

For The Right To Exist

Pavement dwellers in Bombay have been waging a continued and increasingly desperate battle for survival. In the last few years, civil liberties groups have helped them in various ways.

We reproduce here extracts of an interview with Anand Patwardhan, maker of the film "Bombay, Our City" and active member of Nivara Hak Suraksha Samiti, by Ruth Vanita.

How was the Nivara Hak Suraksha Samiti (committee for the protection of the right to shelter) formed ?

Nivara Hak was formed in 1983 as an umbrella organisation of about 20 organisations which were opposed to the demolition campaigns unleashed by civic authorities in Bombay, and to the Maharashtra Regional Town Planning Act that made anyone guilty of constructing "an illegal structure" liable to be arrested and jailed for a period up to three years.

In 1982, the supreme court had granted a stay order against demolitions following writ petitions by People's Union For Civil Liberties and the Lawyers' Collective. But the corporation continued demolitions on the pretext that those evicted had come after the issue of the stay order. In Shastri Nagar, homes continue to be demolished an average of four times a year.

The authorities' stated policy is that those who came before 1976 are entitled to stay and to be given an alternative site if their homes are to be demolished. But, in practice, this policy is not adhered to. When a demolition squad goes through an area it does not enquire who came before 1976. It knocks down all houses in the area. Later, people find it hard to prove when they came, because ration cards are often lost in the course of demolition.

Our demand is that whenever a dwelling is demolished, an alternative site must be provided. Otherwise, the

demolition merely creates another slum. Nobody has left the city as the result of their home being demolished.

People come to the city looking for work, for livelihood. They are not looking for a home. They have homes in villages. They leave those homes to look for jobs. So, even if their huts are knocked down in the city, they will sleep on pavements. Having nowhere to live does not stop people from coming to or staying in the city. So the policy of demolition does not act as a deterrent.

How does Nivara Hak function ? Do you know in advance when a demolition is going to take place ?

No, we always reach when it is over. As people from various slums get to know about the Samiti, they contact us. In between crises, the Samiti tends to go into a lull, because its members are involved in their own organisations' work. We do not have an office. So far, different activists' homes are used. The Samiti is most effective in organising response to a crisis.

If the authorities did not create a situation wherein slum dwellers have constantly to defend themselves against attack, for what demands would you work ?

Demands would be for amenities like water supply, sanitation, electricity, that the city must provide to citizens and that improve the city as a whole. But we have not reached a stage where we can demand these basic amenities. Our minimum demand has been "Stop demolitions or provide alternative sites."

What is the rationale of the authorities in constantly demolishing slums.

I just recently discovered that they conduct demolitions not genuinely to clear the spot but to knock out the residents' proof of their continued stay there. Demolition is undertaken to establish that government owns the plot.



Anand Patwardhan, Hamza Ali K Bhaskaran and Gurubai Koli on May 12, the first day of the hunger strike for an alternative housing site

Once people have stayed at a particular site for a number of years, they acquire a sort- of legal right to stay there. Government keeps knocking people down so that they lose evidence of having stayed there. Demolition is a strategy to deny them the right to exist.

Isn't this a tremendous waste of public money ?

Yes. That money could be used to improve slums so that they no longer are slums but housing colonies. If all the money spent on demolitions in these years had been used to provide amenities, the city would have looked very different.

The moment proper housing rights are conferred, people are no longer so vulnerable. Keeping people vulnerable is virtually forcing them to be victims of all kinds of attacks. Living continually on the fringe, they are exposed to criminality of various kinds and to oppression by slum lords, who are allied to various political parties.

Open huts in which everything is done in front of everybody exposes women to sexual harassment. One woman had to move out of Shastri Nagar because her young daughter was being harassed. People would be able to protect themselves better if they were given housing rights and decent living conditions.

Could you describe the events leading up to the recent hunger strike ?

In February 1986 a mysterious fire destroyed over 100 huts in Sanjay Gandhi Nagar. Samiti members organised relief and government also assisted. On March 12, a demolition squad moved in and thoroughly demolished the entire colony. The goods given in relief were crushed underfoot or taken away in vans.

All the authorities, including the housing minister, denied having ordered the demolition. One possible explanation was that the impetus came from the Taj group of hotels who were planning a hotel nearby and from residents of nearby apartment buildings, many of whom are ministers and officials.

The evicted slumdwellers set up temporary shelters on the opposite

With Dignity And Courage

WHEN, in March 1986, it was announced that *Bombay, Our City*, a film on Bombay slumdwellers' battle for survival, (reviewed in Manushi No. 28) had won the national award for best nonfeature film of the year, Bombay slumdwellers did not get the news. When they did finally hear of it, residents of Sanjay Gandhi Nagar organised a felicitation ceremony for Anand Patwardhan, the maker of the film. Two weeks later, their huts were again demolished.

Patwardhan says he debated with himself whether to accept the award in view of the continued state sponsored violence against the poor. He decided to accept it as "a sign that there are ears in this country", therefore "it is our democratic duty to speak in as many forums as possible."

But he wanted the award to be seen as a recognition of the intelligence and courage of the working poor of the country. To symbolise this, Vimal Hedau, a 50 year old woman who moved to Bombay 18 years ago when her land in her village was usurped, accepted the award on Patwardhan's behalf from the president of India on June 12 in New Delhi.

On June 11 evening, Vimal was present at a screening of the film by Manushi in the park of C block, Lajpat Nagar. Several Tamil migrant workers who live in a slum in Lajpat Nagar were in the audience and viewed the film with interest.

Vimal, who carries herself with quiet

footpath. Here, they were in imminent danger of attack from the municipality.

Protest marches, negotiations and *gheraos* of public officers, from the collector to the housing minister, had no effect. Finally, it was decided that on April 1, slumdwellers would break



dignity, is a trained nurse but lost her certificate when she left her in-laws' house to escape maltreatment. She refused to go back, and brought up her two sons by working at temporary jobs in lowpaid and insecure jobs in Bombay. She and her son now live on a joint income of around Rs 400 a month.

Vimal says her home in Shastri Nagar is demolished an average of four times a year. Rebuilding it each time costs about Rs 500. Vimal has been active in slumdwellers' protest actions. A few years ago, she was one of a group of 20 slum women who came all the way to Delhi to meet Indira Gandhi on January 26. They travelled ticketless and made their way to her house but were not allowed to go inside so had to return to Bombay. This action was spontaneously conceived and executed by the women.

Today, Vimal seems to have no hopes in government, saying: "What will they do ? They won't do anything", but is determined that no matter how many times her home is knocked down, she will rebuild it until she is given alternative housing.

through the barbed wire that now surrounded their original site and would build a symbolic hut. Knowing that this action could be met with severe police repression, we contacted several eminent citizens to participate.

At 9 am., about 150 slumdwellers

and their supporters stormed the gate and entered the site. The police, armed with guns and *lathis*, threatened us with dire consequences if we did not immediately vacate the site. We refused to discuss the matter until the gun-wielding police-men were withdrawn, since we were using nonviolent methods. Finally, the police complied with this demand but threatened to arrest us if we did not move out in 15 minutes.

We decided to court arrest non-violently. We were taken to the police station and were released in the afternoon. Probably, the police were overawed by the presence of many eminent persons like Vijay Tendulkar, Govind Nihalani, Om Puri, Asgarh Ali Engineer, Shabana Azmi, Uma Sehgal.

What was your demand ?

Our demand had all along been only for alternative sites anywhere in Greater Bombay. Punjab and Sind Bank had offered low interest loans for rehabilitation so we were asking the government only for land, not money.

But when we met the chief minister, he was in no mood to listen. We pointed out that Sanjay Gandhi Nagar had come up in 1976 to house construction workers building the Council Hall and its residents were thus eligible for alternative sites by government's own rules. Since 1976, according to government's own figures, this slum had been demolished 46 times.

Two weeks later, no solution had been found. Meanwhile, two children of Sanjay Gandhi Nagar were knocked down and killed by traffic as they stood near their foot-path homes. The monsoon was approaching and the slum-dwellers were getting desperate. At a Samiti meeting, it was decided that three slum-dwellers and I would go on an indefinite hunger strike to demand alternative sites.

The first to volunteer was Gurubai Koli, who works as a maid-servant for Rs 100 a month in the house of her neighbour, the housing secretary, Mr Afzalpulkar.

Hamza Ali, stepfather of one of the children killed and K. Bhaskaran, one of the worker's in the Sanjay Gandhi Nagar



Reoccupying the site on April 1, 1986

School, which had also been demolished, were the other two volunteers. I was selected because my film had recorded Sanjay Gandhi Nagar before demolition and because my presence might get the publicity a hunger strike needs for success.

When informed of our decision, housing minister Subramaniam was taken aback but unwilling to compromise. The strike began at 10 a.m on May 12. One of the pavement structures was converted into a makeshift tent with wooden benches and rugs from the demolished school. We had no fan and were more plagued by mosquitos than by hunger !

On March 13, we were joined by Shabana Azmi who had cancelled her trip to the Cannes film festival in order to sit on hunger strike.*

During the strike, we received support from many women's groups, civil liberties organisations, cultural groups and slum dwellers organisations all over the country. Chhinamul of Calcutta collected thumb impressions of 1,000 slum-dwellers on a letter in our support, sent to the prime minister and the Maharashtra chief minister. Many

*Manushi No 36 will carry an interview with Shabana Azmi by Anand Patwardhan.

concerned individuals also came to our support and government had to face tremendous pressure.

On May 15, we were summoned to the ministry for negotiations. A delegation of the Samiti went to represent the hunger strikers. Mr Afzalpulkar said he had contacted a few Trusts who were willing to part with three acres of land in the Greater Bombay area. The only snag was that government wanted to pretend that the settlement was entirely between the Trusts and the slum-dwellers with no government involvement. This was because government did not want the settlement to become a precedent for other slum-dwellers. This was not acceptable to us. We said we would accept private land only if government publicly undertook a mediating role.

A deadlock was reached and the fast continued into the fifth day. The health of the hunger strikers was deteriorating. A huge rally took place on the evening of the 16th. A Samiti delegation along with film star Shashi Kapoor met the chief minister who changed his mind and agreed that government would "facilitate the rehabilitation of S.G Nagar dwellers on private land." The hunger strike ended and the Gurubai Koli (right) with Anna Kurien, social worker, who ran the school

at Sanjay Gandhi Nagar protest march turned into a victory parade.

But government did not wish to appear publicly to have given in to our demands. Hence, although their offer of settlement was concrete, the language of their press release was vague. In fact, we could never have reached a settlement with a Trust, without government involvement. Private landholders have not been known to voluntarily part with land for slumdwellers. The settlement was done through the offices of Afzalpulkar, housing secretary, even though he continues to deny his involvement.

Anyway, three and a half acres of land” have been acquired in Malad, a not too distant suburb. The residents of Sanjay Gandhi Nagar will form a housing society and move on to the new site with a 99 year lease. They will build a new school at the site. Spaces will be allocated by a lottery system. A new constructive phase has begun for them. As a first step, they will rename their new site. Sanjay Gandhi, whose name failed to protect them, will give way to Sangharsh Nagar, a symbol of victory through struggle.

What has been the role of women in the resistance ?

It has been fantastic. In any struggle of slumdwellers, women have always been in the forefront. Sometimes, this is done as a deliberate strategy, in the hope that police will be more hesitant to attack women. So women are put in the frontline of demonstrations.

Does it work

It works to some extent. It depends on the nature of the action. When we actively try to occupy the site, as on April 1, the police, if they turn violent, will not bother who is in front. But the danger of this strategy is that women are being used. When they have to face *lathis*, they are in front; other-wise, in ordinary life, they are at the back. In activist meetings, we try to explain the incongruity of this. We try to ensure that women are brought into leadership in different committees.

What obstacles do you face in doing this

It goes so much against the grain of society. It is just not the done thing for women to be in leadership positions. In meetings, women are shy to speak out openly unless they feel that they are really being encouraged to speak. But once they feel that someone is listening and that it is all right for them to speak, they are much more spontaneous and articulate than men.

Their reactions are more militant than men's. Often, men like the idea of

personal reactions. I cannot generalise.

For instance, Gurubai Koli, who was on hunger strike, spoke very little. But whenever she was interviewed by the press or anyone else, she was absolutely clear and analytical, and expressed the issues very well. But she hardly ever spoke otherwise. If you did not probe, you would think that she did not know anything because she did not speak at all.

Does what women say get integrated into decision making ?

In our committee, yes. Because we



Gurubai Koli (right) with Anna Kurien, social worker, who ran the school at Sanjay Gandhi Nagar

themselves as speakers. They raise points not because they are important but because they like to hear themselves speak. There is always that undercurrent of ego. They do not necessarily speak for the cause. But, when women speak, it is much more genuine and concrete.

They make more militant suggestions, like “Let’s occupy the collector’s office and stay there and get arrested.” They are the ones who face *lathis*—not always as a strategy. It happens spontaneously as well. When the *lathi* charge took place, I did not see women running away but I did see some men running away. These are my

are consciously trying to reverse the power balance between men and women.

Do you encounter any resistance to this?

No, nobody challenges it. For instance, we said that when we do get the alternative land plots, they should be in the women’s names. I immediately could see a lot of happiness amongst women. I don’t think they even conceived that such a demand could be made. But when it was made, nobody challenged it, not even the men. Maybe they did not take it seriously at all, or they were uncertain how to react because the idea had never occurred to

them.

We have not yet come to the implementation stage. Probably, there will be struggles when we try to implement the idea. But, at least, at the rhetorical level, it has been stated.

The fact is that men are not reliable. A man can drink and leave a woman, kick her out, and she has nowhere to go. It is very rare for a woman to kick out her husband and even if she does, he always has somewhere else to go. So, actually, it is better to have land in women's names.

In a joint family, in which woman's name would you ask for the land ?

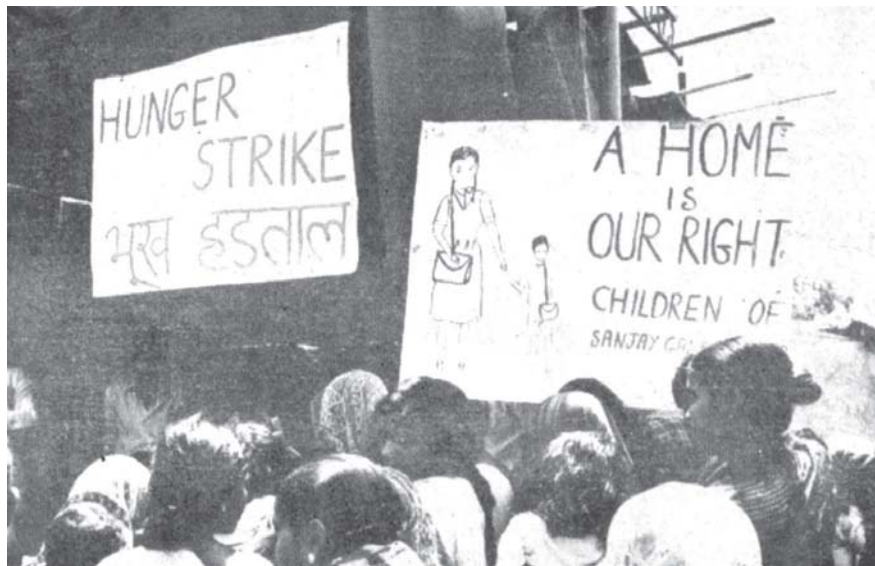
I don't know. We are open to suggestions about that. We have to form a housing society which will have members. We will try to do that in women's names. Perhaps, if there are many women in the family, we will put it in the name of the woman who is the breadwinner.

What are the spontaneous forms of resistance that slumdweller develop ?

There have been periods when we altogether lost contact with the slumdweller. There are so many slums that it is hard to keep contact all the time. Apparently, two years ago, a lawyer was fighting a case for Shastri Nagar residents. The case was progressing quite well but the people stopped coming to the lawyer. Sunil Dutt had visited the slum and told them to drop the case because he would solve their problem politically. They stopped the legal process but he did nothing, so now they have to restart from scratch.

Spontaneous resistance usually takes the form of fighting demolitions by throwing bottles, stones. But rarely do they succeed because they are outnumbered. In a few exceptional cases, slumdweller have actually physically resisted demolitions. The police had to give up and retreat. In such street battles, people get injured, even killed.

Slumdweller have also locally organised negotiations, demonstrations,



Women of Sanjay Gandhi Nagar gather in support of the hunger strike

gheraos. Some time ago, a slumdweller even went on a hunger strike. He got seriously ill on the fifth day because it was very hot and there was no medical supervision. So people persuaded him to give it up. There was not enough of a back up movement. A hunger strike cannot succeed unless there are enough supporters to make a noise about it. Also, unfortunately, the reality is that if a slumdweller goes on a hunger strike, he or she can easily be ignored.

Would you say that middle class activists in civil liberties groups play a crucial role ?

Yes. But I don't want to exaggerate the role. The actual number of people we have been able to help or demolitions we have stopped, is miniscule. This is because there are not many people working in such groups. They are not strong enough organisations.

If there were more people working on civil liberties issues, many more competent and concerned lawyers, it would be of tremendous help. Because 70 percent of demolitions in Bombay are done in violation of laws. They can easily be challenged in court. The hunger strike has got rehousing for 400 families. This is a rare case of actual victory.

What are the other gains of the struggle ?

Well, if this kind of work was not carried on, public opinion, which is already violently against slumdweller, would be even worse than it is today. The fact that demolitions are protested, keeps public opinion from being totally reactionary and also keeps authorities on their toes.

If groups like Nivara Hak had not existed, and no voice was raised when slums were demolished, slumdweller would have been swept away from posh areas and shifted out much further. Of course, they might throw all the slumdweller out of Bombay because they need their labour.

What is the future strategy of Nivara Hak ?

Our longterm strategy is to continue to build public opinion in favour of provision of proper housing to slumdweller. The portion of slumdweller must be seen as part of our national oppressor the poor.

The problems of the city cannot be seen in isolation from condition of the rural poor. People keep coming to the city in spite of the bad conditions here, because the countryside it is a lot worse. It is the national economy which forces people out of the country: into the cities. The film *Bombay Our City* is, in a broader sense, just about slumdweller in Bombay but about the economy that polarises the rich and the poor. □