

Eviction of Charan Khad settlement Dharamshala

FACT FINDING REPORT

WSS and Delhi Support Group



1. Background

In response to disturbing information circulated on our mailing lists about the eviction of a long-standing settlement in Dharamshala, WSS (Women Against Sexual Violence and State Repression) and Delhi Forum took the decision to field a joint fact-finding mission. Our objective was to investigate the situation, ascertain if violations of law and human rights had taken place and explore the possibilities for resettlement and rehabilitation of the community.

Members of the fact-finding team were

- **Kalyani Menon-Sen**, WSS
- **Jawahar Singh**, Jhuggi-Jhopdi Ekta Manch
- **Arvind Singh**, Jhuggi-Jhopdi Ekta Manch
- **Vikas Yadav**, TISS fellow and member, National Alliance Group for Denotified and Nomadic Tribes.

The team visited Dharamshala on 27-28 June 2016 and met with the affected community, concerned officials and civil society activists in Dharamshala and Palampur.

2. Notes from discussions with informants¹

3.1 Affected community

- The team met members of the affected community at the site on the outskirts of the city where they are presently camping. We found a group of around 100 women, men and children squatting on the road in the sun. The group included several children, old people and at least three people with disabilities (one young paraplegic man, one young girl with speech and hearing impairment and an elderly woman with a severe leg injury).
- Most of the people we spoke to said they had been living in the Charan Khad settlement for their entire lives. Some of the older people were among the original settlers, mostly Dalit artisans and members of denotified tribes (Sansis and Mangarodis)² who had come from Rajasthan and Maharashtra in search of work 30-35 years ago, pitching their tents in Charan Khad where a streamlet provided an assured source of water. At that time, the area was a “*jangal*” of scrub vegetation that was gradually cleared and levelled by the settlers. Although the site was somewhat isolated at the time, the settlers were able to capitalise their traditional skills as leather workers, blacksmiths, tool-makers and craftspersons providing goods and services to the local population. Others entered the informal economy as waste-collectors, street entertainers and daily-wage workers.
- The settlement grew more or less organically as others from their clan networks came to join the original settlers. However, no permanent structures seem to have been constructed; even at the time of demolition, almost all of the dwellings were flimsy shacks constructed from bamboo frames covered with plastic sheeting and tarpaulins.³ The rapid growth of the town – primarily driven by the surge in tourist traffic – squeezed the settlement into a narrow strip of land. A cricket stadium, a municipal vegetable market (which also houses the Mayor's office), a private college and several other government buildings have come up in the vicinity in recent years.

1 See list of informants at Annexure 1.

2 A note on denotified tribes is placed at Annexure 2.

3 Photograph retrieved from <<http://tong-len.org/photogallery/typicalshelter.html>>



- There is no official data on the demography, caste profile and employment profile of the Charan Khad community. According to our informants, wage labour is the primary source of income for the majority of families, with men working as construction labour, headloaders and daily paid workers in public works such as road-repair, tree-planting and clearing of debris from the streets after storms and mudslides. Some of the men we spoke to were leather-workers and cobblers who go as far as Macleodganj with their boot-polishing kits. A large number of women and adolescents are part of the waste economy – rag-pickers who collect and sort waste from the streets for onward sale to *kabadi* merchants; a few have moved on to set up *kabadi* enterprises of their own. Some women are pavement vendors who sell readymade garments, handicraft items, cosmetics and costume jewellery on the roadside. A few families are reported to have done well enough to have acquired some assets like TV sets, two-wheelers and household equipment.
- The most noteworthy feature of the Charan Khad community is their commitment to their children's education. We were told that every single child was in school – either in the residential school run by a local NGO (Tong-len), or in the nearby municipal school. Several of these children have gone on to get admission in professional courses. We were given the names of 15 children (seven of them girls, including from denotified tribes) who are presently studying for degrees in engineering, medicine, journalism, hotel management, law and business management in reputed institutions in Manipal, Trivandrum, Gurgaon, Chennai and Bangalore. Everyone we spoke to gave the credit for these children's achievements to Tong-len, which brought the children of the community into the school system and continues to support their education through scholarships.
- The children we met also spoke highly of the local municipal school. In response to our questions, they told us that they did not face any caste discrimination, that their teachers were loving and did not beat them, and that they enjoyed going to school. Many of the parents told us that these government teachers used to come to the slum to motivate them to get their children out of work and send them to school.
- Our informants told us that they had made occasional attempts to petition the authorities for drinking water and electricity, with no success. Apart from a few composting toilets and a handpump for drinking water constructed by Tong-len on one side of the settlement, there were no sanitary facilities. The streamlet flowing through the settlement was the primary source of water for domestic use. Despite these insanitary conditions, the community was vehement in claiming that there had been no serious disease outbreaks in the settlement, and that their children were healthy apart from the malnourishment caused by their poverty. They told us that a health camp conducted by Tong-len some years ago found not a single case of TB or jaundice.
- The group gave us a detailed account of the events leading up to the eviction. They said that they had been given two or three notices by the municipal authorities asking them to vacate the area since it was government land and was illegally occupied by them. The municipal

authorities also held some meetings with them and told them that the Himachal High Court had given an order for their immediate eviction since the settlement was a health hazard. Community leaders told us that they had not contested the charge of squatting on government land and had not thought of claiming any compensation. Their only demand was for an alternative location for the settlement. This demand was reiterated at meetings with the Mayor, the District Collector, the municipal authorities and the local MLA from the area.

- The students of the Tong-len hostel, many of whom are themselves from the Charan Khad settlement, were active in meeting and petitioning various officials (including the Chief Minister) for providing an alternative site for the community. One of these young people even filed a plea seeking a stay on the eviction, which was dismissed by the court. These efforts are documented in a powerful and moving blog⁴ that testifies to the commitment and capacity of these young people, and reflects the quality of the educational process that Tong-len provides to its students. Some extracts are reproduced below.

In course of recent events, we the children of Tong Len were faced with a very personal dilemma. The government of Himachal Pradesh, particularly the municipal corporation gave orders to the slum community in Charan Khad to vacate the place without any alternate place to go. They were told to leave without anything further told to them.

This problem concerns us personally because we belong from the Charan Khad community. It is a slum community inhabited by people from Rajasthan, Maharashtra, and Punjab and so on. The slum is in very poor conditions and even not having basic facilities such as toilet. If we are to vacate that place too we will have no place to go and our means of livelihood would be severely affected.

On the wake of such desperate times, we the students of Tong Len decided to intervene and do something about it. Though now we are living in the hostel and our in better conditions but we still owe a moral responsibility and duty towards our families back in Charan Khad. So around 10- 12 senior students from the hostel decided to take steps to help the community, our community. We held various meetings and discussions, involving the staff and guru ji, surfing the net too about fundamental rights, the constitution, various ministries and so on. (.....)

The children, community members along with Mr Adarsh Vashist (human rights lawyer) succeeded to meet the minister of urban development, to whom we handed over the letter and also briefly spoke to him about our concerns, he told us that he would look into the matter and may provide basic amenities to people so that they can lead a better life. Next we met the deputy commissioner who was kind enough to accept the letter and also spoke to us about the issues concerning us, he appreciated our efforts and also mentioned that he was quite impressed by the fact that we not only wrote a letter but signed it, there were around 15 signatures and this gave the letter the status of a petition which has a favourable value amongst the government officials. We also handed over the letter to commissioner of municipal corporation and were greeted with favourable assurance. (...)

On 22nd April in the morning around 10 or 11 o'clock two gentlemen came to Charan slum community and told to slum community people you must be move from here today, otherwise we are going to send JCB machines to destroy your tents (homes) tomorrow around 9 0'clock. It was very shocking and surprising for us that even though we submitted representation to them as well as to Municipal Corporation to provide alternative arrangements such as rehabilitation or re-settlement in order to survive but they came up without any arrangements. As we find out they had been sent by the Municipal Corporation, immediately we been to Municipal Corporation Office .The officer told us many things. The main point they mention was that, they are planning to resettle this slum community in the nearby area which is known as "Gaoshala".

We told them that the land you are planning to drop our slum people is totally unsafe, not good location, during

4 The blog can be accessed at <<http://www.makingconnection.org/charan-case/>>

the monsoon time that area gets muddy as the small hill water runs on one side and other side it touches to the river which has more risk than current locality of slum. It is also the area where the stonecrushing work always going on even at the nighttime. In summer time it becomes extremely hot which will create more problem for these people.

We also told them this is that area where the animals kept, which are waiting to die, and some of them also very sick. Basically, most of these animals became useless for their owners and the owners let them to go them in streets or let them to die anywhere. If this happened we feel that, it is unethical as same as that, we are also throwing at that place to die as cattle.

(...)

Our request is that the resettlement should be proper with basic human facility needs as well as the area also should have a potential for better development and a sustainable future for those underprivileged people.

- Our informants told us that the municipal authorities had suggested possible resettlement sites in Gamru, Passu and Sarra. None of these sites were acceptable; apart from being a considerable distance from town and far from any water source, local communities in these areas threatened physical violence if the Charan Khad people tried to settle there. We were told that the Mayor and municipal officials who accompanied the community on at least two of these site visits “ran away” when confronted by *lathi*-wielding locals and refused to do anything more in the matter.



- The evictions were finally carried out during the period of 16-20 June. Community members, many of whom had already packed their belongings to prepare for a move, told us that the settlement was cordoned off by police and bulldozers arrived even before they had fully grasped the situation. A desperate appeal to the

Mayor from some of the girls from the community resulted in the operation being suspended for a day to allow people to organise themselves. However, this postponement was of little practical use since most people had still not found alternative accommodation. Clothes and household goods were piled haphazardly on the side of the road in the rain as people tried to salvage as much as they could from their homes. The women we spoke to said that the police prevented them from going back to their tents, but were not violent and did not use their *lathis*. In the absence of any consensus on an alternative site, the process was disorganised and traumatising for the community. A video clip (taken on 20 June)⁵ shows shacks being dismantled and torn tarpaulins and plastic sheets being collected and piled up by municipal workers while some evicted people continue to try and salvage their belongings. One person, a paraplegic man, is seen sitting in his hut even as it is being dismantled around him.

- Some municipal trucks were provided for transport on 20 June, the final day of the eviction. Municipal workers picked up everything they could see and threw them into the trucks while people were still trying to collect their possessions together. In the absence of any identified relocation sites, the trucks simply drove to random spots the outskirts of the town and

⁵ The clip may be seen at <<https://www.facebook.com/dev1bhoomi/videos/1406556336036479/>>

dumped people there. These accounts of our informants are largely corroborated by reports in the local press and materials provided to us by civil society informants.

- On 23 June, a few days after the evictions, the municipal authorities organised a clean-up of the site under the banner of the Swachh Bharat Abhiyan. The housing materials and debris left behind, including plastic sheets and tarpauling, were burnt.
- At the time of our visit (about ten days after the eviction), we were told that a few families – mostly the people from South Rajasthan – had been able to rent space on privately owned land where they are putting up shacks. A few of the comparatively well-to-do people from Rajasthan and Punjab were said to have gone back to their villages to store their belongings. Our informants, a group of around 300 people, are still camped on the roadside with no protection from the weather. Tong-len is helping them with cooked food, and has also given some of the smaller children temporary shelter in their school hostel.
- The 30 or so families from Maharashtra are perhaps the worst situated in terms of possibilities for the future. They are almost all itinerant waste-collectors with insecure incomes and no savings or assets. They belong to a denotified tribe (Mangarodi) and many of them supplement their incomes by begging. Their Hindi is heavily accented and marks them out as “outsiders”. They face a significantly higher level of hostility from local communities who characterise them as “thieves”, “dirty” and “immoral” people. We met some of these families who are presently living on the site of the new campus of the Institute of Public Health is coming up. Although the buildings are still roofless and do not offer any protection from the weather, there are some areas where the ground is raised and cemented. Children and old people were huddled here and there on these cement platform as the rain pelted down.
- Overall, we found the community to be confused and uncertain of what they should do. Although a plea has been entered on their behalf in the High Court at Shimla asking for a stay on humanitarian grounds⁶ it was filed too late to halt the eviction. Efforts to rent space from private landowners are continuing but are meeting with resistance; community members claim that landowners are being pressurised by the police who have warned them not to encourage the evictees. This allegation has also been featured in some newspaper reports.
- The community leaders seem largely uninformed about the various schemes and programmes under which they can seek housing and livelihood support. They are looking to the civil society activists who are standing with them for guidance, support and help in dealing with the situation. A peaceful rally and march to the collectorate was organised with the support of civil society groups on 25 June, but did not elicit any concrete responses from the authorities.



6 A copy of the plea is placed at Annexure 3

3.2 Civil society activists

- Himachal Pradesh does not have any organised movement for urban rights. There are no local NGOs working on urban issues in Dharamshala. Tong-len, the NGO that has provided support and help to the Charan Khad community, focuses almost exclusively on education and child support. Other well-established NGOs in Dharamshala have not engaged with the Charan Khad community.
- However, a small group of committed activists have now come together as the Kangra Citizens' Rights Group, to stand with the evicted community and support them in engaging with the municipality and the district administration. We had intensive interactions and discussions with some of these individuals as well as a meeting with the group as a whole.
- Bipin Bharadwaj (Lok Raj Sangathan) was contacted by some members of the community at the time of the eviction, and was the first to reach the spot. After being alerted by Bipin, Manshi Asher and her colleagues at Himdhara (a collective working on environmental issues with an office in Palampur) reached Charan Khad on 20 June when the eviction was nearly complete. Information about the eviction, supported by photographs and video clips, was immediately posted to national mailing lists by Himdhara and the Sambhavana Trust. Akshay Jasrotia (former Zila Parishad member and secretary of the Kisan Sabha, a farmers' group based in Baijnath), Sukhdev Viswapremi (a Dalit rights activist who heads the People's Campaign for Social Equity in the Himalayas) and Shyam Krishnan (a local entrepreneur) are also part of the Citizens' Rights Group that is helping the community in finding shelter and meeting survival needs as well as in petitioning the authorities for relief and rehabilitation. The Citizens' Rights Group was also instrumental in organising the rally of affected people on 26 June.
- Our conversations with activists helped us in putting together a timeline of events leading up to the eviction and its aftermath.⁷ The activists corroborated most of what we had heard from the local community.
- The activists we spoke to expressed their dismay at the attitude of the municipal authorities and the district administration. While not denying that the authorities were acting in accordance with the letter of the law, they felt that the eviction also displayed a complete lack of concern for the human rights of the evictees. They questioned the timing of the eviction, especially since the monsoon is expected to be heavier than usual this year. They were of the view that the municipal authorities had sidestepped the provisions of the Himachal Pradesh Slum Act 2005 by not notifying the Charan Khad area as a slum. They had acted with unnecessary haste to implement the High Court orders, without a proper survey to establish whether at all the community was a health hazard and without giving adequate recognition the rights of people who had been domiciled in the state for more than three decades. This suggests that they were under pressure to get the land cleared, possibly because Dharamshala is now a would-be “Smart City” and the land is needed for some other purpose.
- Some women activists who were present at the site of the eviction on 20 June testified to the aggressive behaviour of the police, who prevented them from speaking to community members and threatened to break their cameras when they tried to take pictures. When they refused to leave the spot, they were told that they would be arrested and taken to the DC's office. Despite these attempts at intimidation, the activists managed to make some recordings to document the eviction.

⁷ The timeline is placed at Annexure 4

- Activists who were involved in organising the peaceful rally of evictees on 25 June have been informed by friends in the media that the district administration is planning to take action against them under Section 143 CrPC (repeated public nuisance and apprehension of public danger). This information remains uncorroborated as no notices have been received by any of the people we spoke to.
- All the activists we spoke to told us that they faced hostility from various officials with whom they had met to plead for relief and rehabilitation for the evictees. They recounted several remarks that reflect caste and class biases, and a disturbing contempt for the human rights of the affected community.

“Yeh log sudhar nahi sakte....inme se kayi HIV or TB ke mareez bhi hain.”
(These people cannot mend their ways....many of them have HIV and TB)

“Arre, bada bhari gand faila ke rakha tha in logon ne. Kabhi inke beech jakar dekha hai?”
(These people had dirtied the entire place. Have you ever been there to see it?)

“Inke phenke hue saaman mein hame drugs mile, achhe-achhe wallets mile jo inhone churaye the”
(Among the things they left behind, we found drugs, good wallets that they had stolen)

“Logon ke nafrat ka karan bhi to hai – yeh log bahut gande hain, gande kaam karte hain...”
(There are good reasons why people don't like them – they are dirty, they do dirty things...)

- The activists in the group are continuing to negotiate with the DC to explore all possible options for rehabilitation of the evictees. They have been given some verbal assurances that efforts will be made to provide land and housing to at least some of the families under various government schemes. They are also making personal efforts to identify private landlords who might be willing to allow the evictees to set up temporary shelters on their unused land.
- The activists have also filed a complaint with the National Commission for Human Rights on behalf of the affected community. The possibility is also being explored of approaching the National SC Commission and the Commission on Denotified Tribes requesting their intervention in directing the state government to provide relief and rehabilitation to members of these highly marginalised and vulnerable groups.

3.3 Municipal officials

- We were unable to meet the Commissioner and Joint Commissioner of the Municipal Corporation, both of whom were out of town. We did however have a long meeting with the Mayor and her team of senior engineers.
- The newly-elected mayor of Dharamshala, Ms Rajni, is herself from a civil society background, having worked for over a decade in Jagori-Grameen, a local women's NGO. She expressed regret for the situation but also said that there was no alternative to the eviction since the settlement had been illegally established on government land.
- According to the Mayor and her team, the eviction was carried out in response to a High Court order directing the government to clear all illegal settlements that posed a public health hazard. The Charan Khad settlement was identified as a potential hazard since it was located upstream of one of the main water sources in the city and the area around it was used as an open toilet by the community.
- In response to a question, the officials denied that the Charan Khad eviction had anything to

do with the recently-approved “Smart City” proposal. They refused to confirm the rumours that the land was to be used for construction of the new office for the corporation.

- The Mayor expressed regret at the eviction and acknowledged its disastrous impact on the community. She said that, as a social activist herself, she could not deny that their human rights had been violated. However, she emphasised that there was no alternative and that due process was followed at every step. The process was started in February and the community had more than four months to make alternative arrangements. Several notices had been issued and community meetings had been held. The community had agreed to cooperate.⁸
- The officials said that they had gone out of the way to help the community in finding an alternative site for resettlement. However, the community had rejected the alternative sites suggested by the municipal authorities.
- The Mayor and engineers said that the actual eviction was carried out without any violence. They told us that they had made every effort to help the community with the move, including providing them with trucks to move their belongings. They did not deny that the eviction was traumatic for the community, but felt that people had been too complacent and could have made alternative arrangements if they had been more pro-active.
- The officials vehemently denied the allegation that the local landowners had been asked not to rent to the evictees. They told us that most people had in fact found places for themselves and were staying on the road only because they thought they could get some benefits if they made a show of their victimhood.
- The Mayor listed several of the allegations against the community – that they were dirty, that many were drug addicts and petty criminals and that several of them were in fact quite well-to-do. While clarifying that she did not personally support these allegations, she told us that these perceptions of the local community could not be ignored. In response to a question, she said she could not do anything to change these perceptions - as a Dalit woman herself, she felt that it was upto excluded communities to demonstrate that they were worthy of respect.
- The Mayor and her team emphasised that the municipality was only six months old, and procedures and policies were yet to be laid down. The Mayor said she welcomed suggestions and support from civil society in helping the evictees, particularly in terms of identifying possible sites for resettlement. She said the corporation would explore the possibility of providing basic services like water, electricity and sanitation at the resettlement site.
- The Mayor assured us that the children of the community would not face any difficulty in continuing their education, and that she would personally ensure that they were admitted in schools of their choice.

3.4 District Collector

- The team met with the District Collector, who reiterated that the eviction was unavoidable given the High Court order, and that due process had been followed. He said that the eviction had been carried out by the municipal authorities with the district administration providing police to ensure law and order.
- The DC told us that he had already given orders for a socio-economic survey of the evicted community in order to identify families who would be eligible for subsidised housing under the PM Awaas Yojana and a state government scheme of subsidised housing plots to the homeless. He agreed that civil society activists should be consulted while rolling out these initiatives.

8 Copies of the notices issued to the community are placed at Annexure 5

- The DC agreed that the hostility from local communities was also a serious problem, but said that the district administration could not facilitate negotiations between landowners and evicted families. Nevertheless, he seemed open to our suggestion that the district administration should pro-actively counter local prejudices against “outsiders” in general and certain communities in particular since they could lead to disruptions in communal harmony.

4. Findings and conclusions

Our conversations with the affected communities, municipal authorities, concerned activists and the district administration, as well as the various notices, petitions and other materials we have been able to study, lead us to the following conclusions.

- As “illegal” occupiers of government land that had not been formally notified as a slum, **the Charan Khad community was in effect living under the threat of eviction for the last 35 years**. Several factors - the jaundice deaths in Shimla and the ensuing High Court order for slum clearance, the formation of the Municipal Corporation and its successful bid for the Smart City programme, political pressure to “clean up” the area around the new cricket stadium - all converged in the last few months and transformed the threat of eviction into reality.
- It is true that **the authorities have acted within their rights** in evicting unauthorised settlers on government land, and that their actions are supported by various judgements of the HP High Court. It is also true that due process was followed, that the community was given the statutory notices and warnings, and that the eviction was carried out without physical violence.
- At the same time, it is absolutely undeniable that **the basic human rights of the Charan Khad settlers have been violated by the evictions**. Almost 300 families including highly vulnerable individuals including pregnant women, infants and small children, people with disabilities and elderly people, have been rendered homeless.
- The Charan Khad eviction is a **violation of the Supreme Court ruling against evictions being carried out during the monsoons**⁹. This ruling in the Bombay pavement dwellers case is a landmark judgement affirms the right to shelter as a part of the Constitutional right to life and livelihood. The eviction also **violates the guidelines laid down under international agreements** to which India is a signatory.¹⁰
- The eviction of such a large and old settlement of highly marginalised people, leaving them literally on the street with no shelter and no relief, must be condemned as an **inhuman, insensitive and irresponsible act**. The attempt to justify the eviction by characterising the evicted community as “illegal occupiers” who cannot make any claims on the government is equally condemnable. As the local face of the state government, the municipal corporation and the district administration are **legal duty-bearers who cannot sidestep their accountability for the welfare of citizens** regardless of their economic or social status or their place of birth.
- We are extremely disturbed by the deliberate **stigmatisation and labelling of the evicted community** as “outsiders”, “dirty people”, “petty criminals” and “drug addicts”. The fact is that this is a community of working people who have been providing their labour to the city,

9 Supreme Court ruling in Olga Tellis versus Bombay Municipal Corporation and others. 1986 AIR 180 1985 SCR Supl. (2) 51.

10 See Annexure 6 a summary of international laws and standards on evictions and the right to housing.

without any form of social or economic security. Their contributions to the urban economy have been deliberately ignored. **They are citizens of India and legitimate claimants to the full range of Constitutional rights.** The fact that the authorities allowed 35 years to go by without notifying the area as a slum, and without making even token gestures towards improving their miserable living conditions, suggests a deliberate attempt to render them invisible and deny their humanity while continuing to take advantage of their labour. We are forced to conclude that **the decision to summarily “clean up” the Charan Khad area was taken precisely to avoid the comparatively humane provisions of the HP Slum Act (2005).**

- We strongly condemn the **prejudice and contempt displayed by some officials** in their dealings with the evictees. These individuals seem to have forgotten that, as public servants, they are duty bound to stand aside from social prejudice at least while acting in their official capacity.
- The public documents we have examined in the course of the fact-finding exercise also raise **serious questions about the mode of functioning of the newly-formed Municipal Corporation of Dharamsala**, which has scored an early success in getting funding under the Smart City Mission. The fact that the Smart City proposal was submitted and cleared almost immediately after the formation of the corporation suggests a hurried process based on weak data and an incomplete understanding of the needs and priorities of various segments of the population.

Dharamsala Smart City Project: Where are the people?

The proposal speaks of an inclusive city, but the gaps are obvious.

- *The document is not based on a comprehensive socio-economic survey.*
- *The demographic data provided is extremely sketchy with no disaggregation by class, caste or community. The data source is not mentioned.*
- *Mapping of settlements and urban services does not seem to have been carried out. Areas with substandard services have not been identified.*
- *While claiming to be based on “extensive consultations”, the document mentions that 250 written suggestions – representing less than 0.5 of the total population – have been taken into account. It is highly likely that these are the views of a small section of affluent citizens.*
- *There is no indication in the document of how the priorities were finally decided. Housing has not been identified as a need.*
- *While the document recognises the presence of a “floating population” of tourists and workers in the tourism sector, long-term workers who are not “native Himachalis” are not mentioned anywhere.*

As in many other cities, the proposal document seems to have prepared by consultants working to a standardised template with little idea of the local realities and concerns. The vision that emerges is of a high-tech city bustling with tourists, where the local people are visible only as service-providers to the visitors.

- Given that the Charan Khad settlement was the only slum in Dharamshala, we feel that the authorities could have made a stronger effort to find a **just and equitable solution** to the problem. While accepting that there are no easy answers, we nevertheless feel that some simple steps such as notifying Charan Khad as a slum, involving local NGOs and concerned civil society groups in consultations and negotiations with the residents, setting a cut-off date for establishing the legitimacy of claims, identification of alternative sites, preparation of a systematic relocation plan and mediation of interactions with local communities would have significantly changed the trajectory of events. Such a process would have added immensely to the credibility of the Mayor and the newly-constituted Municipal Corporation, and laid a strong foundation for **participatory, transparent and accountable urban governance** in Dharamshala.

5. Recommendations

5.1 Municipal authorities

- The municipal authorities should act urgently to provide basic relief materials such as tarpaulins, rations and medicines to the evictees who are still living in the open, so that they can survive the monsoons without mishaps.
- The Mayor should call for an urgent meeting with community representatives and follow through on her assurance that there will be no break in education for children of the evictees.
- The MCD should act urgently in identifying and accessing funds for housing and livelihood support for the evictees under special schemes for Dalits and denotified tribes. The process of carrying out a household survey and identifying beneficiaries for direct assistance under the Pradhan Mantri Awas Yojana should be speeded up.
- The MCD should seek the help of urban experts and civil society activists to carry out a rigorous and detailed socio-economic mapping of the area under its jurisdiction in order to identify vulnerable populations and under-served locations. The data from this exercise should be made available in the public domain.
- The MCD should also work out a long term strategy for dignified and sustainable livelihoods for vulnerable residents like the Charan Khad evictees and others living below the poverty line. A comprehensive plan including skill training and credit support should be developed through a consultative process. Some livelihoods (such as community laundries, drinking water ATMs, sustainable waste management, online tourist services) can be even be supported under the Smart City programme as has been done in other cities.¹¹
- Instead of one-off “cleaning events”, the MCD should also consult with local environmental groups to develop a comprehensive strategy for their Swachh Dharamshala Abhiyan. As an immediate first step, municipal workers should be directed not to burn plastic waste as was done while clearing the Charan Khad site.
- We strongly recommend the creation of a Citizens' Committee that can serve as the platform for debate, discussion and consultations on the development of Dharamshala. This committee should include representatives of various interest groups and should have a strong presence of young people and women. The Citizens' Committee can be a platform to ensure that multiple stakeholders and interest groups are able to contribute to the process and make sure that their rights and needs are given due consideration in developing a comprehensive development plan (including a land-use plan) for Dharamshala. The Smart City project should be seen as one component of such a comprehensive plan, rather than as the sum total of the MCD's development agenda.

5.2 District administration

- The District Administration should take serious note of the display of social prejudice shown by some officials. A sensitisation programme should be rolled out and clear protocols developed to ensure that dealings with the public are not vitiated by caste and gender biases. Complaints from activists should be taken seriously and acted upon.
- The District Administration should provide advice and support to the MCD in setting up and

11 For more information on components of various Smart Cities, see http://smartcities.gov.in/writereaddata/ABD_Components.pdf

- running the Citizens' Committee on urban issues.
- The District Administration should also mount an effort to map and monitor informal settlements in newly emerging urban areas of the district, and prepare a comprehensive plan for ensuring basic services to all residents in these settlements.
 - Resources available with various departments should be tapped to meet some of the long-term needs of the evictees (such as assistive devices for people with disabilities, health check-ups and supplementary nutrition for pregnant women and children and identification of employment opportunities for educated youth under various government schemes).

5.3 Civil society groups

- The small core group formed to support the Charan Khad evictees needs to expand its membership and focus its efforts on identifying an appropriate site for immediate occupation by the evictees. The core group should continue to act as a bridge between the district administration and the community, while encouraging the community to take the lead in negotiations.
- The core group should work with municipal authorities and the district administration to design and implement the proposed family survey of the evictees, and should also help community members fill out the application forms for various benefits to which they are entitled, such as land, housing and livelihood support.
- The group should also prioritise actions to address the issue of caste and communal prejudice, including holding meetings and discussions with local communities on these issues.

The determination of the evicted community to survive this disaster, the energy and commitment of the civil society activists who stand in their support, the willingness of the district administration to engage in dialogue with citizens – all these give us hope that the lessons from this eviction will be taken to heart and will lead to some positive outcomes for all concerned.