

# Caught in the tangles of court orders, Yamuna remains polluted

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The Yamuna has had a long-standing history with the inhabitants of Delhi. The city came up around the river which has served as a source of water for its people--the river's waters and floodplains a source of livelihood and home respectively to marginalised communities. However, today, the river is no longer a river, its waters standing polluted, lifeless.

Flowing along the east of Delhi, the Yamuna enters from the Palla village, making its way downward through the city. Subsequently, its topography also changes with farmlands, slums, permanent structures, colonies, etc. on the floodplains. The waters in the stretch between Palla and the Wazirabad barrage are relatively cleaner, supporting marine life, where the fisherfolk of Delhi also reside. As the river passes through Delhi, it becomes more and more polluted, as untreated sewage, industrial effluents, and construction debris are dumped in and around the Yamuna.

To tackle the worsening state of Yamuna, over the years, many "beautification" and cleanliness drives have been launched, mostly aiming for the removal of bastis from the floodplains. Beginning with the 2003 High Court order for the removal of all "unauthorised" structures from the floodplains, the Yamuna Pushta demolitions in 2004 were a mass drive to wipe off the urban poor from the city before the 2010 Commonwealth Games. In an attempt at a makeover of the city, around 200,000 people were uprooted from their homes, mostly without compensation and/or resettlement. Some received resettlement in far worse places, on the outskirts of Delhi, with a lack of infrastructure or transportation facilities for which many also had to pay.

Meanwhile, other built structures like the Akshardham Temple and the Commonwealth Games Village on the concretised floodplains occupy more space and use up groundwater. It is important to note here that the displaced "encroachers" are the original inhabitants of this land who had been farming for generations. Many are also able to provide documentation dating back to pre-independence India, thus revealing that they were taxed for their agricultural land.

In 2012, a renewed interest in the revival of the Yamuna began with a public interest litigation (PIL) filed in the National Green Tribunal (NGT). As per NGT's orders in this case (Manoj Mishra Vs Union of India & Others), an expert committee was formed to examine the issue of "solid waste pollution, the Riverfront Development Scheme of Delhi Development Authority (DDA) and the restoration, preservation and beautification of the river Yamuna". In its recommendation, the committee warned against any construction on the floodplains noting that the area proposed for the Yamuna Riverfront Development (YRFD) Plan is within the active floodplains. However, in the name of "restoration" and revival of the river and its floodplains, the NGT orders have time and again conveniently aimed for the removal of farmers and bastis while the major polluting factors like industries and city sewage remain undisturbed.

Therefore, it is not surprising that the Yamuna remains as polluted as ever despite multiple attempts to "preserve and beautify". In 2018, upon an NGT order, Yamuna Monitoring Committee (YMC) was formed to monitor and report on the pollution level and sources of pollution in Yamuna. In one of its directives, YMC asked the Central Pollution Control Board (CPCB) to test heavy metal contamination in groundwater, vegetables and fodder. In their report released online in August 2019, CPCB reported no exceedance of major contaminants beyond the permissible limits. Despite these pro-agriculture findings, the YMC in its fifth report published in December 2020 still recommended a blanket ban on agricultural activities in Yamuna floodplains and asked DDA to expedite the eviction of farmers. Needless to say that the recommendations were adopted by the NGT and orders to that effect were issued.

Over the years, beginning from 2015 until 2020, the court orders have pushed for the eviction of the urban poor and removal of agricultural activities from the floodplains for the rejuvenation of the Yamuna. The court orders have failed to acknowledge the contested nature of the land on the floodplains when the earliest written account confirming the presence of agriculture date back to 1949 when Delhi Improvement Trust and later the DDA gave the Delhi Peasants' Cooperative Multipurpose Society (DPCMS) short term leases of five years for cultivation on the riverbed.

In 2021, in yet another attempt to save the Yamuna, the YMC was dissolved, and responsibility was handed over to individual states of Delhi, Haryana and Uttar Pradesh to oversee the rejuvenation of Yamuna. At the same time, a central monitoring committee headed by the Secretary of Jal Shakti Ministry was also formed. One is forced to ask why, despite spending crores of money, is the Yamuna as polluted as ever?

Yamuna and its floodplains have been home to communities for decades who have been practising agricultural activities, fishing, etc., looking after the land, water and helping preserve biodiversity. However, because of their strategic location and expanse, the floodplains have also remained vulnerable to destructive development and concretisation. This has undoubtedly caused irreparable damage to the floodplains and the river.

Even the more recent developments on the floodplains under the garb of creating "public spaces" and increasing public access through the means of the riverfront project have become ways to systematically deny access to the original inhabitants and the urban poor to natural resources and a dignified life, and ultimately expel them from the limits of the city. Inadvertently, the demolition drive and land usurping by the state seem to be doing more damage than restoration to the Yamuna and its surroundings.

The historical trajectory of the efforts to rejuvenate the river Yamuna forces us to identify the linkages between environmental and social justice and question our understanding of urban development. For a better future for the health of the river, it remains important to acknowledge what environmentalists have obstinately neglected - the relationship between the river and the indigenous communities inhabiting its floodplains.



*Walking path developed at the Yamuna floodplain near Sarai Kale Khan identified as Asita East Project ; Picture: Avikal*

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