to flee to Nepal on Thursday. PTI

murder weapon.

The police alleged that the accused attempted to shoot at them with loaded guns they had kept at the spot, prompting retaliatory firing. Sarfaraz and Talib suffered gunshot wounds and were taken to hospital for treatment, the SP said.

A video of the alleged encounter circulating on social media shows police men dragging away the accused, bleeding from their legs, while warning them that they had betrayed the

police by firing at them. The accused can be heard apologising and promising not to repeat the crime.

Govt. plants riots'

The Opposition parties slammed the BJP over the incident, with State Congress chief Ajay Rai alleging that the "government plants riots and then conducts fake encounters".

The Samajwadi Party's media cell put up a post on X questioning the timing of the violence, which fol-

lowed the BJP's poor performance in the Lok Sabha election and came ahead of the bypolls to 10 Assembly seats in the State. The party also highlighted previous instances of communal violence, including the murder of Chandan Gupta in Kasganj in 2018.

Ram Gopal Mishra, part of the procession, died of a gunshot wound in the ensuing violence. The death triggered communal violence in the area, with rioters targeting houses, shops, and vehicles.

Additional Superintendent of Police (ASP) of Bahraich Pavitra Mohan Tripathi, in a video message, warned people against spreading rumours related to the incident on social media and on the ground.

"False information is being spread in relation to the incident in Maharajganj on October 13, which may disrupt communal harmony. Claims that the deceased was electrocuted, attacked with a sword, or had his nails pulled out are baseless," the ASP said.

Internet restored

Meanwhile, Internet services were restored in the district on Thursday after being suspended for 72 hours. Violence had bro-

ken out in Maharajganj in Mahsi tehsil of Bahraich on October 13 allegedly over loud music being played outside a place of worship during the Durga Puja immersion procession.

The party's media cell accused the BJP of playing politics over communal tension ahead of the bypolls. "Perhaps CM Yogi/BJP wants to play the same formula in the byelections, which is very shameful and a question mark. Why does no son or child of any BJP leader ever fall prey to BJP's dirty politics? Why are only the children of poor people working as political weapons/tools for BJP?" the post stated.

Madrasa Board plans to introduce Sanskrit

Press Trust of India
DEHRADUN

The Uttarakhand Madrasa Board is planning to introduce Sanskrit education on an optional basis in over 400 madrasas across the State.

"We have been working on the plan for some time. A proposal is being prepared which will be implemented if we get the go-ahead from the State government," the board's chairman Mufti Shamoona Qasmi said on Thursday.

It is in keeping with CM Pushkar Singh Dhami's wish to link Madrasa-going children with mainstream education, he said.

T.N. police files status report on cases against Isha Foundation in SC

Krishnadas Rajgopal
NEW DELHI

The Coimbatore Police have filed a status report in the Supreme Court, giving details of cases registered in connection with the Isha Foundation founded by Jaggi Vasudev, alias Sadhguru, in the past 15 years.

'Missing' cases
According to the 23-page-long report, the details include complaints about "persons who came there [to the Foundation] for courses and found missing, etc".

The report filed by Superintendent of Police, Coimbatore, K. Kartikeyan said

six missing cases were registered in the jurisdictional Alandurai Police Station in connection with the Foundation in 15 years. Of the six cases, five were closed as "further action was dropped". The remaining case was under investigation as the missing person was yet to be traced.

Further, seven cases were registered under Section 174 (police to inquire and report on suicide, etc) of the Code of Criminal Procedure. Of these, "two cases are under investigation for want of forensic lab report," the report said.

The apex court is scheduled to hear the case on October 18.



The caste census was conducted during Siddaramaiah's first tenure as CM by the Backward Classes Commission in 2017. FILE PHOTO

vened at all. The notice for October 24 has been issued. But we are not sure if the issue would be taken up in the light of byelections to three constituencies announced by the Election Commission," said sources, adding that there are fears of it "backfiring" just ahead of bypolls.

Meanwhile, the Akhila

Bharatha Veerashaiva Mahasabha, which is spearheading the opposition from the Veerashaiva-Lingayat community, on Thursday held preliminary meetings with the community leaders, and has invited all the elected representatives, including Cabinet Ministers from the community, for a meeting

to discuss the pros and cons of the caste census report on October 22.

The Mahasabha is headed by the Congress legislator and former Minister Shambu Shivashankarappa, and his son S.S. Mallikarjun is a Cabinet Minister. Besides, Forest Minister Eshwar Khadre is the secretary general of the Mahasabha.

On Thursday, Mr. Shivashankarappa also met former Chief Minister and BJP strongman B.S. Yediyurappa to drum up support against the caste census being brought before the Cabinet.

The Mahasabha has in the past vehemently opposed the survey report in the current form and has cited alleged inaccuracies in data collection. It has also disputed the population

figure of Veerashaiva-Lingayats that has emerged in the leaked data.

While the caste census was conducted during the first tenure of Mr. Siddaramaiah by the Backward Classes Commission headed by H. Kantharaj in 2017, the report was submitted to the government early this year by the commission headed by K. Jayaprakash Hegde. The leaked census data, whose veracity till now cannot be ascertained, has ruffled feathers in the deeply caste-entrenched political landscape in the State.

Mahasabha secretary H.M. Renuka Prasanna said they had already held informal meetings with Vokkaliya community leaders, and that there is a possibility of holding a joint meeting to oppose the caste census.



“मुझे विश्वास है कि विकसित भारत के संकल्प में
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SPOTLIGHT



(Clockwise from above) A girl sits on an abandoned boat in Gorai, where mangroves have been cut and wetlands filled with debris at a rapid pace over the past 10 years; axed mangroves in Uran taluka, Navi Mumbai; and plastic bags cling to the branches of mangroves in Uran. PURNIMA SAH

Development and its discontents

Residents and activists are protesting against infrastructure projects in Mumbai and its surrounding areas citing disregard for environmental regulations and lack of inclusive planning. Depletion of mangroves and dwindling fishing spots have sparked concerns among fisherfolk, who fear displacement and feel their livelihoods are being threatened, finds Purnima Sah

Signboards proclaiming 'Mumbai Upgrading' have become a ubiquitous sight at construction sites across the city and the Mumbai Metropolitan Region (MMR), heralding the ambitious drive of India's financial capital towards world-class infrastructure.

For the city's fisherfolk though, this development comes at a cost. Hitesh Koli, a 35-year-old fisherman from Gavhan village in Ulwe taluka, Navi Mumbai, 35 km from Mumbai, laments, "We, the Kolis, are the original inhabitants of this region, yet no development project so far has prioritised our well-being." Concerns over dwindling fishing spots and destruction of mangroves to pave the way for infrastructure projects have ignited anger among members of his community.

Before the establishment of the Jawaharlal Nehru Port Trust (JNPT) 40 years ago, Koliwadas (fishing communities) in Gavhan (9,000 residents), Hanuman (4,500), Uran (6,000), Belpada (4,000), and Sewa (5,000) could fish within a 4-km radius of Gavhan, Uran, or Nhava Sheva creek. Now, they must travel 27 km to Thane creek. "JNPT initially destroyed mangroves and marine life, then came projects like the Mumbai Trans Harbour Link (MTHL) and the Navi Mumbai International Airport (NMIA). MTHL alone destroyed lakhs of mangroves, decimating marine life. Over the years, we've lost 90% of our fishing spots due to such projects," Hitesh says.

Generations of Kolis and tribal people have lived along Mumbai's coast, relying on fishing for survival. For them, mangroves are sacred as they provide protection from natural calamities and resources for sustenance. Parvati Hadal, a 32-year-old member of the Warli tribe, an indigenous community of about 6,000 people, exemplifies this legacy, with all 12 members of her family in Madh Island engaged in fishing.

In September, the Brihamumbai Municipal Corporation (BMC) approved a ₹3,246-crore flyover connecting Madh Island and Versova and set to traverse above Madh creek. This long-awaited project – first proposed in 2015 – received environmental clearances in January this year. Hadal voices concerns about the flyover's impact on three villages: Kisanachapada, Dongarpada, and Dharvali, whose residents rely on mangroves for their livelihood. "Mangroves are being cleared daily for the flyover's construction. Portions of the project encroach on residential areas, threatening our homes and ancestral lands. Despite numerous letters to the BMC, our pleas have gone unheard," she says.

Uran Koliwada's struggle

The residents of Uran Koliwada are also bearing the brunt of development projects. On a serene afternoon in the fishing colony, Tukaram Janardhan Koli, 70, gazes contemplatively at the mangrove creek outside his home. Once pristine, the waterway now lies stagnant, reeking of chemicals and sewage. Plastic bags cling to the branches of mangroves, swaying gently in the breeze, a stark contrast to the lifeless water. Tukaram says none of the governments in Maharashtra considered bringing development to fishing communities.

Recounting the struggles of the fisherfolk, he says on February 7, 2023, the State-run City and Industrial Development Corporation (CIDCO) "falsely charged" 30 residents under Section 355



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PARVATI HADAL
Resident of
Madh Island

of the Indian Penal Code for expressing concerns over the construction of the Uran Bypass Road. The residents were kept in custody for 12 days, with 10 women sent to Kalyan's Adharwadi prison and 20 men to Taloja Jail, he says.

Following advocate Mihir Desai's intervention, the Bombay High Court ordered the release of the fisherfolk, citing concerns over their alleged manhandling. The court also pulled up the police and CIDCO over the grounds of arrest, and directed them not to file a chargesheet in the matter, although the probe could continue.

Earlier in August 2022, a Division Bench of the High Court, comprising Justices G.S. Patel and Gauri Godse, had reprimanded CIDCO over the project following a plea filed by 134 fishermen from Uran Koliwada. The Bench also criticised the government's approach towards planning, stating that it appeared "prima facie faulty".

The once-thriving Uran creek now reeks of decay, its waters devoid of fish and filled with debris. Feeling helpless, the Kolis took to the streets again on July 7, 2023 against the impact of such projects on their livelihoods, but their pleas continued to fall on deaf ears, Tukaram says.

Eco-sensitive zones under threat

Gorai and Manori villages face similar challenges, with destruction of mangroves and wetland reclamation over the last decade threatening the environment and livelihoods of East Indian Christians, Kolis, and tribal communities. Residents, including Switzy Henriques, president of the Gorai Villagers Welfare Association, have made appeals to civic bodies and approached the police. "Razing of mangroves and filling wetlands with debris take place late at night. Several resorts and commercial spaces have sprung up in the last few years in eco-sensitive zones," says Henriques. She alleges that amusement parks nearby have been dumping debris and garbage into the wetlands. "When we registered a police complaint, they accused us instead of engaging in such activities to extort money from them."

Vanita Shankar Kottal, a 45-year-old fisherman from Chota Dongri Pada, Gorai, expresses dire concerns about the future of her tribal hamlet, where fishing is the primary source of livelihood. For seven months, civic bodies have been conducting surveys without consulting the residents, she says, and have begun constructing con-

crete roads towards the Gorai creek. She fears under the cover of darkness, the mangroves will be cut or the creek filled with debris. "We are living in fear. If this happens, we will lose everything."

Fisher communities unite

Nandakumar W. Pawar, a 63-year-old environmentalist and president of the Maharashtra Small-Scale Traditional Fish Workers Union, highlights the risks posed by the NMIA. Pawar began working towards taking the concerns of environmental loss and the struggles of the fishing community to various global platforms after Bhandup, a fishing hub, began losing its fishing habitats to infrastructure projects in 2005. "The union was formed to give a voice to small-scale fisherfolk who are often overlooked by policymakers as they don't fish in the ocean, but in backwaters, creeks, or water tanks," he says.

Pawar points out that the NMIA poses a significant threat to coastal ecology due to its location in an ecologically sensitive zone. "For reclaiming marshland, natural low-lying areas here require up to 10 to 12 feet of filling material. It is estimated that about 26% of the total area (9,000 hectares) comprises ecologically sensitive zones. This project also encompasses 400 acres of mangrove land.

The concern is that over a thousand acres of mudflats that are habitats for at least five lakh migratory birds will be lost forever."

Pawar also raises concerns over the diversion of the Ulwe and Gadhi rivers and flattening of the Ulwe hill to make the NMIA site accessible. "This is nothing but an invitation to disaster by CIDCO and the government."

He says siltation – caused by constant drilling and excavation work from coastal development projects like ports, bridges, and oil exploration – is a major threat to coastal biodiversity. This process suspends large particles, creating sludge that settles on the coast due to waves and tides, fostering unnatural mangrove growth. This impacts fishing beds and breeding and spawning grounds as mangroves cover the water and leave no place for marine organisms to breed, explains Pawar.

In 2021, a reply to a Right to Information query by environmentalists showed that JNPT had 913.6 hectares of mangroves at Nhava Sheva under its jurisdiction. Earlier this year, JNPT handed over 800 hectares to the Forest Department after Vanashakti, an NGO, filed a contempt petition against JNPT, CIDCO, Revenue and Forest Departments, Maharashtra Coastal Zone Management Authority, Mumbai Metropolitan Region Development Authority, and the District Collectors of Mumbai Suburban, Thane, Palghar, Raigad, Ratnagiri, and Sindhudurg. "For 20 years, none of these agencies complied with orders. When we moved the High Court in 2022, JNPT complied," says Stalin Dayanand, director of Vanashakti.

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Around 248 hectares of mangroves had been destroyed without permission for the NMIA, revealed data submitted to the High Court in August this year by the Additional Principal Chief Conservator, Mangrove Cell. However, Chief Conservator of Forests, Mangrove Cell, S.V. Ramarao, says, "CIDCO had taken permission from the Government of India and the Forest Department for diversion of 248 hectares of forest land, of which part of it was mangrove land and the rest forest land."

The Panje-Dongri wetlands in Uran have been a contentious issue, with Pawar and the fisherfolk fighting to save this 289-hectare ecosystem. Recognised by the Bombay Natural History Society as a highly bio-diverse coastal wetland in Maharashtra, it boasts rich traditional fishing zones and habitats for about five lakh migratory birds.

According to Pawar, CIDCO has designated the Panje-Dongri wetlands as flood mitigation areas for the upcoming Dronagiri node, spanning 2,740 hectares. It is one of 14 nodes planned in Navi Mumbai to alleviate pressure on Mumbai as part of a new town development project.

To protect and conserve these wetlands, Pawar filed a petition in the High Court in 2018. In 2021, another petition was filed in the National Green Tribunal and later a caveat was filed in the Supreme Court. On January 24 this year, the High Court ruled in favour of the petitioner and said these pristine pieces of coastal wetlands must be protected and conserved. JNPT and CIDCO officials were unavailable for comment.

Government response

In response, government officials cite an increase in mangrove cover in the State. As per the 2013 Forest Survey of India (FSI) report, there was 186 square kilometres of mangrove land in Maharashtra. Eight years later, in 2021, the count went up to 324 square kilometres, says Ramarao. "There has been a significant increase in mangrove cover. The 2023 FSI report is yet to be released."

The Mangrove Cell has initiated conservation measures such as floating a tender in September this year for installing CCTV cameras at 195 sensitive locations across the MMR to prevent garbage dumping and encroachment, according to the Chief Conservator of Forests, Mangrove Cell.

"We've maintained satellite data from 2005 to 2018 and are planning to procure high-resolution satellite maps for better land analysis and to determine if a particular area is mangrove land or not. Our Mangrove Suraksha app allows citizens to lodge complaints about wrongdoings in mangrove zones and swift action will be taken based on them. We've also deployed 184 security personnel and established a three-tier committee at the district, division, and State levels for monitoring mangrove zones," he says.

For addressing violations in such zones, Ramarao says, a two-pronged approach is being followed. "Violations within forest jurisdictions are addressed under the Indian Forest Act. The other violations fall under the Environment (Protection) Act and the respective District Collectors are tasked with taking action in such cases."

However, for fishing communities in the city, the struggle for survival continues. "Who is Mumbai upgrading for?" says Hitesh in Gavhan village, seeking development that prioritises the well-being of the city's original inhabitants.



Vanita Shankar Kottal, a fisherman from Gorai, says civic bodies have been conducting surveys in the area without consulting the residents. PURNIMA SAH