

# HOLY YAMUNA

**new dawns  
and the tragedy  
of governance**



**Hazards Centre, March 2004**

**92 H, III Floor, Pratap Market, Munirka, New Delhi-67, Ph: (011) 26714244, 26137806; haz\_gen@vsnl.net**

# Holy Yamuna

Ten years ago, in 1994, a petition was filed in the Delhi High Court asking for the removal of slums and encroachments in industrial areas. In November 2002, the Court delivered a judgement quashing the resettlement policy that "requires alternative sites to be provided to slum dwellers". Consequently, there was a massive public uproar, and the Government of India had to file a Special Leave Petition in the Supreme Court, which granted an interim stay.

Subsequently, on its own motion, the High Court shifted its attention from the industrial areas to the pollution of the Yamuna river and directed all the concerned authorities to "forthwith remove all the unauthorised structures, jhuggies, places of worship and/or any other structure which are unauthorisedly put in Yamuna Bed and its embankment." This order now threatens the life and livelihood of 75,000 slum families along the Yamuna.

At a later hearing an affidavit was filed on behalf of the Union Ministry of Tourism and Culture, annexing a brochure prepared by the Minister himself. This brochure claims "vested interests are spreading disinformation on a large scale, resorting to bullying tactics, advancing all types of pleas, without any supporting data, and even approaching different courts by concealing material facts". It then presents five sets of photographs to "lay bare the truth" on polluting industries, kabaris, cattle farms, pucca houses, and proliferation of squatters.

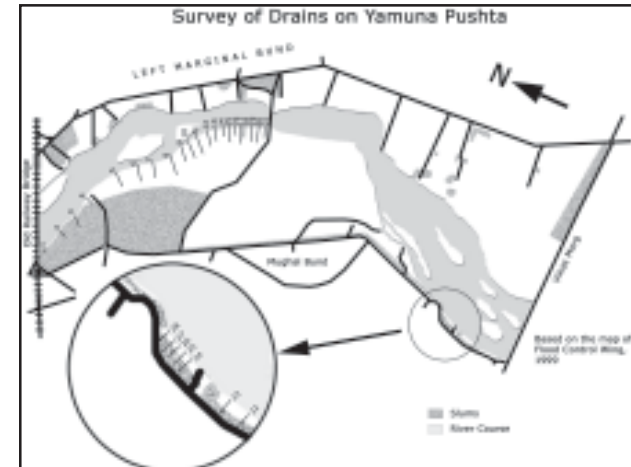
As the Minister says, the critical effort should be "to dig out the reality – reality in its basic framework – from underneath the heaps of deceit and disinformation". We, therefore, present a set of facts and photographs to help understand what the reality could be.

# Pollution

28 nalis flowing from the Yamuna Pushta settlements between the Old Railway Bridge and the ITO Bridge into the river were measured between February 1 to 6, 2004. The total flow was estimated at 2.96 mld. This is only 0.08% of the 3296 mld of wastewater flowing daily into the river from 18 major drains, which mainly carry domestic waste from the sewered colonies.



à



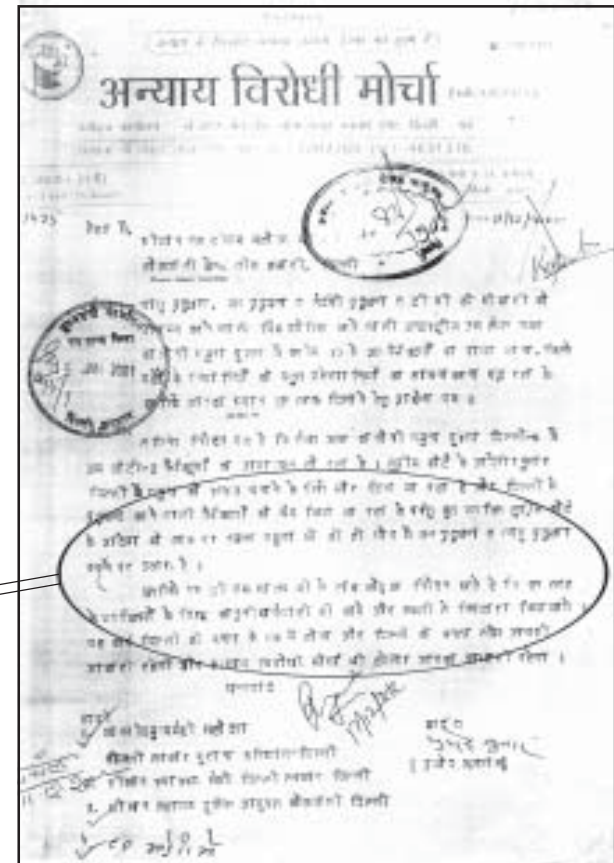
̂ Only one of the nalis carried wastewater with a pH of 10 (slightly alkaline), the rest had pH between 7-9 (normal). There was no sign of any acidic effluents from industrial sources.

**SO WHO IS POLLUTING  
THE YAMUNA?**

# Industry

After the Supreme Court ordered the closure of polluting and non-conforming industries in 2001, several metal-polishing units moved from parts of the Old City to the Pushta. But Pushta residents themselves approached the SDM to remove these units in 2002.

यमुना की स्वच्छ बनाने के लिये जोर दिया जा रहा है जो  
 उभरने करने वाली फैक्ट्रियों को बंद दिया जा रहा है परंतु कुछ प्लांटिंग सुप्रीम  
 के आदेश को ताक पर रखकर यमुना की ही ही नौद में बल प्रदूषण व वायु प्रदूषण  
 करने पर उतार है ।  
 इसलिए इस ही सम सा ह्य की से हाथ जोड़कर निवेदन करते है कि इस तरह  
 के कार्रवायों के विरुद्ध का नुनी कार्यवाही की जाये और सक्ती से निपटारा किया जाये ।  
 यह पिल्ली की जनता के हक में होना और दिल्ली की जनता सदैव आपकी  
 अन्याय विरोधी मोर्चा भी होगा आपका आभार



Currently, only one unit remains. Should this unit be removed by the Ministry of Urban Development, the nodal agency appointed by the Court, or should the Ministry of Tourism and Culture unilaterally remove all the settlements on the Pushta?

## WHO THEN, IS RESORTING TO BULLYING?

Is this an example of “haphazard squatting” which does not help anyone? Is the Minister of Tourism, correct when he asks whether the Delhi Government and Municipal Authorities have not filed a false affidavit in the Supreme Court that all polluting industries have been removed.



§ What is revealed by field investigations, though, is that the drums do not contain any “hazardous chemicals”, nor are they wilfully transgressing the laws, but are actually part of the authorised kerosene supply depot serving the fuel needs of the Pushta.

**WHO IS PRACTISING DECEIT AND SPREADING DISINFORMATION?**

# Kabaris

There are, no doubt, a large number of kabari shops in the Pushta. However, the picture is not as chaotic and mismanaged as it appears to be.

à



ś

The wastepickers collect recyclable materials from all over the city and bring it to the Pushta Kabaris. They are thus, an important link in the chain that recycles the city's waste to keep it clean.

The kabari shops are in the Pushta because the 2001 Master Plan, prepared by DDA, has no provisions for such units or the waste pickers who bring in the raw material. In fact, there is not a word about this important economic service that the waste dealers provide 'free' to the city.



It is alleged that the Kabaris are “doing business running into several lakhs and making huge pecuniary benefits”. But the wastepickers survive on the margins of society. Entire migrant families are engaged in earning an honest livelihood. Even the children paddle out on to the river to snag floating plastic.

Most propaganda pictures show garbage lying along the banks of the river as proof of the pollution of the river. However, Pushta residents complain that the garbage is actually dumped there surreptitiously by the MCD.



**WHO SHOULD BE HELD RESPONSIBLE FOR DEGRADATION - THE DDA AND MCD, OR THE KABARIS?**

# Cattle Farms

This is supposed to be an example of "vast cattle farms owned by 'poor' squatters". What is not mentioned is that the flood plain of the Yamuna has historically been used for agriculture in the dry seasons. For over 50 years, legal entities like the Delhi Peasants Cooperative Multi-Purpose Society have signed agreements with the various land-owning agencies such as the UP Canal Department, Delhi Flood Department, Railways, DDA etc. for the use of this land and levy revenue charges from the individual farmers.



दिल्ली पीजेंट्स कोऑपरेटिव मल्टी परपज सोसायटी लि०			
5121	बानोलावा, ब्लॉक-110008	दूरभाष :- 235081	Pin: 1100081
विकास नं० - 165	खेती-र०८०	दिनांक - 12/10/2004	
नाम :- श्री अजयकुमार शर्मा, अशोक कुमार	विवरण :-		
पता :- पुराना, मिठवाली पुल, राजपुत्र जंक्शन, इन्द्रा नगर, दिल्ली			
खीर नं० 16480			
किसान लगान खाते से आश्रय धन	कुल	रु०	बचतवा सन्तान
प्राप्त किये तीन भा० वीस रूपया केवल			3300000
(निम्न)			
(आजमकुमार)			930000
कुल राशि तीन भा० वीस रूपया केवल (उपरोक्त)			
हस्ताक्षर देने वाले के			हस्ताक्षर प्राप्तकर्ता

किसान लगान खाते से आश्रय धन  
प्राप्त किये तीन भा० वीस रूपया केवल  
(निम्न-2004 तक)

**DO FARMERS HAVE A LEGAL RIGHT TO GRAZE THEIR ANIMALS ON LAND FOR WHICH THEY PAY ANNUAL REVENUE?**



# Shelter

What kind of houses do the 'poor' build? Are they not entitled to basic civic amenities. Do they not manage whatever space they have with the ingenuity born out of necessity?



When the walls are made of cane, a black and white TV is not a sign of affluence. It costs only Rs. 2000 and represents the cheapest form of entertainment and education available.

à



↳

Earlier huts were made of inflammable materials. So, repeated fires broke out in the Pushta through the 80s and 90s when the DVB began to officially provide electricity. Hence, the residents were gradually forced to invest their hard-earned money into fire-resistant pucca housing.

à



All these investments and livelihoods are threatened by relocation. Comparison with the resettlement colonies shows that services are rudimentary and the quality of life becomes even "poorer" after relocation. It takes at least five years for the family to recover some of the lost ground.



**IS THIS THE CONSTITUTIONAL MANDATE FOR RIGHT TO SHELTER?**

# Proliferation

Who is turning “a blind eye to encroachment that is going on at the Pushta with impunity”? The High Court order clearly states that ALL unauthorised structures (including jhuggies, places of worship and/or any other structure) should be removed. These would include institutions like Delhi Secretariat, Rajghat Power Plant, Delhi Metro; colonies like Sonia Vihar, Suresh Vihar, Shastri Park; and religious structures like Akshardham Temple, Majnu ka Tila Gurdwara, and Gopaldas Darvesh. There are, at least, 25 such encroachments.



Delhi Secretariat



Rajghat Thermal Power Plant



Metro Rail Headquarters



Akshardham Temple

The person who was Lt. Governor of Delhi in 1976-77 should also remember that 834 slum clusters were relocated then.



He was also Vice-Chairman of the Delhi Development Authority. Between 1982 and 2001, DDA was supposed to provide 16.2 lakh domestic units but it built only 5.6 lakh.

So, by 2001, when he was Minister of Urban Development and Poverty Alleviation, the same number of slum clusters had re-emerged, but they were 10 times more densely populated than in 1976.

**WHO IS RESPONSIBLE FOR THE 'PROLIFERATION' OF SLUMS WHILE OTHER STRUCTURES GROW UNIMPEDED?**

# Yamuna Plan

A "NEW DAWN" is going to be ushered over river Yamuna and citizens are being asked to lend a helping hand for a "big project in which elements of tourism, culture, history, heritage, clean civic life and environment have been synthesised". What the photographs show are huge green parks with pathways, lights, and fountains. But every one of them is completely barren of human life!



**IS THIS OUR ONLY HERITAGE?**



୩ The “big project” may actually be part of a much grander plan that would make the Yamuna front like the South Bank of the River Thames.

This channelisation plan was first proposed by DDA in 1989. It will use 9,700 hectares of riverbed for ‘remunerative uses’ such as idle parking, utilities, transport, racecourse, clubs, convention centres, Secretariat, Assembly, museums, and a financial district.



୩

However, a look into the back alleys of the South Bank reveals people living in cardboard boxes and running food markets in the open.

୩



The South Bank also has a junk dealers' market. Exactly like the Itwari bazaar that used to flourish behind the Red Fort until it was removed for Delhi's beautification.

à



§

The Pushta still contains elements of a vigorous community life which weaves together people from different regions, languages, and cultures into a composite whole.

**HOW BETTER CAN THE "GLORIOUS STRANDS OF OUR PAST, HEALTHY TRENDS OF OUR PRESENT, AND POSITIVE THINKING ABOUT OUR FUTURE" BE SYNTHESISED?**

**CERTAINLY, "IT IS NOW UP TO ALL OF YOU TO DECIDE"!  
NOT JUST THE MINISTER!**