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# The Forgotten River; What the Bagmati Action Plan Means for the Sanctity of One of the Most Sacred Rivers in South Asia and Those Who Call the Rivers Vacant Riverbanks Home

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## The Forgotten River;

What the Bagmati Action Plan means for the sanctity of one of the most Sacred Rivers in South Asia and those who call the rivers vacant riverbanks home.



Research conducted by Benjamin Conner



## Introduction:

The Kathmandu Valley has historically been regarded as a mecca for biodiversity and rich natural life. Located in a 220-mile square radius, the valley has been touted for its lush green life and fertile land making it an exceptionally desirable place for settlement. In a country where agrarian land is scarce, the Kathmandu Valley offers a location flat enough to cultivate and elevated enough to avoid the harsh heat of the country's southern plains. Most unique about the Kathmandu Valley is its complex network of rivers and riparian areas. Flowing directly from the Himalayan Mountain range, these rivers are constantly fed and replenished year round. Given the copious amount of natural resources that the Kathmandu Valley offers, it's no wonder that Kathmandu quickly developed into a haven for agricultural, religious and cultural importance. But in recent years, the majestic and verdant land once so exceptionally striking has faded into a grey and polluted landscape holding little resemblance of what used to be. The once fertile agricultural land has been transformed into concrete and brick unfinished buildings that span as far as the eye can see. The biodiversity of yesteryear has been replaced by a homogenized human dominated habitat destroying the presence of wildlife that once called the valley home. Most importantly, the prized waterways of Kathmandu have turned into unrecognizable landscapes unidentifiable to the human eye. Not a flowing river yet not a solid waste disposal site, one is left contemplating what has happened to Kathmandu's rivers. The consequence of rapid migration, unmonitored development and ignored unlawful dumping practices have degraded Kathmandu's Bagmati River and its 57 tributaries to where it stands today; as one

of the most polluted rivers in the world.<sup>1</sup> The once ever-flowing river has been reestablished informally as a waste dumping location. The majority of the rivers flow during the regions dry season is comprised of wastewater and sewage. Its river banks are littered with piles upon piles of trash eroding into the water. The combination of stagnate sewage water and slowly decomposing trash leaves an intolerable odor in the air driving the city's population as far away from the tributary as manageable. While the current state of the river has been successful in driving people away from the river's location, it has also created a vacant area prime for informal settlement in a city where land is precious.

The current polluted state of the Bagmati River has created an attractive region for the city's informal sector to settle upon. Unable to afford the steep cost of rent within the city, the Bagmati's riverbanks offer informal squatters a viable place to inhabit for both the short-term and long-term. Removed from the city's prime land and located in an area widely seen undesirable and undevelopable, squatters have migrated to the rivers floodplains in great numbers. For decades, these people have illegally been living along the city's rivers in an unnoticeable manner. Shanty homes constructed with tin, bamboo and plastic bags camouflage with the river's landscape and almost go unnoticed by the public's eye. By residing in one of the most undesirable locations in Kathmandu, these people are not bothered by government officials and live modest lives along the city's waterways. Until recently, this sector of Kathmandu's society has quietly contributed to Kathmandu's bustling informal sector without facing a legitimate threat of eviction or relocation.

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<sup>1</sup> "Interview with Kalpana Thapa." Personal interview. 27 June 2012.

But as the state of the city's tributaries have reached unfathomable levels, the country's government has started to spur investment into revitalizing this once flourishing ecosystem. In order to instigate reform and noticeable progress for the longevity of the river, the government implemented the Bagmati Action Plan in 2009. This federal funded task force which is the first of its kind in Kathmandu, looks at revitalizing, conserving and improving all aspects of the Bagmati ranging from aesthetics to water quality. This all-encompassing plan is also revolutionary in the way that it interconnects the city's squatter informal class with the sanctity of the Bagmati. In order to carry out the programs mission, massive citywide evictions have been announced directly threatening the tenureship of squatters along the Bagmati River. In this special case, the improvements of a city's decaying waterway ties into the difficulties that developing countries face with housing urban poor citizens. The Bagmati Action Plan looks at harboring colossal changes for not just the city's tributary's, but also the majority of the city's squatter community which has been living harmoniously for much of its existence. With government and international donors investing record breaking dividends into the project, the Bagmati Action Plan looks at giving life to an ecosystem that has deteriorated in recent years by taking away the life of the bustling informal sector which the country's economy has become so dependent on.

#### Aims of this Paper:

This paper investigates the inner workings of the Bagmati Action Plan and how the implementation of this project impacts the established squatter



communities that reside in the city's floodplains. Deemed as a contributor to the rivers polluted state, the composed plan looks at both evicting all riverside squatters and finding alternative housing for affected citizens by working jointly with the country's Ministry of Urban Development and Building Construction. By comprehensively reviewing the strategies implemented within the Bagmati Action Plan while also uncovering the country's governmental proposal's of housing relocation for squatters, this paper attempts to answer questions relating to the questions of 1) Whether these plans for river revitalization are plausible, 2) how successful these programs can be in modern Kathmandu and 3) how riverside squatters will be affected by the plans agenda of uprooting and demolishing previously established self-help houses. This paper also sheds light on how the connection between squatters and the malignant polluted status of the city's river's have gotten exacerbated to their current levels. By conducting case studies, interviews and intensive document reviews, I conclude that the Bagmati Action Plan unjustly evicts squatter residents while also failing to significantly improve the current state of the city's waterways.

#### Rural Flight and Unplanned Urbanization and its Effects on the Growing Squatter Population in Kathmandu:

Historically, the country of Nepal has been an agrarian country. In the 1970's approximately 90% of the country's population lived in rural areas and the country's agricultural sector accounted for almost 71% of the country's gross

national product.<sup>2</sup> However, due to the rise of the Maoist insurgency in the 1990's which lead to the immediate termination of local politics, the city of Kathmandu has seen an enormous rise in population.<sup>3</sup> In the decade between 1991 and 2001, population growth in urban areas was at 6.65%. That accounts for three times the country's growth as a whole making Kathmandu specifically, one of the fastest growing cities in all of Asia.<sup>4</sup> In particular, the district of Kathmandu is seeing an estimated growth of 4.71 percent per year making the rate of population growth in the Kathmandu district alone, one of the highest in the world. As the population in Nepal's urban centers is predicted to double within the decade, the issues of overpopulation and rapid resource consumption are becoming critical problems for the city of Kathmandu.<sup>5</sup> Land in areas of the valley that were once designated for agricultural purposes, are being bought and developed into housing. As a result, there is a decrease in agricultural productivity from the valley and an increase in imported produce. The once sustainable and efficient methods of agrarian society in Kathmandu are being cancelled out by the construction of new homes and an overall increase in urbanization. This rise in urbanization has held to a drastic increase in land prices. Between 1990 and 2000, land prices rose 40 times in most areas in Kathmandu's Metropolitan City.<sup>6</sup> Due to a lack of any effective zoning law

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<sup>2</sup> Toffin, Gerard. *Urban Fringes: Squatter and Slum Settlements in the Kathmandu Valley*. Publication. Contribution to Nepalese Studies, 2010. Print.

<sup>3</sup> Parajuli, Kabita. "The Valley's Relentless Growth." *Himal Southasian* Oct.-Nov. 2008: 38-41. Print.

<sup>4</sup> Tanaka, Masako. "From Confrontation to Collaboration: a Decade in the Work of the Squatters' Movement in Nepal." (2009): 143-59. Print.

<sup>5</sup> Manandhar, Lajana. *New Beginnings: Housing the Urban Poor*. Kathmandu: Lumanti Support Group for Shelter, 2005. Print.

<sup>6</sup> Dahal, Kedar. *Urban Poverty: A Study of Income Patterns and Processes of The Poor Families in Kathmandu*. Publication. 1st ed. Vol. 1. Banking Journal. Print.

containing Kathmandu's city limits and because of a lack of rural development in remote areas of the country, the future looks dismal for a leveling off of the city's population. Making the issue of population growth even worse, is the fact that economic growth in Nepal has remained stagnant throughout this period of time. The current annual per capita GDP of Nepal is \$525 USD making it one of the poorest countries in the world.<sup>7</sup>

Those migrating to the valley in hopes of finding employment opportunities are finding a pessimistic climate. With a lack of income due to the scarcity of employment opportunities and because of a surge in land prices, many families are finding themselves in a state of despondency where they don't know where to turn. The city of Kathmandu has done very little to promote housing for these families in need. With other pressing issues like forming a consensus government or spurring economic growth, the issue of low-income housing has become a secondary issue that the government has yet to address. The private sector on the other hand has been very busy with developing new housing projects. These luxury high-rise apartments promising residents of western amenities are aimed at the city's high socio-economic class. Having no incentive to break ground with housing projects aimed at the city's lower income brackets, private developers have completely turned their backs to the urban poor and are single handedly focused on supplying Kathmandu's wealthy with luxury condominiums and modern housing. Due to a lack of affordable housing offered by the government, families that are unable to afford rent have resorted to settling on government or privately owned land where they

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<sup>7</sup> "GDP per Capita (current US\$)." *Data*. The World Bank, n.d. Web. 06 July 2012.  
<<http://data.worldbank.org/indicator/NY.GDP.PCAP.CD>>.



build shanty shelters to house themselves. This practice known as “squatting” exposes residents to some of the city’s most sub-standard living conditions, segregates them from the rest of society and ultimately puts them at a heightened risk of being evicted from the land resulting in having their homes along with their possessions destroyed.

About the Bagmati River:

The Bagmati River is one of the most important tributaries in South Asia. Starting from the Northeast foothills of the Kathmandu Valley, these networks of rivers eventually flow down to the Ganges River in India. These collections of rivers take form near the Shivapuri Hill which serves as the northern border of the Kathmandu Valley some 15 kilometers north of the city and flows down to the Katuwal Dhal where the river then exits the capital. In total, the Bagmati spans 32 kilometers in the Kathmandu Valley.<sup>8</sup> Rainfall and natural basin drainage from the Valley’s hills wholeheartedly support the systems water supply. The average annual rainfall in the Kathmandu Valley is 1900mm of which 80% of this precipitation occurs during a three-month span known as the monsoon season.<sup>9</sup> The Valley’s bowl shape topography also plays a vital role in establishing a sufficient flow for the river. Rainwater and natural springs drain from the city’s hills down to the lower segments of the Valley.

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<sup>8</sup> "Interview with G.K Thakur." Personal interview. 21 June 2012.

<sup>9</sup> *Bagmati Action Plan (2009-2014)*. Publication. National Trust for Nature Conservation, n.d. Web.

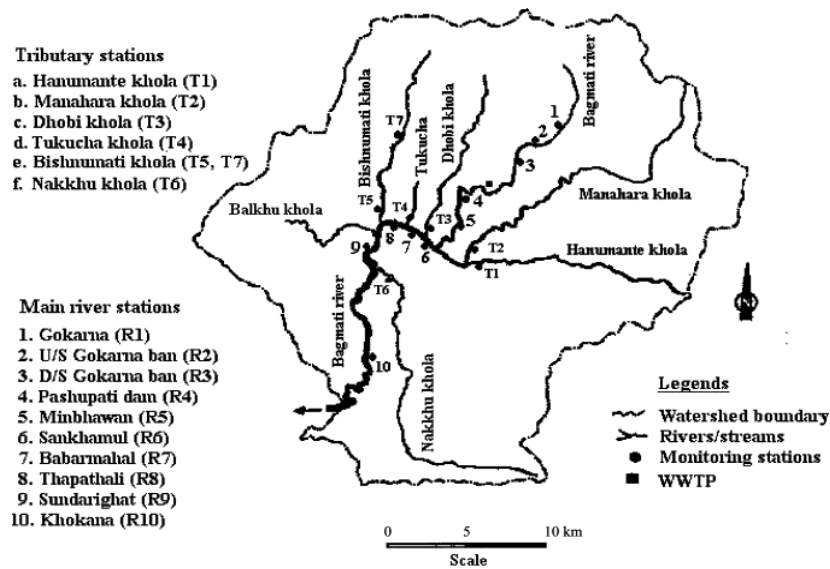


Figure 1: Geography of the Bagmati tributaries.

As shown in this map, this downward flow from the surrounding hills creates a sophisticated series of estuaries primarily located at the drainage basin of these knolls. Complex and sporadic, these tributaries flow from all directions of the Valley until eventually converging near Chobar where they make their way outside of the Valley. The Bagmati River features characteristics rare of rivers of its kind. Instead of relying on melting glacier snowpacks, the rivers reliance on rainwater, which occurs in great spurts, makes it sensitive to changes in climate and human activities. As a result, the fragile nature of the Bagmati puts it at a heightened risk of being damaged or altered by both natural and human instigated changes.

#### History of Bagmati River and Contributions to the Rivers Demise:

From the inception of civilization within the Kathmandu Valley, the areas inhabitants have been captivated by the regions tributaries cultural and religious values. In both Buddhist and Hindu religions, the possession of a lively and healthy

estuary plays a vital role in religious practices. The Nagar people were the first Buddhists to flock to the Kathmandu Valley in hopes of finding a lush, bountiful land to settle upon. At the time of migration, the Kathmandu Valley was comprised of large lakes that fluctuated depending on the season. Eventually, complex river systems began to form from these lakes creating a very unique land dimension. Two specific river locations immediately gained the attentions of the Nagar people. The first was located near the currently established Pushupati Heritage Site where the Bagmati flows through rocky terrain seamlessly cutting the rigid hills in half. Conservationist Sudarshan Raj Tiwari explains that “this site was different than all the rest. Where else does a river cut through a mountain? It’s the uniqueness of the river that made it so important.” The second location of religious importance is where the Bagmati and Vishnumati River converge. The Buddhist people see this specific site as sacred for its symbolic meaning of having two points connect. The mysterious ways of the city’s river ways gained tremendous respect by the Buddhist people and resulted in the notion of the Bagmati being an inimitably holy and sacred religious location.

The theme of respecting the Bagmati’s unique traits bodes true for Hindu’s who have inhabited the Kathmandu Valley. In Hindu religion, the water encompassing a riverbank is seen as a divine location where water is seen as the passage into the next world. In this case, one side of a riverbank represents ones current life while the other side of a riverbank is ones future life. In order to cross from one life to the next, one must pass from one riverbank to the other. This specific religious belief spurred the development of shrines and temple along the



Bagmati in location like Pushupati and Balkhu. Cremation facilities were constructed where death ceremonies were held in which cremated bodies were presented to the River in the hopes that the River will transport the body to the next life. These ceremonies were also a way of having families reflect and celebrate the life of a loved one who has recently passed. The River rehabilitated a devastated family back into society after the death of a loved one. By being a symbol of hope and healing, the River is able to ease a distraught family back into the world with positivity since they know that a loved one is secure by the confines of the sacred River. These holy worshipping sites were seen as critical to the sanctity of a society. If the River wasn't pristine and hygienic, the gods wouldn't find it attractive and would leave the established sacred area. This fear of losing the Rivers holiness forced residents to make conscious decisions surrounding the Rivers cleanliness. Any sort of pollutant disposed into the River jeopardized the areas sacredness. As a result, this was the peak and climax of the Rivers quality and importance within Kathmandu's society.<sup>10</sup>

The gradual demise of the quality of the Bagmati can be identified by three overarching themes, the diminishing of importance regarding the Rivers religious properties, the development of agricultural land spurred by urban migration and the formulation of new water diversion methods supplying Kathmandu with drinking water. The recent century has harbored cataclysmic changes into the Kathmandu Valley. The fall of monarchy and the opening of the country has welcomed a plethora of new ideologies and perspectives. With this modernization

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<sup>10</sup> "Interview with Sudarshan Raj Tiwari." Personal interview. 19 June 2012.

of the city's capital, there has been a significant decline in the quality of religious worship by the average individual. As less people are abiding by the former religious norms of a society, less people carry the urge of maintaining the Bagmati River. The idea of up keeping these sacred locations has lost its stammer and importance. Oblivious and unreceptive to the consequence of damaging these pristine locations, citizens have stopped looking after the River and have in turn, started polluting these locations. One resident discusses this drastic shift in ideology by stating, "its an endless dump where my waste leaves out of sight."<sup>11</sup> While the River still holds religious value, the value has steadily diminished as of late leading to residents more focused on the Rivers ability to dispose waste instead of the Rivers supreme sacredness.

The rapid increase in urbanization as had its costly repercussions when it comes to the movement of the Bagmati's flow. Once an ever-flowing river, the Bagmati only carries water during the regions monsoon season. At all other times, sewage and wastewater conjoin together to form the Rivers almost motionless movement. Before development, the regions agricultural land played a vital role in establishing the Bagmati's constant movement. By absorbing rainwater during the country's wet season, water was able to slowly percolate from soil to river creating consistency in the rivers flow. While the areas monsoons would still cause floods along the Rivers floodplains, much of these floods were kept at bay due to the abundance of soil and agricultural land in the region. In recent years, the development of Kathmandu has placed emphasis on the creation of concrete and

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<sup>11</sup> "Interview with Shiva Gurung." Personal interview. 09 June 2012.

brick buildings. These buildings are erected on fertile agricultural land that once played a buffer in controlling the Rivers floods while also contributing to the Rivers constant flow. By compromising the amount of green space with the introduction of cement and concrete foundations that do not absorb water, massive amounts of runoff rush into the River creating massive flooding during monsoon rains. More importantly, the river lack of a consistent flow for much of the year plays as a catalyst for the increasing levels of pollutants and contributes to the Rivers unbearable smell. Lacking a current to drain and dilute pollutants, wastewater within the Bagmati lays stagnate and visual for Kathmandu's population to witness.

Lastly, the abandonment of elder techniques regarding harvested drinking water has put a large burden on the already suffering estuary. The first ruling class to inhabit the Kathmandu Valley were the Lichivi's in the 1<sup>st</sup> century AD. These sophisticated people came baring revolutionary ideas when it came to establishing a autonomous drinking water system. Instead of relying on the Rivers potential to meet drinking water needs, these people developed a system that harvested water from the regions hills. This deep pit system collected water from other sources without compromising the valleys water table or diverting water from the city's waterways. This system established in the 5<sup>th</sup> century AD remained in practice into the 20<sup>th</sup> century. But with a growing demand for water and potential resources in the Bagmati at Kathmandu resident's fingertips, the city has curtailed its policy to rely mostly on diverting water for drinking purposes. By diverting a substantial amount of the Rivers fresh water north of the city, the Rivers flow is brutally devastated further compromising the Rivers once abundant flow. These three



changes in practice have had cataclysmic impacts on the sanctity of the Bagmati River. As these practices remain in place in Kathmandu and are increasing in frequency, the City's riverways look to become more damaged in the coming years.<sup>12</sup>

#### Squatters in the Kathmandu Valley:

The rapid population growth of Kathmandu coupled with the soaring land prices has created a class of marginalized people in the city's capital. Unable to afford expensive rental costs, these people have been forced to settle on private and government owned land. These people are defined as squatters. Squatters are people who out of necessity illegally establish housing on land owned by another party. In the city of Kathmandu, squatter housing is differentiated from slum housing. Slum housing is a homogeneous settlement usually containing the country's socially deprived lower caste and Dalit citizens. The main difference between squatter and slum housing is that residents in slum settlements have ownership of their land. These people are guaranteed land and home tenureship and don't have to worry about the threat of eviction or demolition. Squatter settlements on the other hand, are diverse and heterogeneous in nature. Squatter settlements contain a wide variety of social castes along with a wide variety of religions, socio-economic statuses and resident's places of origin. While these settlements display a wide variety of cultural and religious beliefs, all members share the same feeling of marginalization. Squatter populations comprise a large number of unemployed citizens: 42%. Even more alarming are the squatters lack of

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<sup>12</sup> "Interview with Sudarshan Raj Tiwari." Personal interview. 19 June 2012.

political ability to represent themselves in Nepali society. Almost 50% of squatters have no citizenship card and 60 % have no electoral card meaning they lack the permission to participate in any of the country's political decisions.<sup>13</sup> The country's social and economic climate has severely disenfranchised this group from present-day society and has forced many to construct shelters in an illegal fashion strictly out of desperation.

Due to a number of social constraints, the number of squatter settlements has grown steadily since the 1980's. In 1985, the city of Kathmandu had a total of 15 settlements housing almost 2,000 residents. According to data taken in 2010, there are now 80 squatter settlements in the country's capital, housing an estimated 20,000 people.<sup>14</sup> With such a growth in the city's squatter population and such an increase in the city's land development, these people have been forced to settle on Kathmandu's floodplains. Most settlements in the city are located along riverbeds posing a plethora of environmental and societal problems. Here, both sukumbasi (genuine squatters) and hukumbasi (transient workers with land elsewhere) reside harmoniously.

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<sup>13</sup> Manandhar, Lajana. *New Beginnings: Housing the Urban Poor*. Kathmandu: Lumanti Support Group for Shelter, 2005. Print.

<sup>14</sup> "Interview with Mahendra Subba." Personal interview. 25 Nov. 2011



Figure 2: View of the Shanti Nagar Squatter Settlement in Kathmandu.

### Sukumbasi/Hukumbasi

While the word Sukumbasi is used interchangeably with the English word squatter, the word has a more specific meaning referring to any person who is completely landless. These people have no other alternative means of housing and are forced to construct shelters on private or public land as a last resort.

Technically, the word Sukumbasi refers to a person who cannot trace landownership within their family's past three generations. Today, Sukumbasi is defined as anyone whom cannot legally provide proof of any land ownership.<sup>15</sup> This word also carries a very negative connotation in Nepali society. Many squatters like to keep their resident status private in the fear of how they will be perceived by other citizens. While more and more squatters are starting to take pride in their identity as Sukumbasi, some in Nepali society categorize squatters as “criminals or drug abusers” and many families “often worry that their children’s marriage engagements might be cancelled if their prospective in-laws came to know that they

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<sup>15</sup> Shestha, Bisjaya K. *Squatter Settlements of the Kathmandu Valley*. 2010. Print.

were squatters.”<sup>16</sup> Even in today’s society, many in high government positions still act according to these connotations. One man in the country’s urban development department states that, “new housing can create many benefits to the Sukumbasi population. If these people stop drinking the day away and find work, they can become prosperous members of our society.”<sup>17</sup> Today, many government initiated relocation agendas have been slowed by public protest and sabotage. Residents in Sundarighat and Kirtipur have mobilized against the government’s decisions of created relocated housing complexes in the area. While demonstration and public opinion has derailed relocating squatters to Kirtipur, plans of squatter relocation in Sundarighat have been underway even with residents threatening to, “burn the complex down once officials leave the premises.”<sup>18</sup> There is still much work to be done in changing the public’s perception of Sukumbasi people. The establishment of public support of Sukumbasi rights is pivotal in the attempt of promoting alternative housing and human equality in Kathmandu.

## Hukumbasi

According to government officials, in order for the country’s government to crack down on squatter settlements and create alternative, safer housing options, they must first endure the difficult process of identifying genuine Sukumbasi squatters. Genuine, by meaning that they lack any land ownership in any other location. While most of the older in-land settlements are comprised of an overwhelming majority of

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<sup>16</sup> Tanaka, Masako. "From Confrontation to Collaboration: a Decade in the Work of the Squatters' Movement in Nepal." (2009): 143-59. Print.

<sup>17</sup> Anonymous interview

<sup>18</sup> Anonymous Sundarighat resident

Sukumbasi, many of the newer riverbank settlements contain residents known as Hukumbasi's. These people pose as Sukumbasi in the hope of accumulating the benefits of social welfare projects intended for the wellbeing of genuine Sukumbasi squatters. Hukumbasi's are usually rent-paying residents who own land in another location and are living in the settlement intermeshed with other squatters. Officially, site an abundance of Hukumbasi within riverbank settlements as "20% were transient Indian workers from Northern India who live in the settlements temporarily during the region's dry season, from November to March." Currently, the process of filtering out Hukumbasi from the genuine landless people have been a pinnacle to the governments proposed plan of relocation. Unwilling to house any squatter that have land titles within Nepal, the government has supposedly conducted numerous background checks on the current squatters residing along the Bagmati. The issue of squatter relocation is a crucial component to the forecasted mass evictions that the Bagmati Action Plan will spur. Whether all squatters, genuine squatters only or any squatters at all will receive alternative housing or substantial compensation is a hot topic for debate leading up to evictions.

#### Bagmati Action Plan:

The Bagmati Action Plan was created in 2009 due to the ever-increasing pollution of the City's waterways by 2015. Aware that drastic changes needed to be implemented to ensure the longevity of the city, the country's government with joint financing by the Asian Development Network established the multi-million dollar project and gave the brunt end of the programs responsibility to the Bagmati

Civilization Integrated Development Committee (BCIDC). As the appointed coordinator of the operation, the BCIDC is responsible for implementing and overseeing policy in regards to improving the City's tributaries. With the vision of maintaining and enhancing the upstream ecosystem, the projects goals are to increase water discharge into the river, conserve terrestrial and aquatic biodiversity, maintain water quality in rivers and conserve culture heritage sites. The culmination of the project will feature a cleaner, lush Bagmati accompanied by a green belt that will run alongside the River's tributaries. Other investments such as rain harvesting and improving the City's waste facilities are sited as necessary programs in order to achieve a pristine Bagmati. In order to address these lofty issues, the project breaks down the rivers into 5 sectors. The 1<sup>st</sup> zone focuses on the Rivers inception; the 2<sup>nd</sup> looks at rural areas, 3<sup>rd</sup> peri-rural areas, 4<sup>th</sup> the City's urban center and 5<sup>th</sup> the downstream section where the river siphons out of the valley.<sup>19</sup> The BAP looks at initiating a wide spectrum of policy ranging from narrowing the estuary to installing fences along its riverbanks. While all of these measures can be discussed three specific measures look at directly impacting progress for the heavily polluted waterways. These focal policies include constructing numerous DEWATS systems (decentralized waste water systems), establishing a sanitary landfill site for waste disposal and taking measures to address the lack of discharge within the River.<sup>20</sup> Seventy-eight percent of the projects Rs.15.028 billion budget is allocated to these three initiatives making them the cornerstone of the Bagmati Action Plan. According to acting chairman of the BCIDC Mahesh Basnet, "all the rivers in the

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<sup>19</sup> "Interview with Sangeeta Singh." Personal interview. 01 June 2012.

<sup>20</sup> "Interview with Padma Joshi." Personal interview. 05 June 2012.

valley can be cleaned up within five years if all parties consolidate in the effort to do so.”<sup>21</sup>

The biggest hurdle preventing the reinstitution of a clean Bagmati River is the issue of wastewater management and developing a modernized sewage system. Currently, the city of Kathmandu and its surrounding municipalities lack any structured sewage management system. As a result, much of the City’s wastewater is both intentionally and non-intentionally drained into the Bagmati’s estuaries. This has created a series of waterways solely comprised of sewage waste as its water flow. In order to alleviate this critical problem, the Bagmati Action Plan looks to completely revitalize the City’s sewage and wastewater treatment practices. The major activities under wastewater management are the construction of sewage system, recycling, composting, incinerators, biogas and treatment plants.” The Bagmati Action Plans Team leader Sangeeta Singh discusses the issue of restructuring the City’s wastewater treatment programs as a paramount issue regarding improving the rivers health. She states, “One of our main problems in terms of wastewater treatment is the inconsistency of our wastewater treatment plants.” The City’s wastewater treatment facilities have been under constant scrutiny due to their lack of maintenance and upkeep. Many facilities suffer from minor, fixable problems and go without repair completely debilitating the facility. Due to a lack of staffing and insufficient budgeting, these minor mechanical errors leave the entire facility out of commission. Investing in these treatment facility locations will greatly improve the river’s quality, as they will be fully functional for

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<sup>21</sup> *Bagmati Action Plan (2009-2014)*. Publication. National Trust for Nature Conservation, n.d. Web.

the majority of the year.

Much of the pollution that has accumulated within the Bagmati's estuaries comes from local sources such as buildings, schools and homes. Without a sophisticated sewage network in the City, waste water from these locations trickle through the City eventually culminating into the Bagmati. The construction of urban sewage systems and localized treatment facilities are a crucial part of the BAP's potential success. Sangeeta touches upon the issue by stating "we are focused on created under ground sewage systems along both sides of the Bagmati along with investing in DEWATS systems in other municipalities."<sup>22</sup> The creation of an underground main sewage line for the City would spare the River from increasing the already staggering amount of wastewater that's present within the River. Curtailing the amount of wastewater flowing into the city's tributaries will make it possible for secondary clean up efforts to take place. The mass construction of DEWATS systems also looks at making a drastic impact on the issue of wastewater primarily at the local level. DEWATS provides small municipalities with a cost efficient way of managing wastewater. Decentralized wastewater systems are an appropriate for the areas where wastewater flows from 1-1000 m<sup>3</sup> per day that is for the settlement with the population of 10,000-20,000. This is in assumption of 50-100 litter of wastewater generated per person per day. Recently, the first DEWATS system has been completed in the municipality of Thimi located only a few miles outside of the City's core. By implementing DEWATS systems in schools, community centers and other small centers of business, DEWATS can serve as an

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<sup>22</sup> "Interview with Sangeeta Singh." Personal interview. 01 June 2012.



affordable and productive way of managing waste water when an area is unable to feed into the City's main sewage line. In an area where 70% of domestic untreated wastewater flows directly into the City's rivers, the implementation of local DEWATS systems would drastically cut the amount of untreated wastewater that finds itself into the Bagmati. According to the plan, by first establishing productive measures of combating wastewater pollution into the Bagmati, other policy measures can be implemented with the intentions of further conserving the estuaries.<sup>23</sup>

The issue of solid waste pollution plagues not only the cleanliness of the river but also tarnishes the aesthetic value of the waterway. Unlike sewage wastewater, heaps of trash and plastic bags are impossible to dilute or hide making solid waste a large culprit to the excessive pollution both within and around the Bagmati. It is estimated that about 3000m<sup>3</sup> of solid waste is accumulated in the Bagmati River during dry season alone.<sup>24</sup> In the past, the city of Kathmandu has attempted to spear head the issue of solid waste managements by harboring in policies such as the Solid Waste Management and Resource Mobilization (SWM). Unfortunately, the City has been unable to properly oversee solid waste removal in the City while also failing to create sufficient landfill locations for the disposal of waste. This has resulted in the City's population taking the matter of solid waste management upon themselves. The Bagmati has been viewed as a solution to solid waste as it takes the problem downstream away from the resident. Sarita Riy, a resident of the Chandi

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<sup>23</sup> *Bagmati Action Plan (2009-2014)*. Publication. National Trust for Nature Conservation, n.d. Web.

<sup>24</sup> *Bagmati Action Plan (2009-2014)*. Publication. National Trust for Nature Conservation, n.d. Web.

Tole squatter settlement located on the Bagmati talks about the dubious act by stating, “all the pollution you see here comes from up stream. Upstream those who are wealthier dump their waste in the River not realizing or caring where it ends up.”<sup>25</sup> This action known in the United States as NIMBY has turned the Bagmati into a solid waste landfill. Lacking the ability to enforce policy against solid waste dumping, individuals along with industries and the government itself has contributed in polluting the Bagmati by dumping solid waste into the river. G.K Thakur of the BCIDC talks about the relationship between solid waste management in Kathmandu and it’s affect on the sanctity of the Bagmati. He states, “By improving the City’s solid waste management division, they’ll be less of a need for individuals to dump their waste into the river.” The Bagmati Action Plan is focused on establishing a sanitary landfill site for waste disposal for the City. By investing in the city’s solid-waste management division, Thakur believes that there will be a drastic decrease in the amount of solid-waste that is dumped into the Bagmati.

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<sup>25</sup> "Interview with Sarita Riy." Personal interview. 22 May 2012.



Figure 3: Solid Waste Pollution near Tripleshwor

Furthermore, since more than 70% of total waste generated from the city is organic waste, the BAP looks to invest in composting projects and organic waste pick ups. In order to curtail any residual solid waste dumping that may ensue on an acute level, the Bagmati Action Plan looks at constructing chain-link fences in zones 3 and 4 preventing individuals from entering the river's floodplains. Through investing in a plethora of solid-waste management actions, the BAP hopes to introduce significant improvements in urban waste disposal that will positively impacting the health of the Bagmati.<sup>26</sup>

The Bagmati River and its corresponding estuaries face a serious problem with water flow and an ever-running discharge. While this issue might not strike many as a critical topic, the lack of water discharge puts pressure on other areas of

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<sup>26</sup> "Interview with G.K Thakur." Personal interview. 21 June 2012.

the River and is seen by professionals as a catalyst for other problems. The lack of a year round bountiful discharge in the Bagmati has led to the increase of other environmental and aesthetic issues such as the presence of toxic pollutants as well as the Rivers smell.



Figure 4: The lack of discharge coupled with excessive solid waste pollution has created a stagnate Bagmati River

The problem with the tributary's discharge flow has led to a degraded and even dead riverbed hardly resembling anything close to a river. Recently, a young girl died from walking into the Bagmati, as she didn't think that the river way was actually a River. This tragic event exemplifies the current state of the Bagmati and the cloudiness concerning the River's categorization of river or sewer. By fully addressing the topic of water discharge within the Bagmati, the River will be able to regain its verve and livelihood which has been lost in recent years. G.K Thukar of the



BCIDC states the importance of this issue when stating, “the main concern we are dealing with when it comes to improving the Bagmati is the issue of a lack of discharge. All policy implementations and reforms are dependent on solving this problem.”<sup>27</sup>

The crisis concerning water discharge within the Bagmati stems from an overall lack of government rules and regulations in relation to sand mining and river diversion for drinking water purposes. Currently, the government is deprived of the ability to create legislature and policy curtailing the environmentally damaging practice of sand mining. This multi-million dollar industry which had once focused on non-riparian locations has been forced to focus on mining within the City’s rivers due to urbanization and a complete lack of government oversight in regards to the rivers management. Sangeeta Sing addresses the pressing subject of sand mining by stating, “this industry has narrowed the Bagmati considerably narrowing the River’s plan. This in turn has had a tremendous impact on the Rivers flow.”<sup>28</sup> As governing bodies have been absent in the attempts to regulate the practice of sand mining, companies have been given the ability to exploit and modify the Rivers properties leading to environmental problems such as a lack of flow and increase in toxic pollutants.

The lack of government intervention has also created an absence of water discharge due to illegal water diversion. Currently, 360 liters per second is tapped from the Bagmati for drinking water purposes.<sup>29</sup> According to conservation expert

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<sup>27</sup> "Interview with G.K Thakur." Personal interview. 21 June 2012.

<sup>28</sup> "Interview with Sangeeta Singh." Personal interview. 01 June 2012.

<sup>29</sup> "Interview with Mahendra Subba." Personal interview. 25 Nov 2011.

Sudarshan Raj Tiwari, “the practice of tapping the Bagmati north of the City has lead to a decrease in the levels of water within the river.”<sup>30</sup> These levels of diversion are mostly for the purpose of drinking water and have not been agreed on by members of the country’s governing bodies. Instead, individuals, communities and even municipalities are redirecting large quantities of water away from the Bagmati leaving the river in near dry conditions downstream. In order to solve this problem of discharge and increase the River’s water levels, the Bagmati Action Plan looks at building dams upstream to collect water during the rainy season, and discharge water during the dry months. By improving water collective mechanisms, there is hope that the levels of discharge will lead to a heavy flowing river year round. Once the problem of discharge is solved, the river will be better able to filter pollutants while also being able to effectively flow them downstream.<sup>31</sup> The improvement of the Rivers flow will also give the BCIDC the ability to focus on other reform projects such as beautifying the surrounding riverbank and making the once lush and lively Bagmati a desirable place to go.

#### What the Bagmati Action Plan Means For Riverside Squatters:

The creation of a plan to revitalize and redevelop the City’s rivers has put the majority of Kathmandu’s squatter population at high alert. For the over 10,000 households residing along the Bagmati, the implementation of the Bagmati Action Plan has and will displace the majority squatters within the Kathmandu Valley.

According to Shivahari Sharma, the Director of Squatter Policy for the DUDBC, “in

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<sup>30</sup> "Interview with Sudarshan Raj Tiwari." Personal interview. 19 June 2012.

<sup>31</sup> "Interview with Shivahari Sharma." Personal interview. 14 June 2012.

order to carry out the BAP's programs, evictions of squatters along the Bagmati must first take place. "<sup>32</sup> Sangeeta Singh, Team leader of the Bagmati Action Plan calls squatters, "one of the main contributors to the degradation of the river."<sup>33</sup> Seeing the City's squatter population as a deterrent to the vitality of the River, actions have already been made to demolish and discourage squatting along the Bagmati and further actions will be addressed on a wide scale in the near future. According to the BAP, all riverside settlements are to be evicted and demolished while the vacant land will be made into under ground sewage system with both roads and parks being visible on top.

Currently, squatter settlements pose both an environmental threat and aesthetic blimp to the already degraded Bagmati. Many settlements lack adequate sanitation facilities or wastewater systems leading to direct discharge of waste. Inside the two biggest squatter settlements of the Kathmandu Valley, both Shanti Nagar and Monahora Bhaktipur settlements feature toilets that are directly diverted into the neighboring River. In fact, out of the 2735 squatter families documented in the Kathmandu Valley, 48% had toilets that drained into the River, 10% used the River directly, and 5% had to use open space.<sup>34</sup> The issue of sewage and human waste runoff has become a pivotal issue as the City's squatter population continues to rise. Padma Joshi of Un-Habitat discusses the growing problem with human waste drainage into the Bagmati by stating that "squatters lack the proper facilities

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<sup>32</sup> "Interview with Shivahari Sharma." Personal interview. 14 June 2012.

<sup>33</sup> "Interview with Sangeeta Singh." Personal interview. 01 June 2012.

<sup>34</sup> GTZ, BCIDC, and Lumanti. *Status of Squatter Communities along Bagmati River and Its Tributaries in Kathmandu Valley*. Publication. N.p.: n.p., 2008. Print.

needed to prevent them from further polluting the city's rivers"<sup>35</sup> A resident of the Manohora Bhaktipur settlement who possessed a toilet that drained directly into the Monahora River exclaims, "I obviously know that this is wrong. This is not sanitary or healthy. But I have no other option. The government is unwilling to provide other facilities."<sup>36</sup>



Figure 5: A Squatters toilet which drains directly into the Bagmati

Those involved with the Bagmati Action Plan also site the dangerous living climate that residents endure by settling along the City's waterways. As the Bagmati naturally rises and floods the surrounding floodplain during the monsoon season, these residents living near the water face the risk of flash floods and fatal consequences. Mahendra Subba acting Director of the DUDBC explains, "These evictions are promoting better living conditions for Sukumbasi. By removing these

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<sup>35</sup> "Interview with Padma Joshi." Personal interview. 05 June 2012.

<sup>36</sup> "Interview with Punjith Magar." Personal interview. 06 June 2012.



residents away from the river, citizens will not have to worry about a potential flood destroying everything.”<sup>37</sup> While the Bagmati Action Plan looks to remove stationary squatters residing along the Bagmati for a plethora of reasons, one thing is certain. The governmental agencies involved in acting out evictions are serious about demolishing and removing citizens from the City’s floodplains.

On May 8<sup>th</sup>, Kathmandu municipal officials forcibly evicted the Sankhamul squatter settlement located in near Thiapetheli comprised of 257 homes and 844 people.<sup>38</sup> This governmental decision was implemented by the BCIDC and DUDBC in order to ensure the longevity of the Bagmati Action Plan. The evictions at Thiapatheli were marked by forceful demolition and mass destruction leaving the residents of Sankhamul homeless. While both the DUDBC and BCIDC have been vocal at reiterating that forceful evictions would not take place during the clearing of the Bagmati floodplains, the actions at Thiapatheli proved to the public that extreme force would be used if squatter residents fail to forfeit their homes. Sankhamul is just one of 24 settlements located along the City’s riverbanks that face a grave future full of stimulated housing insecurity. As the majority of Sankhamul residents currently reside in the neighboring UN Park waiting desperately for any sort of compensation or plans granting them newly constructed homes, the Kathmandu’s squatter community is on high alert anxiously awaiting which settlement will be next for demolition and whether or not the government will provide new homes for these citizens just as promised.

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<sup>37</sup> "Interview with Mahendra Subba." Personal interview. 14 June 2012.

<sup>38</sup> "Interview with Januka Poudel and Hukum Bahadur Lama." Personal interview. 20 May 2012.







Figures 6-9 show the current state of the Sankhamul Squatter settlement. Residents are have taken refuge in the nearby UN Park where they are living in desperate conditions lacking proper shelter, food and clean water.

### Relocating Kathmandu's Squatters:

By evicting and demolishing the entire riverside squatter community in Kathmandu, alternative homes and shelters would have to be erected in order to avoid homelessness and promote the act of squatting in another location. Moreover, adequate alternative housing must be created in order for the Bagmati Action Plan to fulfill its established mission. Those close to the Bagmati Action Plan understand that housing relocation is a must and included the proposal of creating new homes for former squatters into the programs budget. The BAP allocated a total of Rs.366,400,000 (\$4,100,000 USD) for "relocation and resettlement of squatter settlements."<sup>39</sup> After almost two months, relocation projects are finally underway for residents of Sankhamul.

### Alternative Housing For Sankhamul Squatters, Too Little, Too Late:

After two months of failed policy and ideas regarding squatter location, the government has officially started to construct temporary homes for former qualifying squatters of the Sankhamul settlement. This project looks at housing 58 families that qualified as genuine squatters and relocate them to Sundarighat, some 9 kilometers away from Kathmandu. This specific location was made feasible for the government, as much of the land is publically owned saving an immense amount of capital needed for purchasing land. While still in the construction phase, these homes will consist of one-room bamboo huts with modest accommodations and limited provisions. For example, three sanitary toilets are being constructed for the

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<sup>39</sup> *Bagmati Action Plan (2009-2014)*. Publication. National Trust for Nature Conservation, n.d. Web.



58 families to use. As seen below, these structures are anything but permanent and offer only a limited upgrade compared to current conditions that Sankhamul residents are enduring.



Figure 10: Houses being constructed for former Sankhamul residents in Sundarighat

This specific location is also notable due to its proximity to the Bagmati River at arguably the most polluted position in the Rivers transit through Kathmandu. The houses are extremely close to the Chobhar wastewater site which is visible from the location and is considerably far from stores or transportation. Due to the modest amenities supplied along with already highly polluted state of Sundarighat, the relocation project in Sundarighat will only put added pressure on the government to

provide long-term housing for this segment of the squatter realm population along with the entire community. According to Mahendra Subba of the DUDBC, "the squatter will eventually be relocated to Ichangunarayan where we will construct concrete, three room houses for squatters."<sup>40</sup> As of now, this project has yet to begin leading many to believe that the temporary homes in Sundarighat will be in use for the foreseeable future.

The biggest hurdle that the DUDBC and BCIDC face when it comes to housing relocation is the price of land in the Kathmandu Valley and the rapidly fading amount of available land that can potentially be developed on. As mentioned before, land prices between 1990 and 2000 have rose 40 percent with those numbers only steadily rising ever since. This poses a difficult feat when it comes to the government breaking even or minimizing losses due to the low-income population that's inline to inhabit this land. With former squatters only able to pay minimal amounts of rent on their houses, these new potential housing projects will be unable to avoid running at a drastic losses. To make the situation of constructing new squatter homes even more challenging is the fact that much of the land within the Kathmandu Valley is not public. In fact, the City's government only has jurisdiction over a very minuscule percent of the City's land, much of which has already been developed or has been designated as parks and green spaces. While the BAP has been stagnate at developing alternative housing for qualifying squatters, one can look to the past for a potential successful relocation program.

In 2001, the DUDBC issued widespread evictions for residents living along the

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<sup>40</sup> "Interview with Mahendra Subba." Personal interview. 25 Nov 2011.

Vishnumati River in order to carry out a infrastructure project that would connect the neighborhood of Kalamati to the city's Ring Road. At this time, these were the largest set of single evictions affecting squatter citizens as 800 residents were forced to flee their homes.<sup>41</sup> These evictions began to get media attention as the DUDBC lacked alternative housing for genuine Sukumbasi of this settlement and were unwilling to pay compensation for residents whom were now homeless. With the help from the NGO Lumanti, pressure was put on the then acting Mayor Keshab Sthapit until he decided to implement a groundbreaking project in which public housing was to be created to house those genuine Sukumbasi who had been evicted from their riverbank homes. Under this agreement, the City's government was to pay eligible residents 2000 RS per month (27\$) for three months. After these three months, the government would provide alternative housing in an area called Kirtipur, a neighborhood 6 kilometers south west of the City's center. Kirtipur was a groundbreaking initiative as it was not only the country's first public housing project, but it also had the aims of granting land ownership to rightful residents. The payment system allowed residents to pay 10% of the lands value up front, then 2-3% of the lands value in monthly segments. Eventually, the resident would pay off the cost of land and would be granted full tenureship of their homes. This payment system has been regarded as very affordable and flexible for residents living in Kirtipur as all residents have paid off their land, and now have full land tenureship of their homes.<sup>42</sup> Squatters and government officials have regarded the Kirtipur

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<sup>41</sup> Manandhar, Lajana. "Forced Evictions and Housing Right Abuses in Asia." 118-20. Print.

<sup>42</sup> Manandhar, Lajana. *New Beginnings: Housing the Urban Poor*. Kathmandu: Lumanti Support Group for Shelter, 2005. Print.



model as a relatively successful mold for modern low-income housing. Squatters are very pleased with upgraded living conditions and a new sense of empowerment through land ownership.



Figure 11: The Kirtipur Housing Complex housing former Vishnumati squatters

While a Kirtipur type model seems like a plausible possibility for squatter relocation, many officials involved with the Bagmati Action Plan have envisioned something different. “High density, high rise apartments make the most sense in Kathmandu due to the high value of land. With the high in high-rise apartment development in Kathmandu, it seems like the public has warmed up to this type of housing. We are looking mainly at this style of housing complex” Said Sangeeta



Singh.<sup>43</sup> Unlike Kirtipur which consists of two story apartments, experts like Sangeeta Sing and Padma Joshi have turned their focus to high-rise density developments versus low-rise high-density complexes. "These would be 5-6 story buildings able to house 25-30 families. We see this as the most efficient type of housing for relocated squatters."<sup>44</sup> Whether these newly constructed buildings will resemble apartment buildings or more traditional style houses is yet to be seen. As the Bagmati Action Plan has reached its halfway mark, very little has been completed in regards to squatter eviction and relocation. With over 75% of allocated funds directed to squatter relocation having been expended for the plans first three years, its uncertain whether or not evictions and/or relocation will be carried out during the plans five year time span.

#### Legitimacy of the Bagmati Action Plan:

For homeless squatters of Sankhamul to other squatter residents living in riparian location throughout the city, the future holds a foggy picture for how the squatter community will be treated. With lawmakers and government officials adamant about only including genuine Sukumbasi into their relocation and compensation packages, the BCIDC and DUDBC are able to manipulate the definition of genuine Sukumbasi to limit the amount other qualifying families thus being responsible for housing a smaller population. After the calamity dampened down following the Sankhamul evictions, the BCIDC and DUDBC were heavily urged by the acting prime minister to supply immediate compensation to genuine squatters of

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<sup>43</sup> "Interview with Sangeeta Singh." Personal interview. 01 June 2012.

<sup>44</sup> "Interview with Padma Joshi." Personal interview. 05 June 2012.

the region.

While the practiced definition of Sukumbasi entitles any resident that cannot show proof of land elsewhere, acting officials created forms for residents to fill out in order for residents to receive compensation of Rs 15,000 (around \$150 USD) used for finding short-term alternative housing. These forms asked residents questions of if they had a bank balance, if they were employed or had their own business or if they owned any sort of asset such as a television or couch. Only 34 families filled out forms for compensation while 150 resisted as they felt these qualifications were unjust and inhumane. Before eviction, 81% of Sankhamul residents owned a television which would disqualify a family from receiving compensation, even if the family by definition were genuine Sukumbasi.<sup>45</sup>

Furthermore, many officials working on the topic of squatter relocation from within the Bagmati Action Plan have overlooked the importance of finding alternative housing for evicted squatters as well as feeling that they are responsible for spearheading this process. An anonymous member of the BCIDC believes that a “genuine squatter” is a person who lacks the means to even make it into the Kathmandu Valley. As a result, we lack populations of genuine Sukumbasi in the city.” Another important member of the BCIDC taskforce explains, “These people are illegally living on government land. Therefore, they should be punished not rewarded.”<sup>46</sup> The decision makers in charge of harboring in squatter friendly housing policy have either attempted to narrow down qualifying populations or don’t agree with the BAP when it comes to relocating illegal squatters. Due to the

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<sup>45</sup> "Interview with Januka Poudel and Hukum Bahadur Lama." Personal interview. 20 May 2012.

<sup>46</sup> Anonyms interview

amount of friction and distress among policymakers regarding the issue of alternative housing for displaced squatters, there has yet to be a formulated relocation plan for squatters along the Bagmati along with already evicted squatters of Sankhamul who still find themselves living meters away from their destructed homes living in horrid conditions.

In addition, much question has been brought up on the legality of forceful evictions of squatter residents living along the Bagmati. Historically, legislature and policy has been vocal at opposing mass evictions if alternative housing was not previously presented. The Three Year Interim Plan recently signed into government covers the issue of landless rights when it states, “to ascertain the land rights to the landless squatters, freed bonded labors and tenants for ensuring food security, addressing poverty and making land more productive.” According to the framework of this reform policy, a high commission is to be created with the intentions of humanely addressing the squatter issue in Kathmandu.<sup>47</sup> The interim constitution of Nepal created in 2007 also cites the need for just provisions for landless residents within the country. The document states, “the State shall pursue a policy of making special provision based on positive discrimination to the minorities, landless, squatters, bonded laborers, the disabled, backward communities and sections, and the victims of conflict, including women, Dalit’s, indigenous tribes, Madhesis and Muslims.”<sup>48</sup> In addition to these statements supporting humanitarian aid to the country’s squatter population, elected municipal parties have currently done research regarding squatters that inhabit the Bagmati riverbanks. These studies

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<sup>47</sup> Nepal. National Planning Commission. *The Three Year Approach Paper*. N.p.: n.p., n.d. Web.

<sup>48</sup> Interim constitution of Nepal (2007) Part 4, para. 35 (14)

state that affected squatters would comply with a government implemented eviction if alternative housing was presented to these populations. Most importantly, the study concluded that evictions would not take place for at least twenty years as there will first need to be massive development projects aimed at supplying residents with substitute housing. These elected municipal officials mandated the document by officially signing it into agreement.

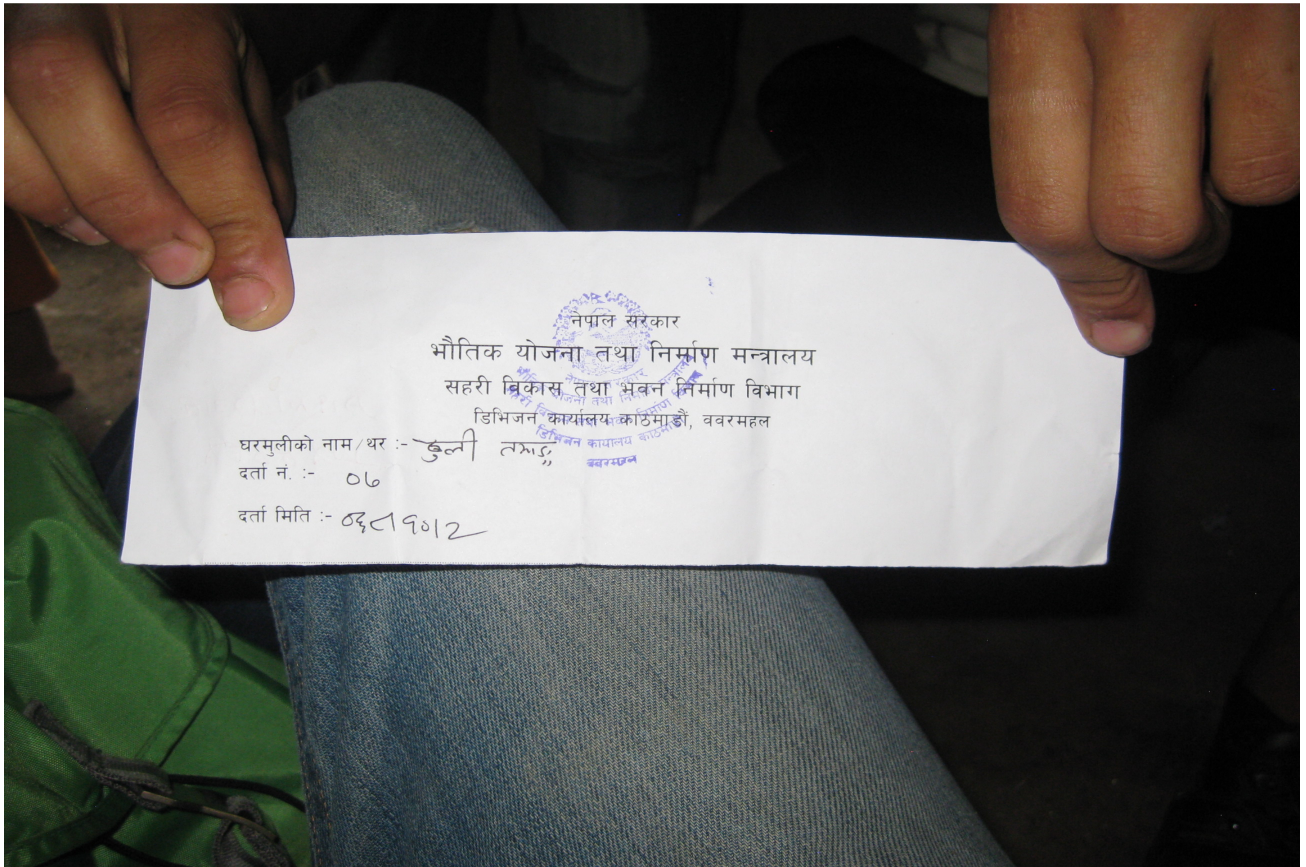


Figure 12: A Chandani Tole resident displays a government-sealed document ensuring the tenureship of her small home which encroaches the Bagmati.

The current governmental regime is unjustly and unlawfully evicting the City's squatter populations without any presented alternative housing models. While these important decisions are said to be made in an ad hoc manner, no governmental agency has claimed responsibility for the recent string of squatter

evictions. With no official body confessing to jettisoning eviction legislature and by ignoring any previously signed policy regarding squatter tenureship, the recent forceful demolitions of Sankhamul lack the legal validity needed to justify evictions. By going against legislature policy while breaking signed agreements, the current government taskforce assigned to evict squatters is breaking the law. Moreover, forceful evictions have severely threatened the country's ability to provide basic human rights to its citizens. The evictions of Sanhkamul have left over 150 families homeless and lacking basic provisions such as sanitation, clean water and adequate food. As a result, the National Human Rights Commission (NHRC) has recently asked the Nepali government to re-settle squatters immediately. Viewing a citizens right to adequate housing as a human right, the NHRC sees the actions taken by the Nepali government as compromising to the sanctity of basic human rights. Government ordered evictions of squatter settlements along the city's Bagmati is unlawful, unjust and has breached universally accepted human rights. On both a legal and humanitarian level, the evictions the Kathmandu squatters via Bagmati Action Plan is unlawful and further diminishes the BAP's legitimacy as a valuable project for the city.

#### Conclusion/Bagmati Action Plan Today:

When signed and implemented, the Bagmati Action Plan brought tremendous promise to the issue of revitalizing the once prosperous Bagmati River straits. While this program passes the halfway mark, there has been very little groundbreaking progress for this heavily funded project. While many of the

project's implementations are aimed at slow improvements, some aims of the project have been completed or are currently in the works of being finished.

One specific visual change to the Bagmati has been the construction of a bank protective wall used to shield the surrounding roads and homes from potential floods. This has also boosted the aesthetic value of the River providing residents with a clear boundary of river and road promoting citizens to use the road for recreational purposes. In other areas along the City's tributaries, revitalization is starting to slowly proceed.

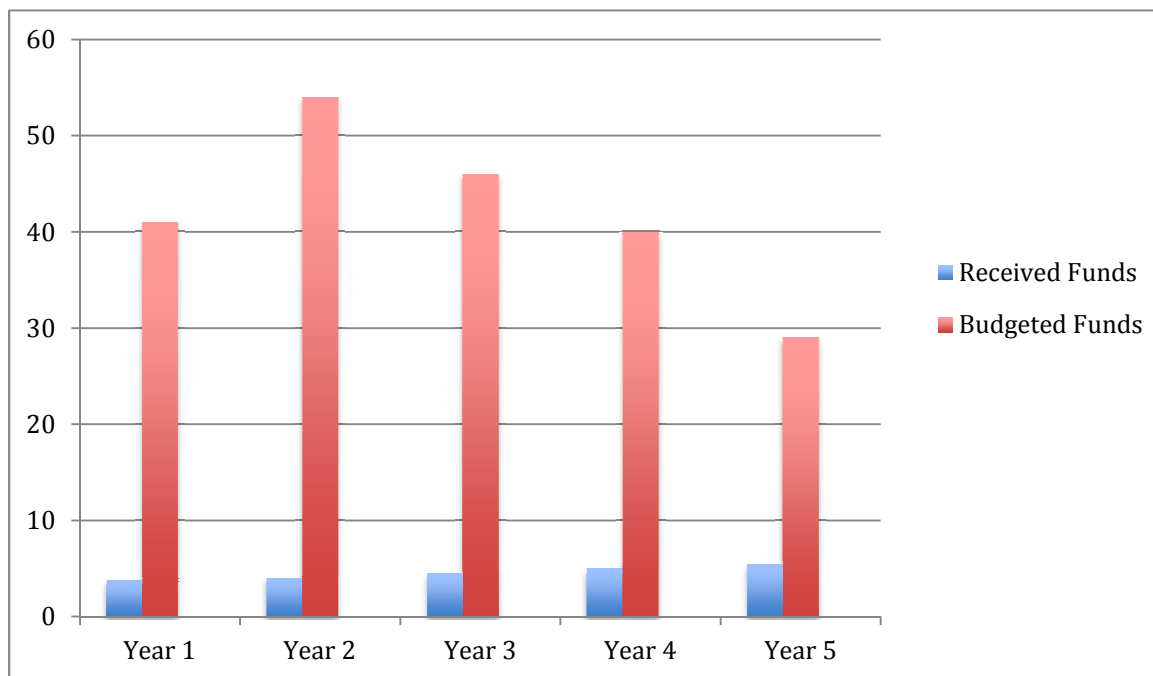


Figure 13: A newly renovated park near Balkhu with the Bagmati River in the background.

Various sites have seen a growth in landscape maintenance attracting many to these newly created parks and green spaces. Still, due to the plans massive budget, lofty goals and promise of short-term visual improvements, many experts have deemed the Bagmati Action Plan a failure.



Those close to the project blame the lack of presented resources as the reason for slow progress. Chandra Devkota, member secretary of the BCIDC states, “The proposed budget for BAP for five years is around 15 billion. It means we are supposed to get three billion per year for operating the action plan. However, the government has allocated 300 to 400 million a year, which is 10 times less than the required budget. The action plan will not be completed even in 15 years if required budget is not allocated and if there is no support from the stakeholders.”<sup>49</sup>



The table above shows the disparity between funds received versus funds budgeted towards the Bagmati Action Plan. Numbers are in 100,000 million Nepali Rupees. Figures provided by the BCIDC

The BAP has also seen a drying up of government allocated resources due to the current violate state of the country. Without a budget, parliament and many essential public works department, the country has put a hold on funding the BAP along with other similar projects. Due to this lack of stipulated funds, many projects

<sup>49</sup> "Is Bagmati Resurrection on Right Track." *The Himalayan Post* [Kathmandu] 26 Aug. 2011: n. pag. Web.

such as squatter evictions, constructing dams and implementing DEWATS have yet to be performed in the three years of the plans existence. Even with the recent drought in capital, the Bagmati Action Plan has received an overwhelming amount of resources from domestic and international sources. With three years completed and still very little progress to be accounted for, many are growing skeptical about whether the next two years will be more of the same; broken promises while the state of the Bagmati continues to decline rapidly.

The static presence of the Bagmati Action Plan has led many to raise questions about the programs authenticity and intentions. Action Plan team leader Sangeeta Singh doubles as the Infrastructure Planning Director at Westar Properties, a developing agency that builds luxury apartments in Kathmandu. When talking about how she envisions the culmination of the Bagmati Action Plan, she states, "This newly desirable land near the river will be a lucrative location for apartment development."<sup>50</sup> While Singh never specifies directly to having Westar have first offerings on the land or even engaging in developing through her company, this potential conflict of interest jeopardizes the intentions of the project and raises concerns over unethical practices. Internal turmoil and the inability to remain emotionally tolerant of legislature has also hurt the projects progress specifically with squatter relocation and eviction. While the Bagmati clearly states that there will be allocated funds to the "relocation and resettlement of squatter settlements", some from within the program have been unable to wrap their heads around such a task. Mahesh Basnet, Chief of High Power Committee for Integrated Development of

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<sup>50</sup> "Interview with Sangeeta Singh." Personal interview. 01 June 2012.



the Bagmati Civilization and the coordinator of a taskforce formed to evict squatters states, "Though it is not our duty to relocate them, we have recommended the prime minister's office to manage an alternative for them. A majority of the people living there are not real squatters. Hence, only a few people really need government support."<sup>51</sup> The inability to take initiative and address various pressing issues facing the Bagmati has created a stagnate state where any sort of progress seems elusive. Based on unlawful practices, inhumane actions, the inability to affectively stay within the projects guidelines and an overall lack of implemented and constructed measures aimed at revitalizing the Bagmati, the Bagmati Action Plan through its first three years can be viewed as a complete disaster.

The current demise of the Bagmati Action Plan has left many citizens disheartened and appalled with the failure of noticeable change. As the Bagmati and its surrounding estuaries become more and more polluted, many are losing all hope that the Rivers will ever return to their former, natural, pristine state. While it remains possible that the Bagmati Action Plan can implement progressive reforms stimulating an enhanced quality of the river, the lack of funds, organization and progress have led many to conclude that the Bagmati River will remain in a state of turmoil for the foreseeable future. For now, the death of a thriving ecosystem that once called the Bagmati home has given way to the birth of a new life form that has become dependent on the Rivers newly degraded condition. In the wake of the Bagmati's fatality comes the sprouting of an unexpected being prospering from the River just like the Rivers organism of the past. If the Bagmati Action Plan falters at

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<sup>51</sup> "Govt Readies to Force Squatters out." Interview. *The Kathmandu Post* [Kathmandu] 07 Dec. 2011: n. pag. Print.

harboring in any improvements to the tributaries health, optimism can come in the unlikely form of Kathmandu's informal sector. For the first time in decades, humans have returned to the River seeking livelihood and sovereignty which the River has successfully provided. Once again, the River has life!