



FORCED EVICTIONS IN INDIA IN 2019

AN UNRELENTING NATIONAL CRISIS



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The high incidence of forced evictions and demolition of homes of lower-income, marginalized groups and communities across India is extremely disconcerting, but continues to be largely undocumented, ignored in policy response, and thus unaddressed. The state and several non-state actors persistently support this anti-people practice, which is a flagrant violation of human rights law.

One of the reasons for the continual silence around the crisis of forced evictions is the acute paucity of official data in India, which conceals the gravity of the issue. The Government of India, at the central, state, and local levels, does not maintain any data on evictions and displacement. Media reporting on the issue is limited. Given the alarming scale and magnitude of forced evictions and the extensive suffering of affected persons, the need for comprehensive and disaggregated data is urgent. Without accurate data, policy response cannot be adequate. **Housing and Land Rights Network** (HLRN) thus established the **National Eviction and Displacement Observatory** in 2015 to document, highlight, monitor, and address the serious issue of forced evictions and displacement across India. Since 2017, we have been publishing an annual report on our findings. In this endeavour, HLRN also relies on the inputs of partner organizations.

We would like to express our gratitude to the following individuals for their enthusiastic support and efforts to provide us with data and information for this report: Beena Jadav, Dharendra Panda, Ranjit Sutar, Jiten Yumnam, Themson Jajo, Anuradha, Srinivasu Pragada, Isaac Arul Selva, Balamma, and the team from Ghar Bachao Ghar Banao Andolan. We also acknowledge the assistance of A. D. Nundiny, V. Ramachandran, A. Dilip Kumar, Sanjeev Kumar, Br Varghese Theckanath, Anand Lakhan, Suvarna Damle, Mayalmit Lepcha, Mrinali Karthick, K.K. Chatradhara (Bhai), Ashok Pandey and Mansoor Khan. In particular, we would like to thank Miloon Kothari for his consistent support.

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- Association of Urban and Tribal Development
- Centre for Research and Advocacy, Manipur (CRAM)
- Centre for the Sustainable Use of Natural and Social Resources (CSNR)
- Ghar Bachao Ghar Banao Andolan (GBGBA)
- Information and Resource Centre for the Deprived Urban Communities (IRCDUC)
- Land Conflict Watch
- Madhya Pradesh Navnirman Manch
- Montfort Social Institute
- National Hawkers Federation
- Prakriti
- Rahethan Adhikar Manch (Housing Rights and Human Rights Group)
- Shahri Gareeb Sangharsh Morcha
- Sikkim Indigenous Lepcha Tribal Association
- Slum Jagatthu

We would like to dedicate this report to all those who have experienced forced evictions and suffered from the loss of their homes, lands, and habitats.

At HLRN, we hope that our efforts of highlighting this grave national crisis will help, in some way, to bring justice to affected persons, while contributing to the cessation of the unconstitutional practice of forced evictions, which results in multiple human rights violations and detrimental long-term consequences, not just for affected populations but also for the entire nation. Any state that is serious about meeting its national and international legal and moral commitments, must work to prevent forced evictions. During this pandemic, when adequate housing has been re-emphasized as a key determinant of the rights to life and health, the need for an immediate moratorium on evictions and restoration of the rights of evicted/displaced persons is all the more urgent.

Shivani Chaudhry

Executive Director, Housing and Land Rights Network

New Delhi, August 2020

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LIST OF ACRONYMS

COVID-19	Coronavirus Disease 2019
CPWD	Central Public Works Department
CSNR	Centre for the Sustainable Use of Social and Natural Resources
DDA	Delhi Development Authority
DUSIB	Delhi Urban Shelter Improvement Board
GMC	Ghaziabad Municipal Corporation
HLRN	Housing and Land Rights Network
IDMC	Internal Displacement Monitoring Centre
IRCDUC	Information and Resource Centre for the Deprived Urban Communities
JJ	Jhuggi Jhopri [‘informal settlement’]
KAAC	Karbi Anglong Autonomous Council
MCL	Mahanadi Coalfields Limited
MLA	Member of the Legislative Assembly
NGT	National Green Tribunal
NMMC	Navi Mumbai Municipal Corporation
PMAY	Pradhan Mantri Awas Yojana
PPP	Public Private Partnership
TNSCB	Tamil Nadu Slum Clearance Board
UN	United Nations
VMC	Vadodara Municipal Corporation

I. INTRODUCTION



Since early 2020, the world has been overcome with the coronavirus pandemic or COVID-19, which has resulted in a global public health emergency as well as a major economic and social crisis. Measures to contain the spread of the virus, such as harsh lockdowns, have had severe economic and human rights impacts, especially on the most marginalized, in the form of loss of livelihoods, income, and education, and growing hunger and impoverishment.¹ In India, the over two-month complete national lockdown (25 March to 31 May 2020), with subsequent extensions in different parts of the country, has adversely affected the urban and rural poor, including daily-wage workers, homeless people, agricultural labourers, single women farmers, older persons, indigenous/tribal/Adivasi communities, Dalits/Scheduled Castes, persons with disabilities, transgender persons, and those living without adequate housing.

The pandemic has exposed major gaps in social protection across the world. It has also highlighted the importance of the human right to adequate housing like never before. India's reality of about 4 million people living in homelessness² and about 75 million people living in 'informal settlements' in urban areas³ without access to essential services, including water and sanitation, has exposed the impossibility of implementing calls to practice physical distancing, and engage in frequent hand washing. A large majority of the rural population also lives in inadequate housing, without access to basic facilities.

India's grave housing crisis has been further exacerbated by the state's persistent practice of forced eviction and home demolition of marginalized, low-income individuals, groups, and communities in both rural and urban areas. This trend has continued even during the COVID-19 pandemic, as central and state government authorities blatantly violated the critical call of the World Health Organization and India's Ministry of Health and Family Welfare asking people to 'stay at home.' Destroying homes and rendering people homeless during a highly contagious virus directly increases their exposure and presents an adverse risk to their health and lives. Such actions constitute a violation of international and national laws and policies, and of multiple human rights of affected persons.

Housing and Land Rights Network (HLRN) has consistently stood against the practice of forced evictions, which are a gross violation of human rights, particularly the human right to adequate housing, as asserted by the United Nations (UN) human rights system on multiple occasions.

"The practice of forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing."

~ United Nations Commission on Human Rights, Resolutions 1993/77 and 2004/28

Given the undocumented but serious crisis of evictions in India, HLRN established a '**National Eviction and Displacement Observatory**' in 2015. The Observatory monitors forced evictions and displacement across rural and urban India, compiles data on incidents of forced eviction—through primary and secondary research—and provides support and assistance to affected communities with relief, redress, restitution, and access to justice, where possible.

In the absence of official data on home demolitions, evictions, and displacement in India, HLRN created the Observatory to document, highlight, and seek solutions to the egregious but still unacknowledged and unaddressed national crisis of forced evictions of the urban and rural poor.

Definition of 'Forced Eviction'

This report uses the definition of 'forced eviction' provided by General Comment 7 (1997)⁴ of the UN Committee on Economic, Social and Cultural Rights: **"The permanent or temporary removal against the will of individuals, families or communities from their homes or land, which they occupy, without the provision of, and access to, appropriate forms of legal or other protection."**

Since 2017, HLRN has been publishing an annual report on the situation of forced evictions in India. This report, the third in this series,⁵ presents data and an analysis by HLRN on forced evictions across India in the year 2019 as well as a comprehensive overview and analysis of evictions carried out during the three-year period of 2017 to 2019. The publication of this report has been delayed on account of the challenges generated by the coronavirus pandemic. Given the additional challenges of people being rendered homeless by state authorities during a pandemic and severe economic crisis in the country, HLRN has also documented forced evictions during the COVID-19 lockdown and subsequently after, as restrictions are being eased.



HLRN

FORCED EVICTIONS DURING THE COVID-19 PANDEMIC

Despite the critical importance of adequate housing—both as a means of prevention and for recovery—in dealing with pandemics like COVID-19, the Indian government has not paid attention to reducing the incidence of homelessness or to improving the quality of housing of the urban and rural poor during the pandemic or in its recovery plans. This has resulted in a ‘business as usual’ attitude, which sadly caused the **forced eviction of over 20,000 people between 16 March and 31 July 2020.**⁶

Recognizing the crucial importance of housing in protecting people from the pandemic, the UN Committee on Economic, Social and Cultural Rights called on State parties to impose a moratorium on evictions during the pandemic.⁷ The former UN Special Rapporteur on Adequate Housing, in a guidance note emphasized that the human right to adequate housing could not be derogated in times of emergency and urged all states to end all evictions, for any reason, until the end of the pandemic and for a reasonable period of time thereafter.⁸ In light of the economic recession that would follow the pandemic, she also called for measures to protect security of tenure and to ensure that no one is rendered homeless for a reasonable time after the end of the pandemic.

Housing has become the frontline defence against the coronavirus... Evictions are not only inconsistent with the ‘stay home’ policy, but forced evictions are a violation of international human rights law, including the right to housing, as are any evictions that result in homelessness. **In the face of this pandemic, being evicted from your home is a potential death sentence** [emphasis added by HLRN].

~ UN Special Rapporteur on Adequate Housing, ‘COVID-19 Guidance Note: Prohibition of Evictions,’ April 2020

Several Indian courts, including the Allahabad High Court [Writ C 7014/2020], the High Court of Bombay [W.P. (L) 900/2020], and the High Court for the State of Telangana also directed state authorities not to evict people or demolish homes during the lockdown.

Despite these orders and advisories, HLRN has recorded **at least 45 incidents of forced eviction** across India during the COVID-19 pandemic – while the complete national lockdown was in force (25 March to 31 May 2020) and since restrictions have been eased in most parts of the country (1 June to 31 July 2020). It is likely that many of these evictions were carried out during the lockdown to take advantage of the curfew-like conditions, when movement of affected persons was restricted and they did not have access to legal remedies. For instance, in Siddipet, Telangana, authorities demolished 30 homes of Dalit farmers in the middle of the night, without prior notice. The affected farmers, reportedly said, “They have taken advantage of the prevailing situation

and conducted the destruction in the middle of the night. It is unfair on the part of the officials to render us homeless at a time like this when there is fear of coronavirus.”⁹ In Odisha, the Kalahandi forest department forcibly demolished homes and destroyed belongings of 32 Kondh Adivasi/tribal/indigenous families in Sagada Village, also without notice.¹⁰ In Manipur’s Macheng Village, forest officials with the help of the police, evicted families of the Rongmei Naga tribe, early in the morning, on grounds that they were ‘encroaching’ on forest land. Villagers who protested the drive were dispersed by the police, reportedly, with force involving the use of tear gas and rubber bullets.¹¹ In Rewa, Madhya Pradesh, local authorities demolished 20 houses for the ‘beautification’ of a pond, rendering daily-wage labourers homeless during the lockdown. Reportedly, affected families have faced the brunt of multiple evictions and had been resettled at the site of demolition by the Rewa Municipal Corporation. At the time of publication of this report, the evicted families were staying in a parking lot of a Pradhan Mantri Awas Yojana (PMAY) project and were still awaiting resettlement.¹²

The Madhya Pradesh government carried out several incidents of forced eviction of tribal and Dalit families over the months of June and July 2020. For instance, in June, forest officials set fire to the house of an Adivasi family in Siwal and threatened to destroy more homes in the area, reportedly, to prevent villagers from cultivating land.¹³ On 12 July, the state Forest Department razed houses of over 100 tribal families in Hardi Village of Rewa District, reportedly to clear the ‘encroachment on forestland.’ Affected villagers, however, claim to have been living in the area for over 30 years and with rights to the land under The Scheduled Tribes and Other Traditional Forest Dwellers Act 2006 (hereafter Forest Rights Act 2006).¹⁴ On 14 July, a Dalit couple in Jaganpur Chak Village of Guna District attempted suicide by consuming pesticide after they were forcefully evicted from their land and beaten by police officials.¹⁵

In Bilaspur, Chhattisgarh, the state administration evicted about 400 families living in government housing to accommodate those evicted from 160 houses for the ‘beautification’ of the Arpa River.¹⁶ Despite the rise in COVID-19 cases in the state, families have been forced to live out on the streets without food and water. Also in June 2020, in Shakur Basti, Delhi, officials of the Indian Railways forced 13 families to demolish their own houses after threatening to evict them.¹⁷

In July 2020, the East Delhi Municipal Corporation and the Public Works Department Delhi destroyed about 100 houses in East Laxmi Market, Delhi during a three-day demolition drive that rendered 150 families homeless during the peak of the pandemic in the city. Also in July, 35 houses of the marginalized Gadia Lohar community were demolished in Gurugram by the state administration, without any prior notice. Authorities destroyed personal possessions and livelihood items of affected families during the demolition process.¹⁸

Additionally, during the lockdown, thousands of homeless people in several cities, including Mumbai and Delhi, were evicted from their habitual sites of residence or forcibly taken to temporary shelters. For instance, members of the Pardhi community, who had been living under Mumbai’s Western Express Highway flyover for decades, were forcibly removed from the area, after the national lockdown was declared.¹⁹



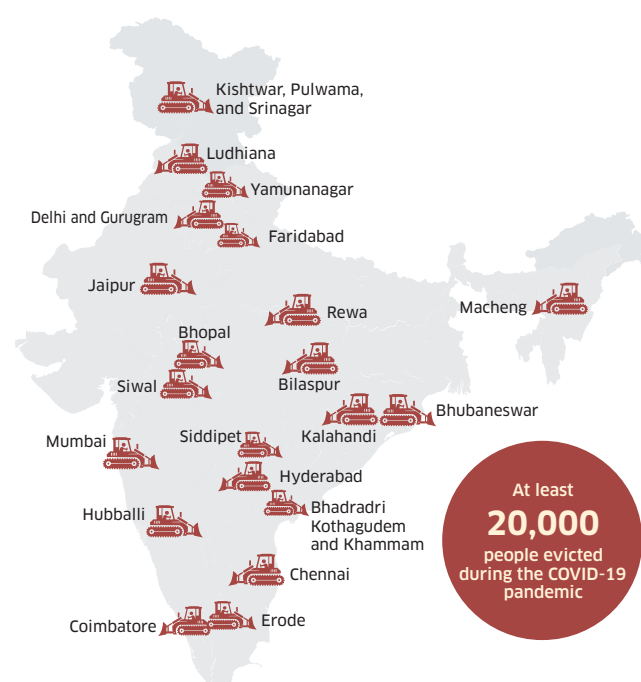
Demolition drive at East Laxmi Market, Delhi

Documented Sites of Forced Eviction and Reason for Eviction (16 March to 31 July 2020)

Site of Eviction	Reason for Eviction
Bhadradi Kothagudem and Khammam districts, Telangana	Plantation drive
Bhopal, Madhya Pradesh	Clearance of land of Bharat Heavy Electricals Limited
Bhubaneswar, Odisha	Road construction
Bilaspur, Chhattisgarh	River 'beautification' and 'smart city' project
Chennai, Tamil Nadu	Defence land clearance
Coimbatore, Tamil Nadu	'Smart city' project for restoration of water bodies
Delhi	Railway land clearance
Delhi	Order of the High Court of Delhi to remove 'encroachments'
Erode, Tamil Nadu	Land clearance along a canal for a 'smart city' project
Faridabad and Yamunanagar, Haryana	Removal of 'unauthorized' colonies
Gurugram, Haryana	Removal of 'encroachments'
Hubballi, Karnataka	Road widening
Hyderabad, Telangana	Removal of 'encroachments'
Jaipur, Rajasthan	Road construction
Kalahandi, Odisha	Forestland clearance
Kishtwar, Lashkari Mohalla, Nigeen, Pulwama, Rainawari, and Srinagar – Jammu and Kashmir	Removal of 'illegal constructions'
Ludhiana, Punjab	Removal of 'encroachments'
Macheng Village, Manipur	Forestland clearance
Mumbai, Maharashtra	Removal of 'encroachments'
Mumbai, Maharashtra	Demolition of dilapidated buildings
Rewa, Madhya Pradesh	'Beautification' of a pond
Rewa, Madhya Pradesh	Removal of 'encroachments' on forestland
Siddipet, Telangana	Reservoir project
Siwal, Madhya Pradesh	Village land clearance
Srinagar, Jammu and Kashmir	Dal Lake restoration project

Low-income individuals, groups, and communities already face high vulnerability to contracting the virus on account of their inadequate living conditions, low levels of nutrition, and lack of access to healthcare, water, and sanitation. To demolish their homes and evict them during the pandemic greatly amplifies the risk to their health and lives. The urban and rural poor across India continue to suffer disproportionately from the pandemic and lockdown-induced hardships related to the loss of livelihoods, income, and food. Demolishing their homes under such circumstances has greatly exacerbated their plight and increased their impoverishment. Such inhumane acts of the state violate the Constitution of India and international human rights law ratified by India, which guarantees to all residents of the country the fundamental right to life; the right to an adequate standard of living, that includes the rights to adequate housing and food; the right to health; the right to education; the right to equality; and the right to remedy, including access to justice.

Some Forced Evictions During the COVID-19 Pandemic (16 March–31 July 2020)



FORCED EVICTIONS IN 2017, 2018, AND 2019

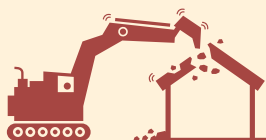
Housing and Land Rights Network, through its National Eviction and Displacement Observatory, has been closely monitoring, documenting, and publishing data on forced evictions and home demolitions in India over the last three years. With assistance from partner organizations and peoples' movements, data compiled by HLRN reveals that in the year 2019, central and state government authorities **demolished at least 22,250 homes**, thereby **forcefully evicting over 107,600 people** across urban and rural India (see map in [Annexure I](#) and table in [Annexure VII](#) for details). This number is likely to be much higher because in some of the documented incidents we were not able to ascertain the number of people affected/houses demolished and thus could not include that data. In 2018, HLRN had documented the forced eviction of over 200,000 people in the country, while in the year 2017, we found that about 260,000 people were evicted from their homes across India (see maps in [Annexure V](#) and [Annexure VI](#)).

As in 2019, the majority of the over 460,000 people evicted in the years 2017 and 2018 have not been resettled by the state, and thus continue to live in extremely inadequate conditions characterized by high insecurity, lack of access to basic services, precarity, and fear. While several thousands have been internally displaced, others who faced evictions over the last three years continue to live at the same sites, as the land they were evicted from has not been used for any other purpose, thus bringing into question the need to demolish their homes.

Conservative Estimate of Forced Evictions in India: 2017 to 2019

	Houses Demolished	People Forcibly Evicted
2019	22,247	107,625
2018	41,734	202,233
2017	53,791	258,200

FROM 2017 TO 2019, ACROSS RURAL AND URBAN INDIA:



Over 117,770
houses demolished



Over 568,000
people forcibly evicted

On average:

About **190,000 people evicted**
from their homes every year

At least **108 houses demolished**
daily

About **519 people lost their homes**
every day

At least **22 people evicted**
every hour

While these recorded numbers are extremely alarming, they are a conservative estimate and present just a part of the real picture and actual scale of forced evictions in the country, as they only reflect cases known to HLRN. It is likely that many more incidents of forced eviction occurred during the last three years but have not been documented. Also, HLRN has not included cases of land acquisition related to The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, under which land is acquired for various projects that result in the displacement of thousands. Furthermore, for the documented incidents of forced eviction, HLRN has used the Census of India average family size of 4.8 persons to calculate the total number of people evicted. However, in many of the evicted families, the family size is much larger but could not be determined exactly. **The total number of people evicted and displaced in India over the last three years as well as those under risk of eviction, therefore, is certain to be much higher than documented in this report.**

The number of state-induced evictions over the last three years also would have been higher had it not been for the strategic intervention and active resistance of local communities to save their homes in many parts of the country. Housing and Land Rights Network has documented that a large number of evictions have been prevented through effective advocacy by local communities with the support of social movements and civil society organizations, as well as through positive stay orders from courts. For instance, in Delhi, proactive action by local communities and supporting organizations, including HLRN, and support of the High Court of Delhi

and some elected officials, prevented 6,100 homes (3,600 in 2019 and 2,500 in 2018) from being demolished or about 30,000 people from being evicted by government authorities, including the Delhi Development Authority (DDA) and Indian Railways. Similarly in Chennai, advocacy and resistance by local communities threatened with eviction has resulted in eight settlements or over 3,500 homes being saved from demolition.²⁰ In Mumbai, effective legal advocacy and intervention by local groups resulted in stay orders from the High Court of Bombay and prevented the forced eviction of a few communities.²¹

Across the country, including in rural areas, a large number of local communities are struggling against projects that threaten to displace them from their homes and habitats. Without their sustained and strategic action, many thousands more would have lost their homes over the last three years. However, even though evictions may have been stalled temporarily in some sites, the majority of these communities live in uncertainty and fear of imminent eviction.

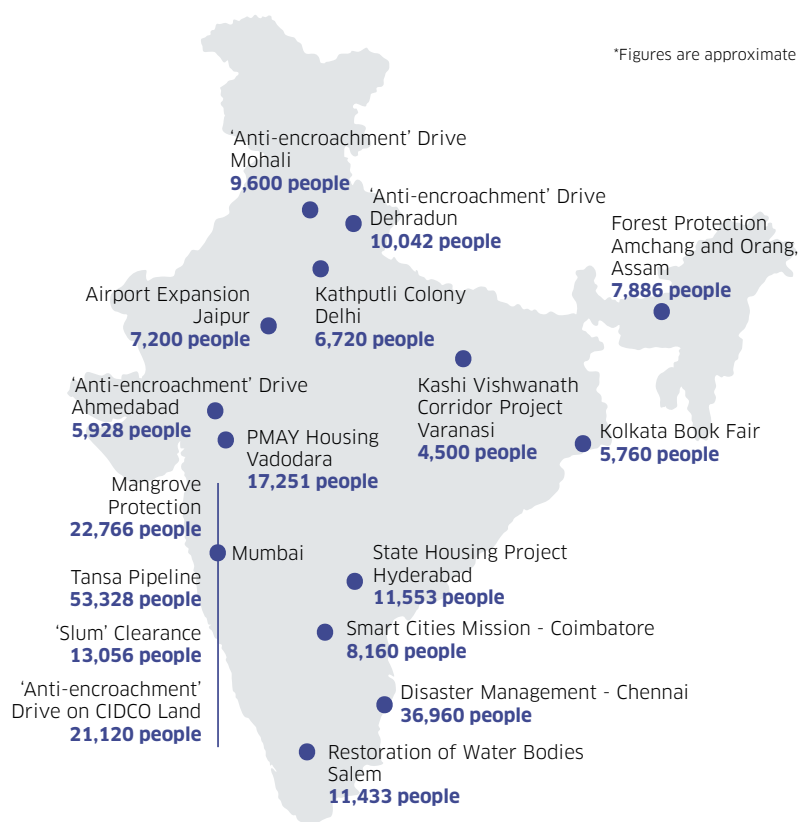
Also, though the incidence of forced evictions over the last three years is high, it would have probably been even higher had the rate of investment in the country been higher. As a result of a drop in industrial activity and projects, many land acquisition, real estate, and infrastructure projects were delayed or stalled in 2018 and 2019.²² As more projects get sanctioned and implemented, it is feared that a large number of people living at or near sites marked for various projects, including mining, ports, dams, airports, and road and highway construction, will be evicted and displaced. Post-COVID economic recovery plans of the Indian government have already resulted in the creation of 'land banks' for industries, easing of land acquisition procedures in several states, and dilution of environmental laws. The push for infrastructure projects could lead to a rise in the number of evictions in the coming years.

It is ironic that forced evictions and demolitions of homes have continued across the country in opposition to the central government's purported goal of providing 'housing for all' in India by 2022, under the Pradhan Mantri Awas Yojana (PMAY or Prime Minister's Housing Scheme/ Housing for All-2022 scheme) and other state government programmes that intend to provide housing for marginalized and low-income groups in urban and rural areas.

As has been well-documented, including by HLRN in several publications,²³ forced evictions violate multiple human rights and have severe impacts on affected populations, both in the short-term and long-term, as well as on social justice and the nation's development and prosperity. Despite the alarming gravity of this nationwide crisis, the issue not only continues to be ignored by both state and non-state actors, but is being exacerbated by multiple acts of commission and omission by the government at various levels.

This report aims to highlight trends and critical issues related to evictions in India while proposing recommendations to resolve the crisis and provide justice for affected persons.

Some of the Major Evictions: 2017-2019



II. MAIN FINDINGS ON FORCED EVICTIONS IN INDIA



Key findings from HLRN's primary and secondary research on forced evictions in India in 2019 include the following:

1. In 2019, HLRN documented the demolition of at least 22,250 houses and the forced eviction of over 107,600 people across the country.
2. Forced evictions of the urban and rural poor and demolitions of their homes **occurred across the country** – in megacities, smaller cities, towns, and villages.
3. Evictions were carried out for a **range of reasons** and under various guises, including: 'slum-clearance/encroachment-removal/city-beautification' drives; infrastructure and ostensible 'development' projects, including 'smart city' projects; environmental projects, forest protection, and wildlife conservation; 'disaster management' efforts; and other reasons such as political rallies and targeted discrimination.
4. In nearly all of the documented cases of forced eviction, **state authorities did not follow due process** established by national and international human rights standards.
5. **Resettlement** was provided in only about **26 per cent of the documented cases** of eviction in 2019 for which information is available. In the absence of resettlement for the vast majority, affected persons have had to make their own provisions for alternative housing or have been rendered homeless. For those who received some form of resettlement from the state, the sites they have been relocated to are remote and devoid of adequate housing and essential civic and social infrastructure facilities.
6. All incidents of forced eviction documented by HLRN have resulted in multiple, and often gross, **human rights violations**.
7. Through these persistent acts of eviction and demolition of homes, central and state government authorities have **violated national and international laws**, policies, guidelines, and schemes.
8. The **majority of evicted people do not have access to justice** and their right to effective remedy has not been fulfilled. Where they have been able to approach courts and received favourable orders, relief has mostly been in the form of stay orders related to further demolition/eviction. Seldom have courts ordered restitution and restoration of human rights of aggrieved persons to resettlement, return, adequate housing, and other rights that are violated as a result of forced evictions.
9. In 2019, **court orders**, including of High Courts, estate courts, and the National Green Tribunal, were responsible for the eviction of **over 20,500 people** from their homes.
10. **Over 14.9 million people** across India are currently faced with the risk of eviction and displacement.

These findings are elaborated in greater detail below.

1. GEOGRAPHY OF FORCED EVICTIONS

During 2019, HLRN recorded cases of forced eviction across urban and rural India, in **at least 19 states** and **four Union Territories** (see map in *Annexure I*). It is, however, likely that evictions also took place in other states/ Union Territories for which we do not have information. Of the incidents compiled by HLRN, evictions occurred in the Union Territories of Chandigarh, Dadra and Nagar Haveli and Daman and Diu,²⁴ Delhi, and Jammu and Kashmir. A large number of people lost their homes in ‘**megacities**’²⁵ (Delhi, Mumbai, and Kolkata) and in other ‘**million plus urban agglomerations**’/cities²⁶ (Ahmedabad, Amravati, Aurangabad, Bengaluru, Bhopal, Chennai, Coimbatore, Faridabad, Ghaziabad, Goalpara, Hyderabad, Indore, Jabalpur, Jaipur, Jamshedpur, Kanpur, Kochi, Lakhimpur, Lucknow, Ludhiana, Madurai, Nagpur, Patna, Prayagraj, Pune, Sonitpur, Surat, Vadodara, and Visakhapatnam). Demolitions of homes were also reported in urban agglomerations or **Tier I**²⁷ **cities** (Bareilly, Begusarai, Bhubaneswar, Bokaro, Burhanpur, Chandigarh, Cuttack, Daman, Darrang, Dehradun, Gurugram, Guntur, Hubballi, Jammu, Kolhapur, Mohali, Noida, Salem, Sheopur, Silchar, Siliguri, Tirupati, Trichy, Ujjain, Vizianagaram, and Wayanad); **Tier II cities** (Barwani, Fatehabad, Golaghat, Jaisalmer, and Sahibabad); **Tier III cities** (Angul and Mapusa); and, also in many **villages** (including in the states of Andhra Pradesh, Assam, Bihar, Maharashtra, Odisha, and Uttar Pradesh).

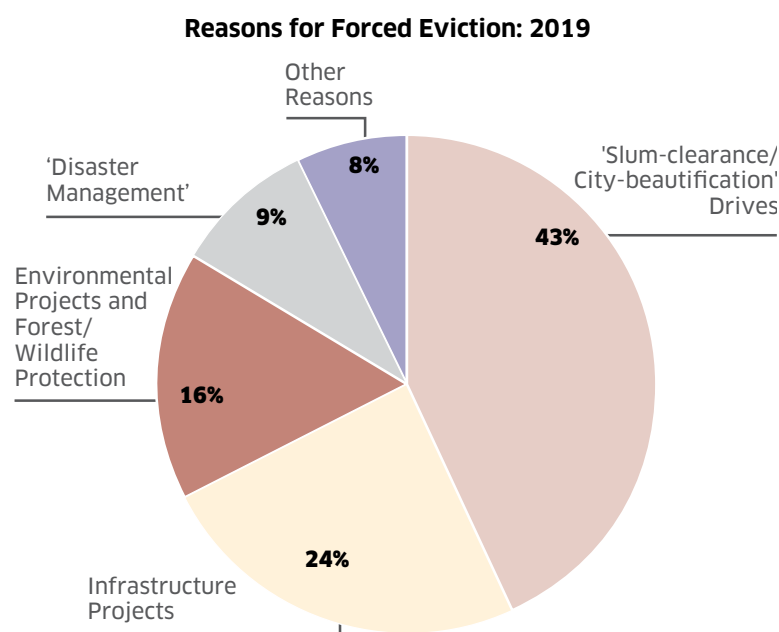
Sites of Eviction in India in 2019



2. REASONS FOR FORCED EVICTION

Across India, in most incidents of forced eviction, affected persons and communities are not provided with the reason for eviction/demolition of their homes; this information is also generally not made public. The National Eviction and Displacement Observatory at HLRN, however, has analysed the available data on evictions, and has identified five broad categories for which individuals and communities were forcibly removed and displaced from their homes and habitats in the year 2019:

- a. 'Slum-clearance/anti-encroachment/city-beautification' drives [**43 per cent** of affected persons];
- b. Infrastructure and ostensible 'development' projects, including road widening, highway expansion, bridge construction, and 'smart city' projects [**24 per cent** of affected persons];
- c. Environmental projects, forest protection, and wildlife conservation [**16 per cent** of affected persons];
- d. 'Disaster management' efforts [**9 per cent** of affected persons]; and,
- e. Other reasons, including political rallies, religious discrimination, and reasons not covered by the above four categories [**8 per cent** of affected persons].



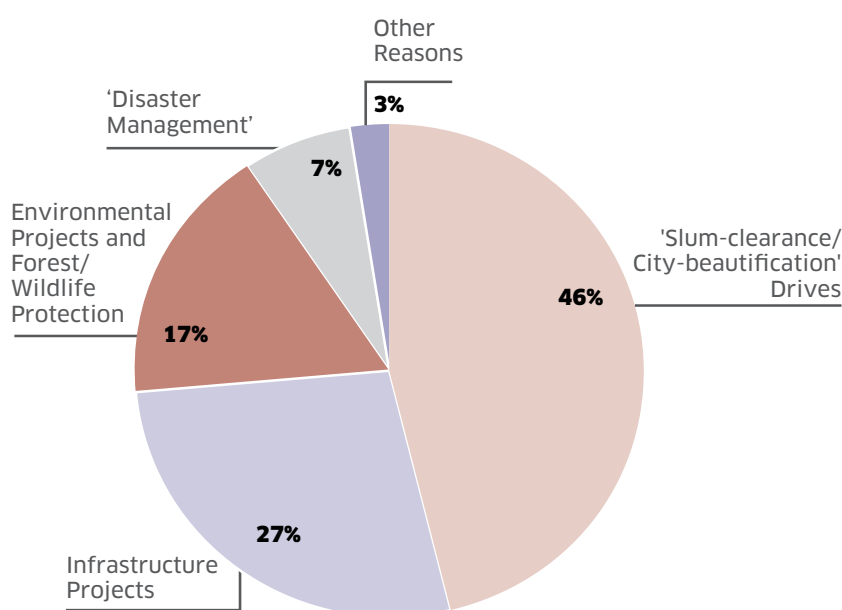
Over the course of the last three years—2017 to 2019—the trend with regard to reason for eviction has been consistent, as per HLRN's findings and analysis. The highest number of people witnessed loss of their homes for reasons related to 'slum'/government land clearance, 'encroachment-removal' drives, and 'beautification' projects: **46 per cent**. Infrastructure and other projects resulted in the eviction and displacement of about **27 per cent** of affected people; environmental projects, including wildlife and forest conservation efforts, were responsible for the forced eviction of about **17 per cent** of the total affected people; 'disaster management' and related projects accounted for about **7 per cent** of the population evicted; and **3 per cent** of the people suffered from evictions related to other causes, including political rallies and targeted discrimination.

The analysis by HLRN reveals that the **vast majority of evictions in 2019, as in the years 2018 and 2017, were not carried out for 'exceptional circumstances'** as stipulated by the UN Basic Principles and Guidelines on Development-based Evictions and Displacement (2007),²⁸ which are the global operational human rights standards to be complied with by state and non-state actors before, during, and after any proposed eviction. In many of the recorded incidents, the reason for the eviction was not communicated to the affected persons and also was not justified.

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

21. **States shall ensure that evictions only occur in exceptional circumstances.** Evictions require full justification given their adverse impact on a wide range of internationally recognized human rights. Any eviction must be: (a) authorized by law; (b) carried out in accordance with international human rights law; (c) **undertaken solely for the purpose of promoting the general welfare;*** (d) reasonable and proportional; (e) regulated so as to ensure full and fair compensation and rehabilitation; and (f) carried out in accordance with the present guidelines. The **protection provided by these procedural requirements applies to all vulnerable persons and affected groups, irrespective of whether they hold title to home and property under domestic law** [emphasis added by HLRN].²⁹

Reasons for Forced Eviction: 2017, 2018, and 2019



In the last three years – 2017, 2018, and 2019, state agencies demolished over 117,772 houses, thereby forcibly evicting, at a minimum, over 568,000 people in rural and urban areas across India.

Details on evictions carried out in 2019 for various reasons are elaborated below.

a. 'Slum'/Land Clearance/ 'Beautification'/ Removal of 'Encroachments'

While HLRN does not advocate the use of the term 'slum' for housing of low-income groups because of its derogatory connotations in many parts of the country, the term used by the Indian government in official discourse, including in laws and policies, is 'slum.' We also do not support the general use of the term 'encroachments' for housing of the poor, which creates an artificial construct of legality that discriminates against low-income residents who have limited or no choices with regard to housing and where to live. Furthermore, use of public land for housing, livelihoods, and other survival-related purposes cannot be viewed as 'encroachments.'

In the case of *Ajay Maken v. Union of India* [W.P. (C) 11616/2015], the High Court of Delhi has emphasized this point by stating:

The decisions of the Supreme Court of India on the right to shelter and the decision of this Court in *Sudama Singh* require a Court approached by persons complaining against forced eviction not to view them as 'encroachers' and illegal occupants of land, whether public or private...

An analysis by HLRN of the causes of forced evictions and home demolitions in 2019 finds that the majority occurred for reasons related to removal of houses of the urban poor, based on the perception of the state and its agencies that they are ‘illegal’ or ‘encroachments.’ This disturbing view resulted in ‘slum-clearance,’ ‘encroachment-removal,’ and ‘city-beautification’ drives, evicting the highest number of people (at least **46,162**) in 2019 or about **43 per cent** of the total number of people evicted during the year. This is in keeping with the trend recorded by HLRN in the years 2017 and 2018.

Across India, homes of the urban poor continue to be considered as ‘illegal’ or ‘encroachments’ by all branches of the government—the legislature, executive, and often the judiciary—and are demolished without any consideration that people have been living at those sites for decades, sometimes 40–50 years, and possess documents such as election and ration cards that validate their ‘legality’ and proof of residence. Communities work on improving the quality of the land, develop vibrant neighbourhoods and settlements, and contribute to the local economy, but when the value of the land on which they live appreciates or when the state decides to commercially develop that land, they are considered dispensable and arbitrarily evicted, often in violation of existing laws and policies.

Over the three years of 2017, 2018, and 2019, HLRN recorded that over 262,400 (over 2.6 lakh) people lost their homes for eviction drives related to ‘beautification’ projects, ‘slum’/land clearance, and removal of ‘encroachments.’

In 2019, central and state governments undertook a large number of demolition drives in several cities across the country, resulting in the destruction of self-built homes of the working poor. The implementation of ‘slum-free’ policies by demolishing homes of the poor not only violates their human rights but also goes against the very premise of creating ‘slum-free’ cities, which is to improve living conditions of the poor by helping them to transition from ‘slums’ to adequate and dignified housing. Furthermore, the continued assumption of government authorities—as reflected in these rampant home-demolition drives—that ‘city beautification’ implies removing the poor from certain areas of cities, highlights the deep-set discrimination against the country’s most marginalized populations. This is all the more ironic given that they are the ones who build the city, contribute to its economy, and are largely responsible for its functioning.

Over 100 families belonging to Scheduled Castes (Mahadalits) lost their homes in a drive to remove ‘encroachments’ in the Begusarai District of Bihar on India’s Republic Day – 26 January 2019. Their houses were set on fire and they were forced to stay out in the open in the cold. It has been alleged that their houses were burnt by goons hired by powerful people in the area.³⁰

The Indian Railways carried out multiple eviction drives across Delhi over the year 2019, including in Jor Bagh, near the Safdarjung Flyover, Lajpat Nagar, Mansarovar Park, Mayapuri, and Shakur Basti, allegedly to clear railway land and remove houses of the urban poor that it considers ‘encroachments.’

In January 2019, the Indian Railways demolished about 100 houses of families living in a settlement below the Safdarjung Flyover in Delhi.³¹ Residents were caught unawares by the drive carried out without any prior notice in the winter. Affected families approached the High Court of Delhi and averred that their settlement had existed since 1990, was included in a central government survey conducted in 1996, and that many



Homes destroyed by the Indian Railways in Mayapuri, Delhi

In the last three years – 2017, 2018, and 2019 – the Indian Railways demolished at least 2,327 houses of low-income communities, affecting over 11,170 people.



Families under Delhi's Safdarjung Flyover after demolition of their homes



Devastation after demolition of homes in Sonia Gandhi Camp, Delhi

of the residents had voter cards and ration cards with the settlement address listed as 'JJ³² Cluster below the Safdarjung Flyover.' The High Court issued an order [W.P. (C) 1112/2019] for 'status quo' to be maintained at the site, thereby implying that no further demolitions could be carried out. Evicted persons, however, have not received any compensation for the loss of their homes or been resettled by the state.

In April 2019, the Indian Railways razed 50 houses from its land in Sonia Gandhi Camp, Delhi, on grounds that the residents were 'encroachers.'

Despite a March 2019 order of the High Court of Delhi, in the case of *Ajay Maken v. Union of India* [W.P. (C) 11616/2015], providing relief to families in Shakur Basti—who had been first evicted in December 2015—and affirming their right to adequate housing and right to the city, the Indian Railways, in May 2019, demolished homes of 12 families in the settlement and sent notices to 50 more families to vacate their houses.³³

In a similar incident that also occurred in the month of May 2019, the Indian Railways destroyed homes of 35 families in Mansarovar Park, Delhi. Affected families that have been living alongside the railway track, for over 40 years, rebuilt their homes at the same site only to witness another incident of forced eviction in November 2019. The demolitions, without prior notice or resettlement, rendered over 50 women and 150 children homeless.

In August 2019, officials of the Indian Railways and the Delhi Police used force to demolish 10 houses in Lajpat Nagar without any prior notice or explanation of the reason for the demolition. In the absence of alternative housing or compensation, affected persons were forced to reconstruct temporary dwelling units in the same area. In September 2019, their homes were set on fire, allegedly by the police, in order to drive them away from the area.



Demolished houses and property of residents of Shakur Basti, Delhi



Demolition in Mansarovar Park, Delhi

Officials of the Karbi Anglong Autonomous Council (KAAC) evicted over 600 Muslim families living in Sarkebasti Village of Hojai District, Assam, in March 2019. The drive was conducted to vacate government land. Affected families claimed that the eviction was illegal, as they were not ‘encroaching’ on the land. Human rights activists working in the area also objected to the demolition, questioned KAAC’s jurisdiction over the land, and believed the eviction was politically motivated ahead of India’s General Election.³⁴

In April 2019, in Wayanad District of Kerala, more than 100 families were evicted from forestland in Thovarimala, near Sultan Bathery. They were denied access to alternative land, as authorities claimed that their names were missing from the list of landless tribal people in the state.³⁵

In Mumbai, over 25 homeless families living under the Amar Mahal Junction Flyover, Chembur, witnessed multiple incidents of forced eviction in the year 2019. In the absence of sufficient homeless shelters and low-cost housing options, a large number of the city’s homeless population is forced to seek refuge under flyovers and similar precarious locales. The Mumbai Police and officials from the Public Works Department forcefully evicted the homeless families from under the flyover, as part of an ‘encroachment-removal’ drive in April and June 2019. In the absence of any resettlement or compensation, the affected families remain homeless and live in highly inadequate conditions. Grass has been grown on the cleared area under the flyover, for ‘beautification’ purposes.³⁶



Temporary living arrangements made by families evicted from the Amar Mahal Junction Flyover, Mumbai

HLRN

“I lived with my husband, three children, married daughter and her family, under the Amar Mahal Junction Flyover. We moved to Mumbai seven years ago from Osmanabad, in search of better employment opportunities. There are 25 families living here. In June 2019, we were forcefully evicted from under the flyover by the police, without any prior notice or reason. Our meagre belongings, including utensils, clothes, and identification documents were set on fire. During the course of the eviction drive, two young children, including a one-year-old infant, died after being injured. As the eviction was carried out during the monsoon season, we were forced to live in the open for a few days without any shelter before moving back to live under the flyover.

I do multiple odd-jobs, including manual labour and construction work, and am also forced to beg to earn a living. Most of the men in our community work as manual scavengers, without any access to safety equipment. Two public toilets were constructed nearby in 2018; however, there is no provision for bathing. We face immense difficulties living under the flyover, especially when it rains, as the drains in the area overflow. **Agar sarkaar hum ko adhikaar denge toh humaari zindagi kuchh sudhar jaayegi** (If the government upholds our basic rights, our lives would be better).”

~ Woman living under the Amar Mahal Junction Flyover, Mumbai

In May 2019, the Navi Mumbai Municipal Corporation (NMMC) demolished approximately 40 houses and 120 shops near Panvel Flyover, Navi Mumbai in order to remove all ‘encroachments’ and widen the road leading to the Panvel Railway Station. Affected persons claim to have been living in the area for more than 40 years and have documents, including electricity bills and voter cards, proving their residence. In 2017, officials from NMMC demolished shops in the same area, after which residents filed a case in the High Court of Bombay [S.L.P. 33/158] regarding the impact of the demolition on their livelihoods. Affected persons claim to have all documents, including municipality-issued



Demolished houses and shops near Panvel Flyover, Navi Mumbai

HLRN

vendor certificates, among other documents, to set up and carry out businesses in the area. In the absence of alternative housing or compensation, families were permitted to reconstruct temporary dwelling units on a vacant plot of land, about 700 metres away from their original area of residence.

The Tamil Nadu Slum Clearance Board (TNSCB) and the city corporation demolished about 200 homes in Jeeva Nagar, Coimbatore. Commencing in June 2019, the demolition process lasted for a few months.³⁷ It was carried out under the auspices of a Madras High Court order to ‘clear encroachments’ [W.P. 9958 and 19121/2012, 9477/2016], on the basis of a plea filed by the K.K. Pudur Residents’ Welfare Association, that the Supreme Court refused to stay [S.L.P. (Civil) 011001/2018]. The demolition drive was preceded by discontinuation of electricity supply in the houses of affected families, as a means of forcing them to vacate their homes. The affected residents, however, allege that they were not ‘encroachers.’ They had been promised land-ownership deeds in the 1990s and had paid for lease agreements signed by TNSCB, but they were still not recognized as land-owners and were forcefully evicted from their homes.³⁸

Officials from the Vadodara Municipal Corporation demolished 250 houses on the banks of the Vishwamitri River for the Vishwamitri Riverfront Development Project twice in 2019, first in May and then in August. Reportedly, families were shifted to temporary relief camps, where they continue to live in grossly inadequate conditions.³⁹

In Siliguri, West Bengal, the Naxalbari Block Development Officer demolished 30 houses in June 2019, reportedly to vacate government land in Masjid Para of ‘illegal’ occupiers.⁴⁰ Affected families allege that they did not receive any prior notice and their houses were demolished despite holding land-ownership certificates. Officials, however, claim that notices were served 20 days in advance and the certificates produced by families were ‘fake.’ In another incident of forced eviction in June, at least 109 families faced the wrath of the Indian Railways in the Golaghat area of Assam.⁴¹ The families were evicted for allegedly living ‘illegally’ on the Railways land in Furkating.

In Mumbai, the Brihanmumbai Municipal Corporation demolished about 240 houses in a series of eviction drives conducted in June 2019 in Bandra East, Dharavi, and Vile Parle to remove ‘encroachments’ along drains, ahead of the monsoon season.⁴²

Residents of Yamuna Khadar, mostly agricultural workers and small farmers living on the banks of the Yamuna River, in Delhi have witnessed multiple incidents of forced eviction since 2016. Again in February and August 2019, the Delhi Development Authority demolished more than 20 houses at two different sites in the settlement, allegedly in order to remove ‘encroachments.’⁴³

In August 2019, the Greater Ludhiana Area Development Authority rendered about 1,300 families homeless in Khokha Market, Ludhiana, as part of an ‘encroachment-removal’ drive.⁴⁴ In a similar incident in Ludhiana that took place in December 2019, the Northern Railways pulled down about 150 houses and other ‘unauthorized’ structures in Railway Colonies 5 and 12, in the Civil Lines area near the railway station.⁴⁵ The demolition drive, that lasted several hours, also resulted in the destruction of a few railway quarters on the grounds that they were ‘not safe.’

The Noida Development Authority carried out several demolition drives in the year 2019. In August 2019, the Authority demolished houses of 50 farmers in Chhijarsi, allegedly to reclaim its land.⁴⁶ Affected farmers, however, protested the demolition drive claiming it was against their interests. In another drive to vacate its land of ‘encroachments,’ the Authority demolished about 200 houses in Sorkha Zahidabad Village.⁴⁷ Between



Demolished houses and crops along the Yamuna River banks in Delhi

HLRN

17 and 23 August 2019, the Authority demolished over 375 houses in multiple sites, including in Sector 116 and Sector 25-A, without due process, including prior notice. In September 2019, the Authority again destroyed 150 houses in Sarfabad Village during a cleanliness and ‘anti-encroachment’ drive.⁴⁸

In Ludhiana, officials of the Greater Ludhiana Area Development Authority demolished homes of about 200 families living in Sector 38, Chandigarh Road.⁴⁹ They alleged that the houses were ‘illegal’ and only provided alternative housing to some of the affected families in Mundian Kalan.



Demolished houses in Sector 116, Noida

As a result of an order of the Gauhati High Court to remove ‘encroachments’ in Lakhimpur, Assam, the district administration evicted 76 families from the dumping ground at Chandmari, along the Somdiri River, in September 2019.⁵⁰ In October, the Ahmedabad Municipal Corporation demolished about 600 houses in Gokul Nagar, near the Mahatma Temple, under the guise of ‘land clearance.’ Affected families then approached the High Court of Gujarat, which stayed the eviction and also asked authorities to provide alternative accommodation to the families.

About 60 houses of the formerly nomadic and extremely marginalized Gadia Lohar community were reduced to rubble in Faridabad, Haryana in April, while 50 Gadia Lohar houses were demolished in Sahibabad, Uttar Pradesh in October 2019.⁵¹ No prior notice or resettlement was provided to any of the affected families at either site.



Destroyed homes of the Gadia Lohar community in Faridabad (left) and Sahibabad (right)

In New Ashok Nagar, Delhi, an ‘anti-encroachment’ drive in November 2019 destroyed 100 houses of an extremely marginalized community of waste-collectors, leaving all residents homeless.⁵²

In November 2019, the Brihanmumbai Municipal Corporation demolished 110 houses along the Tansa Pipeline, in Vakola Gaondevi, Santacruz (East), Mumbai.⁵³ The demolition, reportedly, was carried out to remove ‘illegal’ structures from along the pipeline. The Corporation has had a safety wall constructed at the site to prevent future ‘encroachments.’ **Since 2017, city authorities have demolished over 11,110**



Demolition underway in New Ashok Nagar, Delhi

houses along Mumbai's Tansa Pipeline, displacing over 53,300 people, on the basis of an order of the High Court of Bombay [PIL 140/2006].

In Assam, the Darrang district administration used a team of security personnel and labourers to demolish structures of 60 'encroachers' from near Mangaldai Civil Hospital in November 2019. Residents tried to protest but were overpowered by security forces in the day-long drive that demolished temporary and semi-permanent structures in order to vacate the area for several government projects, including the construction of a hospital and women's college.⁵⁴



Cycling track built on the land from where people were evicted, alongside the Tansa Pipeline, Mumbai

HLRN

Also in November, the district administration of Patna demolished over 100 houses considered as 'encroachments' along the Badshahi drain in several areas of the city.⁵⁵ In Shalimar Bagh, Delhi, the Central Public Works Department (CPWD) demolished 70 houses in order to remove 'encroachments' and 'beautify' the area in front of the house of a local Member of the Legislative Assembly (MLA).

On 15 November 2019, DDA demolished 60 houses in Gyaspur, Delhi. Though DDA had put up notices at a few places on the banks of the Yamuna River a few days before the demolition, they were in obscure locations and far from the settlement, as a result of which people living in the settlement were not aware of the demolition. Residents, comprising mostly of agricultural labourers and some construction workers, claim that they have been residing at the site for four decades now. Even after existing for almost 40 years, DDA considers the settlement to be an 'unauthorized' colony. The site is devoid of basic facilities, with no proper roads to reach the low-lying area and no sanitation facilities, which in turn forces residents to defecate in the open. The only security they had was their houses, which they had constructed with their hard-earned savings. Officials of DDA, along with police officials, reached the area with bulldozers during the early hours of 15 November 2019. Since the residents were not aware of the situation, there was a situation of panic among them. Some of the residents had already left for work while their children were in the houses. The demolition began at around 1 p.m. and continued till 5 p.m.⁵⁶



Destruction of homes and personal belongings of residents in Gyaspur, Delhi

HLRN

The Municipal Corporation of Dehradun carried out a demolition drive in December 2019 to remove 'encroachments' on its land along the Haridwar Bypass Road. The civic body, reportedly, acted after receiving complaints of 'encroachments' along the Bindal and Ripsana riverbeds in the Dehradun Valley.⁵⁷ In a public interest litigation [W.P. (PIL) 47/2013] filed in the High Court of Uttarakhand by a councillor against 'encroachments' and 'illegal constructions' in ravines and *nallahs* (drains) in the Rajpur area, the Dehradun district magistrate had submitted an affidavit stating that about 270 acres of the riverbed and riverbank area in the Dehradun

(Doon) Valley had been encroached upon. In its report submitted to the Court, the state government had averred that ‘encroachers’ were being removed. Objecting to this, the counsel for the petitioner had alleged that in the guise of ‘anti-encroachment’ the poor were being targeted while encroachments by influential persons were left untouched. The Court, however, finally sanctioned the District Magistrate, Dehradun, to “take necessary action to ensure that no further encroachments take place in the seasonal streams in the Rajpur area of the Doon Valley.” This resulted in the eviction of 150 people.

Also in December 2019, in Guntur District of Andhra Pradesh, the revenue department razed over 100 houses in Obulanaidupalem, allegedly to clear land belonging to the Andhra Pradesh Industrial Infrastructure Corporation. Seven persons, reportedly, attempted suicide by consuming pesticide to protest the demolition of their homes. They were rushed to hospital in time and their lives were saved.⁵⁸

In Avilala Village in Tirupati, Andhra Pradesh, revenue officials demolished 400 houses in order to clear revenue land, which, according to officials, cannot be bought and sold. Reportedly, some of the affected families had moved into the houses and performed house-warming ceremonies just a few days before the demolition drive.⁵⁹

Repeated incidents of forced eviction over the last few years have been documented by HLRN in Delhi. These include in Mansarovar Park, near Shri Nanak Niwas Gurudwara (2017 and 2019), Rajiv Camp (2016 and 2019), and Yamuna Khadar (2016, 2017, 2018, and 2019). In Rajiv Camp, where 76 houses were demolished for the expansion of National Highway 24 in 2016, six families that were forced to live in the same area in the absence of provision of alternative accommodation were rendered homeless again in January and May 2019, after their temporary dwelling units were demolished to construct a pavement.



Women and children repeatedly rendered homeless in Rajiv Camp, Delhi

Such acts of discrimination against the poor, by destroying their homes and rendering them homeless, indicate the increasing criminalization of poverty and go against the foundational principles of the Constitution of India that guarantees everyone the right to equality and the freedom to reside in any part of the country. Further, they also indicate the distortion of the notion of ‘public land,’ as the state that is entrusted with the protection of such land for the people continues to act against the people, by evicting them arbitrarily, at its whim.

b. Infrastructure and Ostensible ‘Development’ Projects

As in the years 2017 and 2018, infrastructure projects and those carried out for ostensible ‘development’ purposes displaced thousands of families across India in 2019. Primary and secondary research by HLRN reveals that in 2019, houses demolished for such projects numbered at least 5,374, amounting to the eviction of almost **25,800 people (24 per cent)** of the total number of people affected in 2019). The reasons for these evictions include road-widening projects; road, highway, and bridge construction; tourism; coal mine expansion; and, ‘smart city’ projects.

Though many of these evictions are justified by the state as ‘public purpose’ projects, the term continues to be misused in the absence of a human rights-based definition and interpretation. Also, the population that benefits from these ostensible ‘public purpose’ projects is always different from the one that pays the price for them, including through the loss of their homes, habitats, livelihoods, health, education, and security.

For instance, in Jamshedpur, Jharkhand, 68 houses were demolished in Anna Chowk, in July 2019, for the construction of a bridge.⁶⁰ Also in July, in Tamil Nadu, the Coimbatore municipality destroyed 552 houses in

Masjid Colony for ‘smart city’ projects.⁶¹ The affected families, who had been living at the site for over 50 years, received alternative accommodation from the Tamil Nadu Slum Clearance Board in Ukkadam. As part of a project to align the Dwarka Expressway, the Haryana Urban Development Authority demolished 100 houses in Kherki Daula village, along National Highway 8.⁶²

On the basis of an eviction order of the Bokaro Estate Court, the district administration of Bokaro demolished 400 houses in August 2019 for the expansion of the Bokaro Airport, under the Regional Connectivity Scheme.⁶³ In the same month, the Cuttack Municipal Corporation demolished nine houses in Krushak Bazaar, for the construction of a road.⁶⁴ Also in August, CPWD demolished 55 houses of the urban poor on Minto Road, Delhi, ironically, to construct houses for central government officials.

In Odisha, two evictions took place in the month of October 2019 for the expansion of coal mines of Mahanadi Coalfields Limited (MCL). The Angul district administration, along with officials of MCL, evicted 41 families living in the Nayak Sahi area of Bhalugadia Village⁶⁵ and 18 families in Rakas Village.⁶⁶ According to a fact-finding report,⁶⁷ adequate notice was not provided to affected persons.

In order to repair Kolkata’s Tallah Bridge, city authorities, including the Public Works Department, demolished houses of about 60 families living under the Bridge in November 2019.⁶⁸ The evicted families, reportedly, had been living at the site for over 70 years. Affected families were moved to transit camps that did not have adequate facilities and have yet to receive permanent housing from the government.



Devastation in Bhalugadia Village

CSNR

The Vadodara Municipal Corporation (VMC) demolished 176 houses in the Chhani area of the city, in November 2019, in order to construct a connecting road to the Chhayapuri Railway Station. A force of about 250 personnel, including city officials and a private agency, Madhya Gujarat Vij Company Limited, was deployed to carry out the demolition. Affected families have denied the government’s claim of being provided alternative houses; VMC officials said they had to apply for them.⁶⁹ A road-widening project in Coimbatore resulted in the demolition of about 150 houses on Perur Main Road in November 2019. The project, allegedly to ease traffic congestion, was implemented by the Tamil Nadu Highways Department. Prior to the demolition of homes, the Tamil Nadu Electricity Board cut electricity connections to the houses. Several of the affected families reported not receiving ‘tokens’ for alternative housing.⁷⁰ Also in November 2019, the civic body of Madurai demolished 120 houses, consisting of concrete and temporary structures, between Raja Mill Road and Kuruvikaran Salai, along the Vaigai River.⁷¹ The drive was part of a road-widening project of the Tamil Nadu Highways Department. Most of the residents said they did not receive any prior notice of the eviction. In Ghaziabad, the district administration demolished 200 houses in December 2019, and cleared 71 acres of land for the construction of the Delhi–Meerut expressway by the National Highways Authority of India. Reportedly, the administration received instructions for clearing the land in the villages of Dasna, Kushaliya, and Rasulpur Sikrod from the Prime Minister of India during a video conference.⁷² The affected families were provided financial compensation for the loss of their homes.

Highway/road construction and road-widening projects displaced over 3,600 people in 2019. This continuing destruction of houses and displacement of the poor, without due process, to ease traffic congestion and facilitate road transportation reflects the scant regard of the state towards communities that have been living for many years at these sites, often for generations.

In 2017, 2018, and 2019, construction of highways/roads and road-widening projects led to the forced eviction and displacement of about 41,500 people.

On 1 November 2019, the administration of the Union Territory of Dadra and Nagar Haveli and Daman and Diu demolished 135 houses of families living in Ishkati Sheri Machhiwad Village, on a stretch between Lighthouse Road and Jampore Beach.⁷³ While the administration claims the houses were built ‘illegally’ in the coastal area,⁷⁴ the affected families believe their homes were demolished for a tourism project aimed at developing the area and beautifying the Daman Fort.⁷⁵ Most of those affected belong to a fishing community that had been living at the site for over 10 years. A day after the eviction, several affected persons, including women, protested against the demolition of their houses. In response, authorities issued prohibitory orders and imposed Section 144 of the Criminal Procedure Code (banning assembly of more than four persons) in the area.⁷⁶

It is ironic that in 2019, more than **10,700 people were evicted from their homes, allegedly, to implement central and state government housing schemes**. This includes evictions of low-income communities to build housing for government officials in Delhi, evictions carried out for ‘*in situ* (on site) slum rehabilitation’ projects in Gujarat, and demolitions for housing construction projects in Bhubaneswar. The provision of housing must not be preceded by demolition of people’s homes without their consent, resulting in displacement and insecurity. Furthermore, housing of one group of people must not be prioritized over housing for another, as reflected in some of these incidents.

In 2017, 2018, and 2019, at least 46,400 people lost their homes for the implementation of state housing projects.

Several evictions in 2019 were undertaken for projects related to the national Smart Cities Mission. Research by HLRN indicates that forced evictions occurred in 32 of the 100 ‘smart cities’ being developed across the country. While it is difficult to ascertain the exact number of ‘smart city’-related evictions, HLRN has found that ‘**smart city**’ projects directly resulted in about 4,872 people losing their homes in 2019.

In 2017, 2018, and 2019, HLRN found that about 22,630 people were evicted for implementation of the Smart Cities Mission.

It is likely that many more infrastructure and other project-related incidents of eviction and displacement occurred across the country, which HLRN has not been able to document, particularly in the absence of public information. As mentioned above, we have not included the number of people that have been displaced as a result of legal land acquisition processes.

Over 43,000 People Affected by Jewar Airport Construction in Phase I

An estimated 8,971 families (43,061 people) have been affected as a result of the proposed construction of Phase I of the Noida International Greenfield Airport, Jewar.⁷⁷ The airport will be constructed in four phases, and requires 5,000 hectares of land, affecting an estimated 57,000 people in 20 villages.⁷⁸ The acquisition of over 1,239 hectares of land for the first phase of the airport was carried out in the six villages of Banwari Bas, Dayanatpur, Kishorpur, Parohi, Ranhera, and Rohi.⁷⁹ According to the state administration, families from these villages have been compensated under the Land Acquisition Rehabilitation and Resettlement Act 2013.⁸⁰ However, some families have been protesting against the low compensation paid to them on account of a state government notification changing the status of their land sites from rural to urban, and have filed petitions in the Allahabad High Court challenging the order.⁸¹ They have been demanding compensation according to the law, which is four times the circle rate, instead of double the market rate, which is what they received.⁸² The state police have registered a First Information Report against 35 named and 25 ‘unnamed’ farmers who have been protesting against the lower compensation, and arrested one person on 27 January 2020.⁸³ As per the Draft Scheme of Rehabilitation and Resettlement of Affected Families, over 3,600 displaced families from three villages—Dayanatpur, Kishorpur, and Rohi—would be relocated to a proposed township, to be developed in three years, in Jewar Bangar Village.⁸⁴

A recent study by The Energy and Resources Institute in Rohi Village documents the adverse consequences of displacement on women.⁸⁵ The study has brought to the fore issues of non-inclusion of women in the decision-making process regarding land acquisition, transfer of compensation mainly to men, and undermining of the productive role of women in agriculture and other work.

c. Environmental Projects, Forest Protection, and Wildlife Conservation

Several incidents of forced eviction were carried out, purportedly, for the implementation of environmental projects and for wildlife and forest protection. This resulted in the forced eviction and displacement of at least **17,539 people (16 per cent)** of the evicted population in 2019) across the country. Some of these evictions were ordered by courts. Such cases, unfortunately, create an artificial conflict between the environment and human rights of local communities, even though many communities live harmoniously with nature and contribute to its conservation and sustainable development.

Projects related to the environment, forest protection, and wildlife conservation resulted in the eviction of over 96,417 people in the last three years – 2017, 2018, and 2019.

For instance, in Mumbai, over 150 families living in Yari Road, Versova witnessed demolition of their homes in February 2019, over the course of three days, by the Office of the District Collector, Mumbai Suburban, and the Forest Department under the Mangroves Conservation Unit, allegedly to protect mangroves in the area. Families had been living in the area for about 25–30 years and have official documents, including Aadhaar cards and voter cards, to prove their residence. **Mangrove protection projects have resulted in the eviction of over 22,766 people in Mumbai since the year 2017.**



Houses demolished in Yari Road, Versova, Mumbai

In June 2019, in the Komaram Bheem District of Telangana, the Forest Department demolished homes of 16 Adivasi families, under the guise of forest protection.⁸⁶ The families, however, claimed that they had been cultivating forestland for over 50 years.

Citing an order of the National Green Tribunal to vacate the floodplains of the Yamuna River, DDA, in October 2019, demolished 500 houses along the river banks.⁸⁷ The High Court of Delhi stayed the demolition after affected families submitted a plea asserting that they had not been provided adequate notice. The Court also asked DDA to rehabilitate the affected families but this has not been done.⁸⁸



Demolition drive underway along the banks of the Yamuna River

Following an order of the district collector, the Jaisalmer district administration demolished over 100 houses in the Sam sand dunes area in October 2019, claiming they were ‘encroachments.’⁸⁹ In a brutal drive, the Hyderabad administration demolished homes of 119 families living in small huts under Shivaji Bridge, in the Afzal Gunj area, along the Musi River, as part of river conservation efforts. The demolition was carried out on 25 September 2019, reportedly on a day that Hyderabad received its heaviest rainfall in recent times.⁹⁰ Evicted families were thus rendered homeless in the rain with no provisions for alternative housing. Though some of the affected families were promised houses under the state government’s 2BHK⁹¹ project, they had still not received any alternative housing at the time of publishing this report in August 2020.

Following a 2016 order of the National Green Tribunal [O.A. 180/2015, Principal Bench] to “remove all encroachments from the area,”⁹² the Ghaziabad Municipal Corporation (GMC) conducted several eviction drives around Arthala Lake, including in Mullah Colony. In May 2019, GMC demolished 25 houses of the identified 500 ‘encroachments.’ Resistance from residents prevented further demolition. Ten families, who had earlier

received subsidized loans to build their houses under the Credit-linked Subsidy component of the Housing for All–2022 scheme/PMAY were also rendered homeless.

Under the guise of forest conservation and removal of ‘encroachments,’ 82 families living in the Howaithang Reserve Forest in Silchar, Assam were rendered homeless in a demolition drive carried out in June 2019. Reportedly, local authorities also used 15 elephants to destroy the houses. Affected families, most of them daily-wage labourers living in poverty, reportedly had been living in the area for over 40 years. Organizations working with them claim they lived sustainably and had contributed to forest conservation.⁹³ It was thus ironic that they were being evicted on the grounds of forest protection.

About 20,000 Families Displaced from Critical Habitats for Project Tiger

India has seen several cases of displacement of people for wildlife conservation over the years. People have been displaced/relocated from declared protected zones under the Wildlife (Protection) Act 1972 and for other environmental projects. Project Tiger, which was launched in the year 1973 for the conservation of tigers, has resulted in many such incidents of displacement of families across the country.

According to a written reply in the Rajya Sabha⁹⁴ by the Ministry of Environment, Forest and Climate Change, a total of 19,981 families have been relocated from the notified ‘core area’ (critical habitats of tigers) since the inception of Project Tiger. The highest relocation of 3,957 families was from the Satpura Tiger Reserve in Madhya Pradesh followed by Melghat Tiger Reserve, Maharashtra (3,864 families); Kanha Tiger Reserve, Madhya Pradesh (1,874 families); Rajaji Tiger Reserve, Uttarakhand (1,379 families); and, Ranthambore Tiger Reserve, Rajasthan (1,238 families).⁹⁵

The present housing and livelihood conditions of families displaced for Project Tiger could not be obtained.

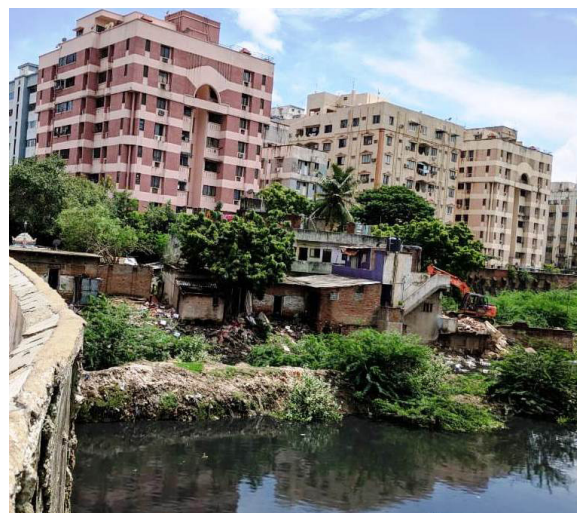
d. ‘Disaster Management’

In 2019, several evictions were executed under the guise of ‘disaster management’ that affected **9 per cent** of the total evicted population in the year. Since the 2015 floods in Tamil Nadu, evictions for the purported reason of ‘disaster management’ received impetus from an order of the Madras High Court, and have continued over the years, including for the alleged purpose of ‘restoration of water bodies.’

In response to a 2015 order [W.P. 39234/2015] of the Madras High Court to take “expeditious steps for early removal of encroachments by construction of alternative tenements,” the Government of Tamil Nadu has demolished several thousand houses. From 2015 to 2019, 10,468 families living along the Cooum River in Chennai have lost their homes for the Integrated Cooum River Eco-Restoration Project funded by the Chennai Rivers Restoration Trust.⁹⁶ In addition, since 2015, state authorities have evicted over 4,134 families living on the banks of the Adyar River.⁹⁷

From 2017 to 2019, about 37,000 people have been forcibly relocated in Chennai for ‘disaster management’ purposes, including the Integrated Cooum River Eco-Restoration Project.

In the state budget speech for 2019–2020, the Deputy Chief Minister of Tamil Nadu and the Minister of Housing and Urban Development stated that a total of 38,000 families residing near water bodies would be evicted in Chennai.⁹⁸ In 2019, just in Chennai, about 2,585 families living in four settlements suffered from forced eviction and relocation to the inadequate site of Perumbakkam, under the pretext of ‘river restoration.’ For instance, the Greater Chennai Corporation evicted over 900 families living along the banks of the Cooum River in Chintadripet, in September 2019 for this project.⁹⁹



Houses being demolished along the banks of the Cooum River in Chennai

While the relocation of marginalized communities has been carried out, allegedly, for ‘disaster management’ purposes, the project report speaks of riverfront redevelopment that would only benefit a select population, at the cost of displacing thousands from their homes and livelihood sources. Furthermore, the state has only targeted homes and small enterprises and shops of the urban poor but has not cleared large commercial establishments along water bodies. While most of the affected families have been provided alternative housing in the resettlement site of Perumbakkam, it is located in a low-lying, flood-prone area, thus bringing into question the rationale of disaster protection, for which, allegedly, affected persons have been relocated.

In Kakkan Nagar, Chennai, the Chennai Corporation and Tamil Nadu Slum Clearance Board evicted 300 families from the banks of the Cooum River. Residents protested the forced relocation to Perumbakkam, on the grounds that it did not have adequate and sufficient schools and other basic services. Anticipating their resistance, the city used a large police force to carry out the eviction.¹⁰⁰



Demolition in Kakkan Nagar, Chennai



Large police presence during forced eviction in Kakkan Nagar, Chennai

In December 2019, in Sathya Sai Nagar in Thirumangalam, Chennai, revenue officials razed 230 houses without adequate notice, as part of the Integrated Cooum River Eco-Restoration Project.¹⁰¹ Affected families have been provided alternative housing in tenements constructed by the Tamil Nadu Slum Clearance Board in Perumbakkam.

City authorities demolished several houses across Coimbatore, between July and December 2019, in a drive to remove ‘encroachments’ along water channels, reportedly for flood control measures. In July, the Coimbatore Municipal Corporation demolished 271 houses in G.M. Nagar, along the Rajavaikal water channel.¹⁰² In a similar drive, houses of nine families were demolished in Fathima Nagar, near Karumbukadai, in August.¹⁰³ In December 2019, authorities destroyed 40 buildings along the Noyyal River in Karumbukadai.¹⁰⁴ All affected families have been allotted alternative housing in Ukkadam by the Tamil Nadu Slum Clearance Board.

e. Other Reasons for Forced Eviction in 2019

About **8 per cent** of the population affected by forced evictions in 2019 lost their homes for other reasons than those documented above. During the campaigning for India’s 17th Lok Sabha elections in May 2019, 300 houses of families living in an ‘informal settlement’ near the Mansarovar area of Jaipur were bulldozed. The drive was allegedly carried out to vacate the area for a political rally that was to be addressed by the Prime Minister of India.¹⁰⁵ Authorities did not provide prior notice or sufficient time to affected families to remove their belongings from their homes before they were demolished. Another political rally in Fatehabad, Haryana, also in May, resulted in the demolition of over 100 houses of low-income communities without prior notice or resettlement or compensation for losses incurred.¹⁰⁶

In Assam's Sonitpur District, local officials along with paramilitary personnel razed 450 houses, evicting over 3,000 people in Sootea in December 2019. Residents, who are Muslims, claim they were evicted on account of their religion and because they did not vote for the ruling party. The state government, however, claims that the families were illegally occupying the land.¹⁰⁷

The Nagpur Municipal Corporation evicted 200 people from Giri Colony and 500 people from Jat Tarodi in November 2019.¹⁰⁸ The demolition drive followed an order of the Nagpur bench of the High Court of Bombay [PIL 70/2017] to remove structures under high tension power lines. The Court had asked the civic authority to rehabilitate affected families before the drive.¹⁰⁹ However, primary research reports received by HLRN indicate that the affected families have still not been resettled and are living in temporary tents close to the site.¹¹⁰



Prakriti

Evicted families staying in temporary tents near the demolition sites in Jat Tarodi (left) and Giri Colony (right)

Approximate Number of People Evicted for Various Reasons: 2017-2019

262,400



'Slum' Clearance/
'Encroachment' Removal/
'Beautification'

96,417



Environment,
Forest Protection,
Wildlife Conservation

155,660



Infrastructure
Projects

38,600



Disaster
Management

41,500



Highway/
Road Projects

22,630



Smart Cities
Mission

46,400



State Housing
Projects

11,170



Indian
Railways

3. LACK OF DUE PROCESS

In almost all incidents of forced eviction documented by HLRN in the year 2019, state authorities did not follow due process, as established by human rights guidelines and laws. Even basic requirements of providing advance notice of the eviction, organizing a consultation with affected persons, not carrying out evictions in inclement weather and during the academic year, were not followed.

Despite clear operational guidelines laid out in the UN Basic Principles and Guidelines on Development-based Evictions and Displacement, to be followed before, during, and after evictions, state and central government authorities disregarded all due process procedures. The following section highlights examples of various forms of violation of due process.

a. Lack of Survey, Prior Notice, and Impact Assessment

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

41. Any decision relating to evictions should be announced in writing in the local language to all individuals concerned, sufficiently in advance. The eviction notice should contain a detailed justification for the decision, including on: (a) absence of reasonable alternatives; (b) the full details of the proposed alternative; and (c) where no alternatives exist, all measures taken and foreseen to minimize the adverse effects of evictions.

In most instances, affected communities were not provided any notice or adequate time to remove their belongings from their homes. The documented eviction and demolition drives not only destroyed housing but also cash savings and personal belongings of residents, including vital documents, jewellery, furniture, cooking utensils, food supplies, and educational material such as school books and uniforms. Furthermore, in many of the reported cases, authorities did not have a legal basis for the eviction, nor did they provide a justifiable reason to people before forcing them out of their homes and razing structures to the ground.

In all recorded cases of eviction and forced relocation in Chennai, reports indicate that no due process was followed, including public consultation or public hearing, issuance of prior information and legal notice for the eviction, and time for communities to respond. Even though the Tamil Nadu Slum Clearance Board (TNSCB) was allotted Rs 43 lakh (Rs 4.3 million) for conducting Social Impact Assessments under the Integrated Cooum River Eco-Restoration Project, for which most evictions were carried out, such assessments were conducted only in two of the 42 settlements that witnessed eviction in 2019. As Social Impact Assessments were not conducted for 40 evicted settlements, the government did not have details on the profile of residents, including their livelihoods and children's education. This resulted in inadequate resettlement. To date, TNSCB does not have information on the number of children resettled or their educational details. Sufficient and adequate schools, therefore, were not planned at the site prior to the relocation of families.¹¹¹

In most evictions reported in Delhi in 2019, affected communities did not receive prior written notice of the impending demolition of their homes. This includes the sites of Kalibari Marg, Mansarovar Park, Nehru Place, Safdarjung Flyover, and Shakur Basti, among others. Similarly, in none of the sites of eviction in Gujarat did authorities provide affected communities with any advance notice before demolishing their homes.

In Bokaro, the district administration demolished 400 houses, while in Cuttack, the Municipal Corporation demolished nine houses, without any prior notice or rehabilitation.

The Supreme Court of India, in S.L.P. (C) 30026–30027/2018, had declared that protocol must be followed before an eviction, including issuance of adequate notice and opportunity to be heard. Several judgments of Indian High Courts have also called for due process, including comprehensive surveys to be conducted prior to any eviction exercise, the requirement of engaging meaningfully with affected persons, and providing adequate notice and rehabilitation, among other requirements.¹¹² For example, in *Mala Pentamma v. Nizamabad Municipality* [W.P. 15581/2005], the High Court of Hyderabad held that:

Even for removal of encroachments, the encroachers are entitled to notice and without following due process of law, they cannot be evicted.

In *Ajay Maken v. Union of India* [W.P. (C) 11616/2015], the High Court of Delhi further reiterated that evictions conducted without adhering to due process would be considered illegal, and held that:

... conducting a detailed survey prior to the eviction; drawing up a rehabilitation plan in consultation with the dwellers in the JJ bastis and jhuggis; ensuring that upon eviction the dwellers are immediately rehabilitated – will all have to be adhered to prior to an eviction drive. Forced eviction of jhuggi dwellers, unannounced, in coordination with the other agencies, and without compliance with the above steps, would be contrary to the law.



HLRN

Lack of prior notice resulted in widespread destruction of personal property of affected families in Shakur Basti

The absence of prior and adequate notice results in affected persons losing their personal property and incurring extensive losses. Despite the UN Basic Principles and Guidelines on Development-based Evictions and Displacement calling for ‘eviction impact assessments’ to be conducted prior to evictions, these were not done for any of the incidents recorded by HLRN in the years 2017, 2018, and 2019.

“All our clothes and my children’s books were destroyed during the demolition drive. Nothing is left.”

A woman forcibly evicted in Shakur Basti, Delhi in May 2019

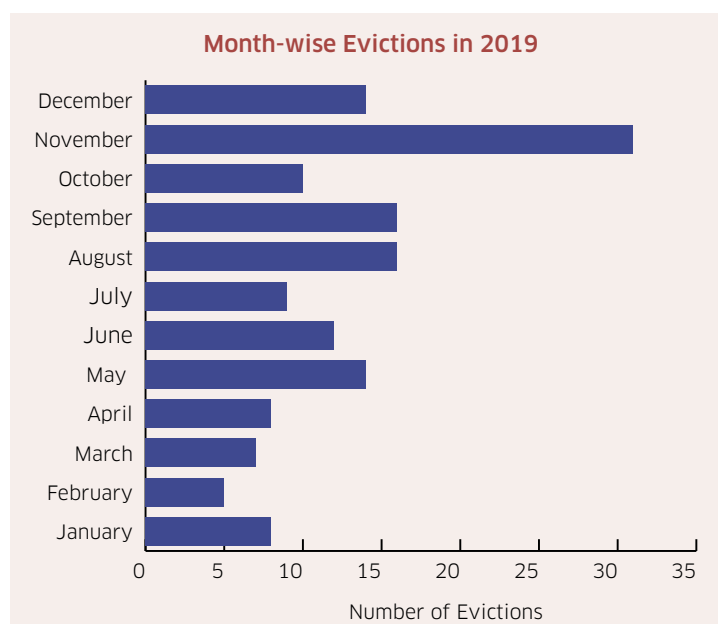
b. Evictions in Inclement Weather

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

49. Evictions must not take place in inclement weather, at night, during festivals or religious holidays, prior to elections, or during or just prior to school examinations.

Forced evictions and home demolitions occurred throughout the year, including in extreme weather conditions – during the intense heat of summer, in the bitter cold, and in the monsoon season. In 2019, most evictions were recorded during the monsoon season and in winter.

The Noida Development Authority demolished 150 houses in a Gadia Lohar settlement in Sector 77, during the monsoon season, leaving families with children, older persons, women, and persons with disabilities out in the rain without any form of shelter or protection. Similarly, the Indian Railways demolished about 250 houses in

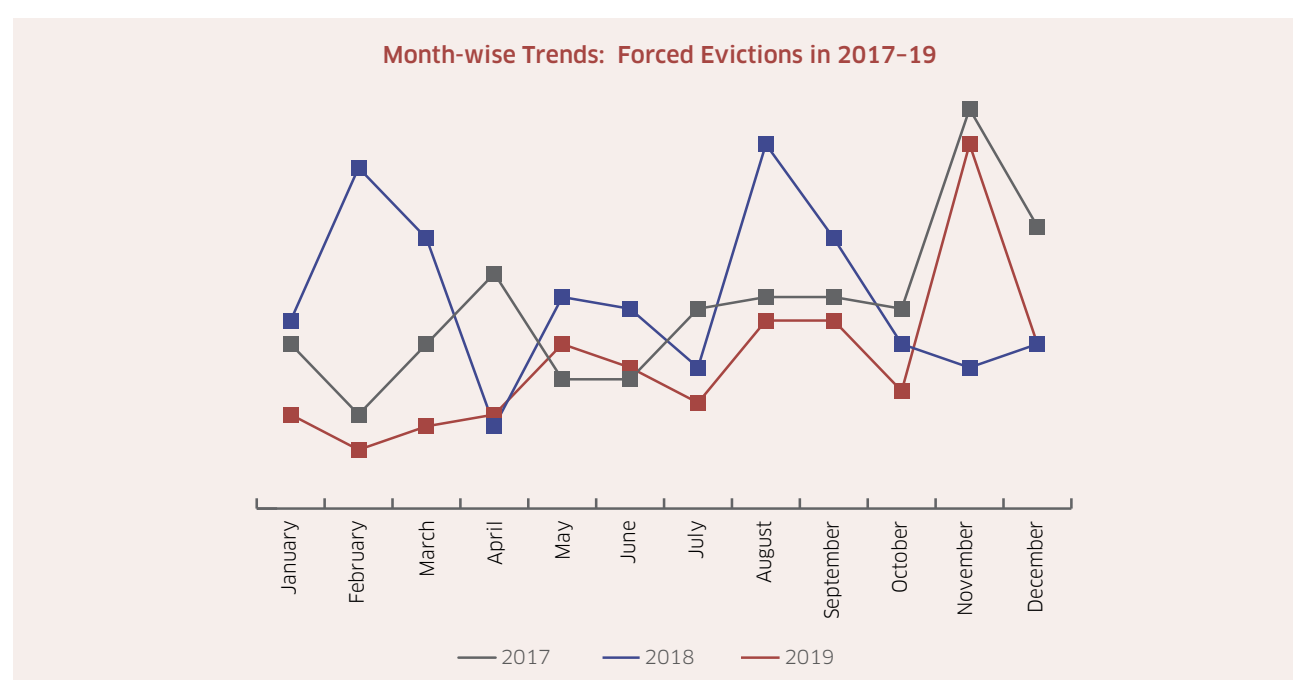


Mayapuri, Delhi during the monsoon, which added to the misery of the community that was rendered homeless in the rain.

During the bitter cold of January, the Indian Railways evicted about 100 families living under the Safdarjung Flyover in Delhi, without any prior notice or the provision of alternative housing. In November, at the onset of winter, families in Gyaspur, Delhi were forced into homelessness and had to sleep and cook out in the open. In the peak of summer, in May 2019, railway authorities demolished 12 houses in the settlement of Shakur Basti, rendering families homeless in the extreme heat.

In Chennai, during the rainy season in December 2019, the city corporation demolished 230 houses in Sathya Sai Nagar, near Koyambedu.¹¹³ The state relocated affected families to Perumbakkam that was flooded at the time, as a result of heavy rain.

An analysis by HLRN has found that the majority of evictions took place in the monsoon season (August) and early winter (November). This is a trend seen across three years: 2017, 2018, and 2019.



c. Evictions During the School Academic Year and Prior to Examinations

In many instances, authorities carried out evictions prior to school examinations and during the academic year, thereby greatly impeding children's access to education, including their ability to study. This has also resulted in children being forced to drop out of school, in some cases. Where relocation of children to alternative schools occurred during the mid-academic year, their performance in school was negatively impacted; this also resulted in increased stress and other challenges for affected children. For instance, children were evicted from various sites across Chennai in the middle of the academic year and had to contend with inadequate infrastructure facilities at the resettlement site.

In Nehru Place, Delhi, DDA demolished 30 houses just before children's school examinations, in March 2019,



Children's education was adversely affected after the demolition drive in Nehru Place, Delhi

HLRN

despite desperate pleas by affected persons, including the children, to postpone the demolition drive to after the examinations.¹¹⁴ Also in Delhi, 60 families were evicted from Kalibari Marg during their children's annual examination while several children from the settlement of Gyaspur were forced to miss their examinations because of the demolition of their homes just before school examinations.

School-going children evicted in Odisha, for a coal-mining expansion project, had to miss their examinations, as they were resettled 15–20 kilometres away from their schools. The construction of the Mumbai–Nagpur Samruddhi Mahamarg ('Prosperity Highway') resulted in the demolition of a school for Adivasi children.¹¹⁵

d. Use of Force and Violence During Evictions

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

50. States and their agents must take steps to ensure that no one is subject to direct or indiscriminate attacks or other acts of violence, especially against women and children, or arbitrarily deprived of property or possessions as a result of demolition, arson and other forms of deliberate destruction, negligence or any form of collective punishment.

Housing and Land Rights Network has documented the use of force and violence during some of the incidents of eviction in 2019. For instance, officials of the Delhi Police burnt the reconstructed houses of evicted families in Lajpat Nagar in September 2019, in an attempt to drive them away from the area. The use of force to evict residents also resulted in the injury of one resident and the arbitrary arrest of two other persons in the settlement. Families evicted from the Amar Mahal Flyover Junction in Mumbai in April, were subjected to a subsequent eviction in June when the police set fire to their meagre belongings, in an attempt to drive them away.

During the forced eviction of 82 families from Howaithang Reserve Forest in Assam, elephants were used to destroy houses.¹¹⁶

In Odisha, two incidents of eviction carried out for expansion of the Mahanadi Coalfields Limited (MCL) in the villages of Bhalugadia and Rakas resulted in several human rights violations. According to a fact-finding report, adequate notice was not provided to affected persons. Officials, reportedly, entered homes while people were asleep and threw out their belongings. Reportedly, they also used force, including against women, during the eviction drive.¹¹⁷

A fact-finding report on the eviction in Ishkati Sheri Machhiwad Village, Daman alleges that police used force and violence against people who were protesting the demolition of their homes, including women, children, and older persons. About 40 persons, including women, were also detained in government schools.¹¹⁸



Houses in Lajpat Nagar, Delhi set on fire by the police after being demolished

HLRN



Houses reduced to rubble in Bhalugadia Village, Odisha

CSNR

4. LOW RATE OF RESETTLEMENT AND INADEQUATE RESETTLEMENT

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

16. All persons, groups and communities have the right to resettlement, which includes the right to alternative land of better or equal quality and housing that must satisfy the following criteria for adequacy: accessibility, affordability, habitability, security of tenure, cultural adequacy, suitability of location, and access to essential services such as health and education.
52. The Government and any other parties responsible for providing just compensation and sufficient alternative accommodation, or restitution when feasible, must do so immediately upon the eviction...

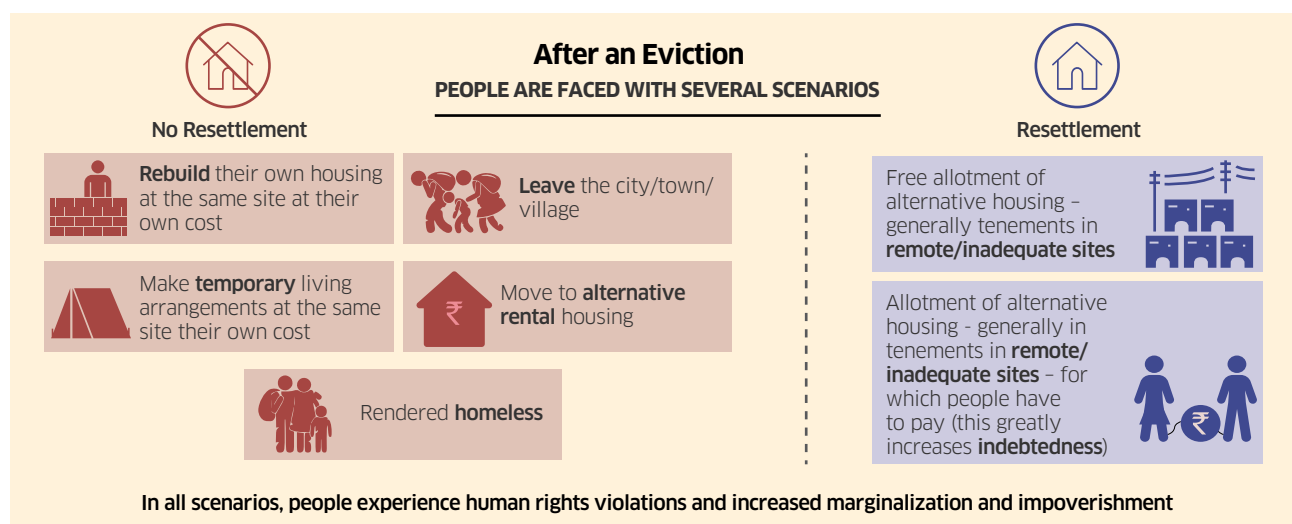
Research and analysis by HLRN, including primary data from the field, indicates that the vast majority of those evicted, have not been resettled by the state.

Of the 146 incidents of forced eviction documented by HLRN in 2019, information on resettlement is available only for 103 incidents. Of these, HLRN found that the state had provided some form of resettlement/alternative housing/plots in only 27 of the affected sites (or **26 per cent**) while some compensation was paid in only two of the cases. Thus, **in 74 per cent of the cases of eviction in 2019 for which information is available, resettlement was not provided by the state to affected persons.**

In the years 2018 and 2019, HLRN recorded that resettlement was provided in only 29 per cent of the total incidents of forced eviction in India, for which information on the status of resettlement is available. In 71 per cent of the cases, people had to fend for themselves or were rendered homeless.

Several state High Courts have established that the right to housing includes the right to resettlement.¹¹⁹ For instance, in *Dev Nath Yadav v. State of U.P* [W.P. 44391/2010], the Allahabad High Court held that:

The right of re-settlement of the persons, who do not have proper homes, is a part of the fundamental right to housing, which is now well recognised by the Supreme Court, being a part of life under Article 21 of the Constitution of India.



Given the abysmally low rate of resettlement across India, including over the last three years, the overwhelming majority of evicted and displaced persons have had to fend for themselves, after losing their homes and their personal belongings due to such state-sponsored destruction. While many affected persons have made temporary housing arrangements at and around their original sites of residence, some have rebuilt their homes at their own costs, as a result of which they have incurred increased indebtedness; others have had to find

alternative rental housing. Those who could not continue to afford living in the city have moved to other cities/towns/villages or returned to their villages while a large percentage of evicted persons have been rendered homeless.

For instance, residents of Delhi's Mansarovar Park living near the railway track, have faced several evictions over the past two years under the guise of 'safety' and 'slum clearance.' As the Indian Railways that was responsible for the repeated demolition of their homes has not provided any compensation or resettlement to the evicted families, they have had to rebuild makeshift structures at the same site, and continue to live without access to basic facilities and in great fear of impending evictions.

Even though almost five years have elapsed since the demolition of 5,000 houses in Shakur Basti, Delhi by the Indian Railways in the winter of December 2015 and despite a positive order from the High Court of Delhi [W.P. (C) 11616/2015], affected families have not received any alternative housing or compensation from the state. The 12 families whose homes were demolished in May 2019 also have not received any resettlement. They continue to live at the same site without access to adequate housing, water, electricity, and other basic amenities. The constant fear of another arbitrary eviction and the lack of legal security of tenure over housing has resulted in most of the affected families reconstructing temporary dwelling units and continuing to live in grossly inadequate conditions. The absence of adequate housing has also increased their vulnerability to extreme weather conditions.

Despite an order of the High Court of Delhi calling for rehabilitation of families evicted from the banks of Delhi's Yamuna River in October 2019, DDA had not provided any resettlement or compensation to the affected families at the time of publishing this report in August 2020. As a result, evicted families have had to rebuild their homes at the same site with their own resources and still live in insecurity.

Families evicted from Assam's Howaithang Reserve Forest were forced to live out in the open without food, as the state government allegedly, did not provide them with any relief or rehabilitation.¹²⁰ After protests by affected families, the local administration, in a press statement, announced that families evicted from Ishkati Sheri Machhiwad Village in Daman would be given houses under the Pradhan Mantri Jan Awas Yojana and arrangements would be made for them to access cheap loans. However, the government, reportedly, has still not provided rehabilitation.¹²¹

In the few cases where people were resettled by the state, living conditions at the resettlement sites, reportedly, are not adequate. It should be noted that mere relocation to remote sites and the provision of inadequate housing without access to basic services does not qualify as resettlement or rehabilitation, which implies the improvement of affected persons' standard of living and restitution of their rights. Courts have also warned against resettlement that is not adequate.



Current makeshift living conditions of evicted families in Mansarovar Park, Delhi



In the absence of resettlement, evicted families in Shakur Basti continue to live in makeshift housing at the same site

For example, in *Sudama Singh v. Government of Delhi* [W.P. (C). 8904/2009], the High Court of Delhi held that:

It is the State's constitutional and statutory obligation to ensure that if the jhuggi dweller is forcibly evicted and relocated, such jhuggi dweller is not worse off. The relocation has to be a meaningful exercise consistent with the rights to life, livelihood and dignity of such jhuggi dweller. The lack of basic amenities like drinking water, water for bathing and washing, sanitation, lack of access to affordable public transport, lack of schools and health care sectors, compound the problem for a jhuggi dweller at the relocated site.

Similarly, the High Court of Bombay in *Sahyadri Punarvasan Gaothan Vikas Sanstha v. Pandharpur Municipal Council* [W.P. 4000/1991] stated that:

In the name of resettlement and rehabilitation virtually nothing is provided. This is the grievance on most occasions. People get thrown out and displaced physically, mentally and socially. Communities which are residing together for decades have to adjust with totally different living conditions.

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

56(b) Resettlement must ensure that the human rights of women, children, indigenous peoples and other vulnerable groups are equally protected, including their right to property ownership and access to resources...

The persistent discrimination against the country's poor is further perpetuated in the policies of several state governments that use the exclusionary tool of 'eligibility criteria' to determine whether an evicted family should be rehabilitated or not. Even when families have lived for many years at a site, if they fail to meet the state's documentation requirements or happen to be omitted from state-conducted surveys, they are denied any form of relief or resettlement despite losing their homes, which are generally built incrementally, over years of hard work and investment. The flawed notion of the state and its prejudicial perception of the poor as 'encroachers' and 'illegal' residents also continue to exclude millions across India from receiving rehabilitation, including compensation, for the extensive losses incurred by them as a result of forced evictions. These factors directly contribute to a rise in homelessness.

In Delhi, the inability of evicted families to meet documentation requirements stipulated in the Delhi Slum and JJ Rehabilitation and Relocation Policy (2015), despite having lived at a site for many years, often results in their exclusion from state-provided resettlement. There are multiple cases known to HLRN, of families that were evicted in 2017, 2018, and 2019 being denied resettlement despite having requisite documents to prove their 'eligibility.' Furthermore, the Policy requires affected non-Scheduled Caste¹²² families to also pay Rs 142,000 in cash, as a one-time down payment, for an alternative flat in a resettlement site. Many families are not able to generate the funds, as they do not have access to formal financial markets and are not able to afford the high interest rates of the 'informal' market. As a result, they have been rendered homeless after losing the capital invested in their homes. Those who manage to raise the requisite amount by taking loans from multiple sources are pushed into cycles of greater indebtedness and impoverishment.

Of the 60 families that lost their homes in C-33 JJ Camp, Kalibari Marg, Delhi, for the construction of a parking lot for the Ram Manohar Lohia Hospital, 56 received alternative flats at the resettlement site in Dwarka. The remaining four families were determined to be 'ineligible' for alternative accommodation, as they could not furnish some requisite documents, and hence continue to live in the same area in inadequate conditions. In Coimbatore, only 180 of the 200 families evicted from Jeeva Nagar were resettled in the site of Keeranatham, located 30 kilometres from their homes. This also severely affected people's livelihoods and children's access to education. Similarly, of the 70 families rendered homeless in Shalimar Bagh, Delhi, 65 were considered 'eligible' for resettlement under the Delhi government's rehabilitation policy and received alternative housing in Bawana Sector 3. Though the other five families possessed documents such as ration and election cards showing proof of residence in the same area for more than 20–25 years, they were not resettled by the state.

In some sites, such as in Kherki Daula Village, Haryana, only a few of the families evicted for an expressway project received alternative plots in Sector 37-C. Reportedly, however, the site was not safe because of the presence of high tension electric wires.

Of the 1,300 families rendered homeless in Khokha Market, Ludhiana under an ‘encroachment-removal’ drive, only 1,100 families were surveyed in 2014 to determine their ‘eligibility’ for alternative housing under the ‘Slum Free City Plan of Action’ prepared by the Municipal Corporation of Ludhiana. The survey found 300 families to be living on ‘private land’ and thus ‘ineligible’ for resettlement. Of the 800 families living on ‘government land,’ only 500 were determined ‘eligible’ and 450 families received alternative housing in Badal Colony, Mudian Kalan. Resettled families face multiple challenges resulting from the lack of basic services at the site and the absence of grievance redress mechanisms. The other 50 families have paid for alternative housing but have not received it as yet.

In Ludhiana, of the 150 families that lost their homes in Railway Colonies 5 and 12, only 130 families received alternative housing in the Giaspura resettlement site. Residents, including older persons, have expressed concerns about living conditions at the site, including the inadequate supply of potable water and the negative impacts of the forced relocation on their livelihoods, which have significantly affected their ability to pay for basic amenities, including electricity.¹²³

Families evicted from the banks of Hyderabad’s Musi River were rendered homeless in the rain with no provisions for alternative housing. Of the 119 affected families, 32 had been promised houses under the state government’s erstwhile Valmiki Ambedkar Awas Yojana housing scheme 10 years ago. However, none of the evicted families have received any resettlement or alternative housing and continue to live at the same site in dire conditions.

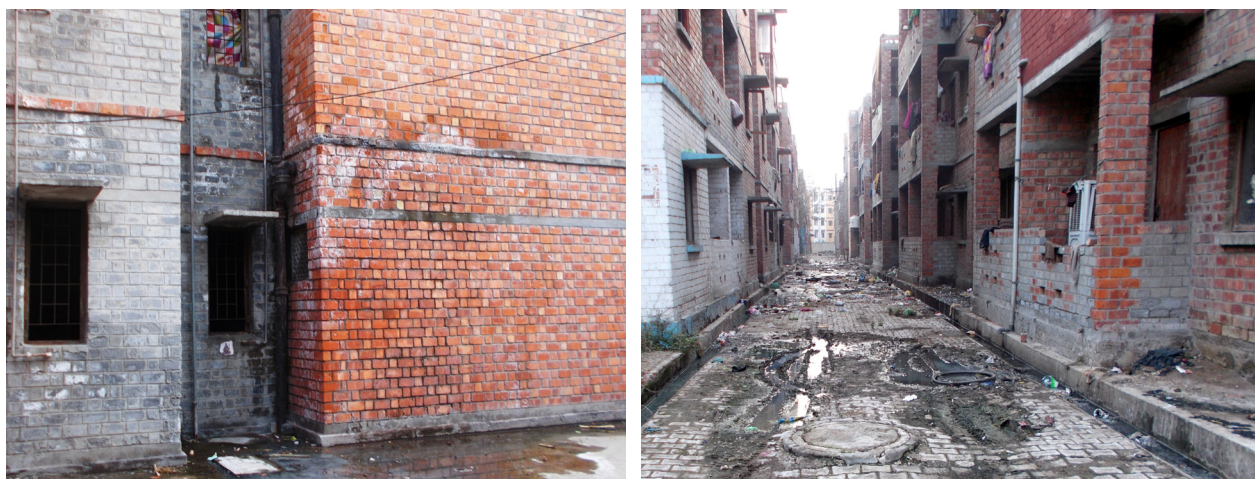


Resettlement site in Badal Colony, Ludhiana

HLRN

In Odisha, families evicted by MCL for its coal mine expansion from Bhalugadia Village were shifted to the Utkalika Guest House campus and temporary shelters at MCL Colony in Bolanda Bazar, while families evicted from Rakas Village were moved to temporary housing in Central Colony. A collaborative fact-finding report highlights the abysmal living conditions, lack of adequate facilities, and concerns related to safety of residents at the rehabilitation sites. Allegedly, compensation of Rs 100,000 and a house under PMAY was offered to only 13 of the 18 families evicted from Rakas Village. The 13 selected families, however, refused the package, as they demanded that all affected families should be provided with adequate rehabilitation.¹²⁴

Families relocated to the resettlement sites of Baprola and Dwarka in Delhi, over the last three years continue to face challenges with regard to housing and basic services. The sites lack security for residents, especially women and children. In the absence of piped drinking water supply in the tenements, residents are forced to fill drinking water from tankers and carry it in buckets to their homes. This is especially difficult for women, persons with disabilities, and older persons, who have been allotted tenements on upper floors. Another critical issue that has affected habitability of the site and health of the residents is that of seepage in the buildings resulting from poor quality building materials, inadequate construction, and bad plumbing design. In Baprola, residents are afraid for their lives because of the structural instability of the buildings. These fears have been heightened after the multiple mild earthquake tremors experienced in Delhi between the months of April and June 2020. Relocation has adversely affected livelihoods of affected persons, including of women, and disrupted children’s education. Families relocated to these sites also face challenges in accessing healthcare, as the closest hospitals are about 10 kilometres away.



Inadequate housing, seepage, and lack of drainage and sanitation facilities at the resettlement site of Baprola, Delhi

HLRN

Over 4,000 families evicted from along Mumbai's Tansa Pipeline since 2017 and relocated to the toxic resettlement site of Mahul have suffered grave violations of their human rights, including their right to life. Pollutants, including benzene, emitted by industries in the area, have resulted in the toxicity of the air being 50 times above the prescribed safety limit.¹²⁵ Living in such toxic conditions is not only a violation of the residents' right to life and to breathe clean air, but has also resulted in at least one member in each family suffering from respiratory or skin-related diseases. Families, reportedly, incur expenses up to Rs 7,000 each month on medical treatment, which places a huge economic burden on them.¹²⁶ Several hundred people have lost their lives since being relocated to Mahul.

In September 2019, the High Court of Bombay directed the Brihanmumbai Municipal Corporation to either shift the families living in Mahul to alternative housing, or pay them to enable them to move to rental housing.¹²⁷ However, as of March 2020, only 288 of the affected families had been provided alternative housing in Gorai, Borivali.¹²⁸ During the coronavirus-induced lockdown, in June 2020, residents approached authorities to draw attention to the possible exacerbation of their health conditions and heightened vulnerability to contracting the virus. Residents have also expressed concerns about the 'toxic stench' in the area.¹²⁹ As of 7 July 2020, 2,608 coronavirus cases had been reported in Chembur West, the ward where Mahul is located.¹³⁰ Reportedly, the ward has the highest COVID-19 fatality rate of all 24 administrative wards in Mumbai.¹³¹

Timeline of Judicial Orders in the Mahul Resettlement Case

- October 2009:** The High Court of Bombay [PIL 140/2006] directed the demolition of around 15,000 houses situated along the Tansa Pipeline in Mumbai and the rehabilitation of affected persons. The order resulted in the eviction of more than 10,500 families since 2017, many of whom were resettled at the critically polluted site of Mahul.
- April 2019:** On the basis of a petition filed by the residents, the High Court of Bombay [W.P.L 1158/2017] held that the right to shelter is an integral part of the right to life guaranteed by Article 21 of the Constitution of India, and a citizen has the right to live in a pollution-free atmosphere. It directed the Government of Maharashtra to provide alternative accommodation or rental expenses to over 15,000 project-affected persons of the Tansa Pipeline Project, who had been shifted to the toxic resettlement site of Mahul, and prohibited relocation of other families to the site.
- May 2019:** The Government of Maharashtra challenged the High Court of Bombay order in the Supreme Court of India [Special Leave to Appeal (C) 12771/2019]. The settlement dwellers who were being forced to relocate to Mahul also intervened in the matter and approached the Supreme Court. The Court disposed the petition without interfering with the High Court order.
- September 2019:** The High Court of Bombay [W.P. 14102/2019] disposed the matter and directed that no person can be relocated to Mahul due to the life-threatening levels of pollution and inadequate living conditions.

"I used to live with my parents near Vidya Vihar. Families have lived in this area for three generations, without posing any threat to the Tansa Pipeline, which is one of the main sources of water supply to Mumbai. In May 2017, the Brihanmumbai Municipal Corporation demolished over 800 houses in our settlement, for 'safety' of the pipeline. After being determined 'eligible' for resettlement, we were shifted to Mahul, about 10 kilometres away from our homes. With the move, we lost our livelihoods and suffered greatly, as Mahul is an industrial area. It has about 17 factories, including fertilizer plants and three refineries, the emissions from which have caused serious health problems for us.

What is this notion of development where the government prioritizes the health of other residents of the city over the health of the poorer residents? It does not care about the health of the poor. *Vikas ke naam pe gareeb ka vinaash ho raha hain* (In the name of development, the poor are being eliminated).

Over 300 deaths have been reported in Mahul in just three years. I lost my cousin who was diagnosed with cancer and my niece also fell seriously ill after contracting tuberculosis. As we did not have enough money, it was very difficult to pay for their medical treatment. Most families have suffered from various ailments, including asthma and skin rashes.

Mahul ke jo maut hain, maut nahi, hatya hain, iske zimedaar sarkar hain (The deaths in Mahul are not deaths, they are institutionalized murders and the government is responsible for the same).

In order to draw attention to this serious issue, we, the residents of Mahul launched the 'Jeevan Bachao Andolan' (Save Lives Movement) on 27 October 2018, under which families left their tenements in Mahul and returned to the pavement where we used to live. As a result of our sustained efforts and campaign, on 6 March 2020, ten families, including mine, were given the keys to our new house in Gorai, Borivali, as the Government of Maharashtra began the process of allotting alternative housing to 288 affected families, which we, as a part of the movement consider to be a small but significant win."

~ Woman who was resettled in Mahul, Mumbai

Tamil Nadu is perhaps the only state in India where all families evicted in 2019 were relocated by the state government and provided alternative tenements constructed by the Tamil Nadu Slum Clearance Board. The resettlement sites, however, are located on the outskirts of cities, at about 30–40 kilometres from residents' original sites of habitation.

In Chennai, families resettled in the remote site of Perumbakkam continue to face multiple challenges. These include the poor quality of housing and inadequate civic and social infrastructure facilities, such as the lack of sufficient water, street lights, working lifts, schools, day-care centres, healthcare facilities, transportation, and access to burial and cremation grounds. Relocated families also have raised concerns about the lack of security at the site, which has particularly affected women and children.¹³² This has severely affected their social and economic mobility and is also a violation of their human rights to livelihood/work, security, equality, and freedom of movement. Thousands of school-going children have been affected by the absence of adequate schools and educational infrastructure. In the absence of toilets in the primary school in Perumbakkam, children are forced to defecate in the open, which disproportionately impacts girls.¹³³ The site has only four Public Distribution System/ration shops for subsidized food, in contrast to the required 14 shops (as per the population norm). Only 11 *anganwadis*/crèches under the Integrated Child Development Services scheme exist, as opposed to the requisite 60, given the total number of children at the site who are below the age of six. This has greatly affected the human rights to education and food of affected families, especially of pregnant and lactating women and children. Insufficient water supply also disproportionately affects women and children. All relocated families have experienced a loss of their livelihoods because of the remote location of the site and the lack of employment options in the vicinity. Furthermore, some residents report that the stigma attached to the resettlement sites also impedes their ability to find employment.¹³⁴

In Coimbatore, evicted families have been relocated to Ukkadam. This site was constructed under the 'Basic Services for Urban Poor' component of the erstwhile Jawaharlal Nehru National Urban Renewal Mission. Located on the outskirts of the city, it was constructed on a closed sewage farm. As a result of limited access to transportation facilities, the livelihoods of residents have been severely affected.¹³⁵

Several studies conducted by HLRN and its partners highlight the appalling conditions of resettlement sites across the country. This reflects the absence of a human-rights based approach to resettlement and the lack

of participation of affected communities in the design, location, and planning of such sites.¹³⁶ The low rate of resettlement as well as the coerced relocation of the urban poor to the margins of cities is contributing to a rise in impoverishment as well as an increase in the number of people being forced into insecure and inadequate living conditions across the country, which greatly affects their health and well-being.

Across India, thousands of families forcibly evicted in 2017 and 2018 also have not received resettlement from the state, as a result of which many of them have reconstructed makeshift homes and live at the same sites in inadequate conditions, in constant fear and uncertainty.

For instance, in November 2017, acting on an order from the Gauhati High Court, the Government of Assam forcefully evicted 1,000 families belonging to the Bodo, Mishing, Rabha, and other indigenous communities from areas near and in the Amchang Wildlife Sanctuary. In a brutal and unprecedented move, authorities used elephants to demolish houses and rendered families that had been previously displaced by floods, homeless in the winter. Affected persons, reportedly, possessed requisite government documents to prove their residence in the area for many years. In the absence of alternative housing and resettlement, and the economic distress caused by the arbitrary eviction, they have constructed temporary dwelling units and continue to live in the area, reportedly in deplorable conditions.¹³⁷ Families live in fear of being evicted again, on the basis of a Supreme Court order [W.P. (C) 109/2008] that threatens to evict forest-dwellers whose claims have been rejected under the Forest Rights Act 2006. During the COVID-19 lockdown, in May 2020, 30 families living in Garobasti Village near the Wildlife Sanctuary, received notices of eviction.¹³⁸

Sixty-two Gadia Lohar families living under the flyover in Mansarovar Park, Delhi that were evicted by officials from the East Delhi Municipal Corporation in 2017, have still not been rehabilitated and continue to live in the same area, in very inadequate conditions. The community has faced the brunt of multiple evictions over the years and continues to be neglected by the state. The eviction has disproportionately affected women, children, and older persons of the community. Housing and Land Rights Network has been engaged in advocacy and research to draw attention to the systemic exclusion of the community from government schemes and policies, and the abject poverty that they continue to live in.¹³⁹ A recent gender-based 'Eviction Impact Assessment' conducted by HLRN assesses the disproportionate and long-term impacts of the 2017 forced eviction on women of the community. Preliminary findings reveal extensive losses suffered by families, including a reduction in their average monthly income. Children in the community, especially girls, dropped out of school after the eviction. In the post-eviction period, an increase was reported in the number of complaints of violence against women and girls. Families also incurred an increased average monthly expenditure on healthcare and food.¹⁴⁰

Families evicted from Kathputli Colony, Delhi and considered 'eligible' for housing were moved to an overcrowded transit camp in Anand Parbat, which does not have sufficient space and access to basic services. Though they have been living in dismal conditions in 'transit housing' for over four years,



Temporary housing of families that witnessed demolition of their homes in 2017, Mansarovar Park, Delhi



Inadequate space and congestion in the 'transit camp' in Anand Parbat

Delayed Resettlement, Rajiv Camp, Delhi

After the 2016 demolition of the Rajiv Camp settlement in Delhi, several families were denied resettlement on grounds of not being included in the survey conducted by the Delhi Urban Shelter Improvement Board (DUSIB) or being held 'ineligible' for resettlement because of incomplete documentation. On the verge of homelessness, the evicted families approached the High Court of Delhi, with the help of HLRN and other civil society organizations. In 2017, the Court directed DUSIB to relax the requirement of documentation on account of the impoverished status of the families and provide resettlement. However, four years after the demolition of their homes, a few families still continue to live at the site in extreme poverty and in makeshift conditions. While some of them were not able to make the required down payment of cash, others who managed to deposit the amount after taking loans were denied resettlement due to technical reasons. Affected persons continue to demand their right to housing through legal recourse and advocacy.

the residents do not have any information as to when they will receive permanent housing. No measures have been taken to address their grievances or improve living conditions. The recent COVID-19 lockdown has resulted in increased impoverishment of the community, on account of loss of livelihoods. Furthermore, the congested living conditions and high density of housing place residents at heightened risk of contracting and spreading the virus.¹⁴¹

Over 1,500 homeless persons evicted in Delhi in 2017 for 'beautification' of the city's flyovers, have still not received any relief or resettlement by the state but are forced to live on roadsides and pavements, at extreme risk to their health and lives. As mentioned in HLRN's report on forced evictions in 2018, two children died from road accidents, as a result of being displaced from under flyovers in Nehru Place and Sarai Kale Khan and living in precarious conditions on road sides.¹⁴²



Precarious living conditions of homeless families evicted from under flyovers in Delhi



In the absence of resettlement, families evicted in 2017 in Rohini, Delhi live in makeshift housing

HLRN

5. Multiple Human Rights Violations

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

58. Persons, groups or communities affected by an eviction should not suffer detriment to their human rights, including their right to the progressive realization of the right to adequate housing.

In all the reported evictions and demolitions of homes across India, there has been little or no compliance with human rights safeguards and international guidelines, including the UN Basic Principles and Guidelines on Development-based Evictions and Displacement. The processes followed before, during, and after evictions have resulted in the violation of multiple human rights of affected persons, including their human rights to life, adequate housing, land, work/livelihood, health, food, water, sanitation, education, security of the person and home, information, participation, and freedom of movement and residence.

“What very often is overlooked is that when a family living in a Jhuggi is forcibly evicted, each member loses a ‘bundle’ of rights – the right to livelihood, to shelter, to health, to education, to access to civic amenities and public transport and above all, the right to live with dignity.”

~ Sudama Singh v. Government of Delhi, High Court of Delhi, February 2010

a. Violation of the Rights to Life, Health, and Food

Those who are already suffering from chronic or acute health issues often face increased morbidity after evictions, as a result of living out in the open or in makeshift conditions, and thus succumb to their illnesses much sooner. Several people die after losing their homes and being forced to live in inadequate conditions in extreme weather conditions. Such loss of life is seldom documented and the link between the eviction and increased mortality of affected persons is generally denied by state authorities, who avert any form of accountability.

The demolition of homes by the Indian Railways in Shakur Basti, Delhi in the peak of summer resulted in an older person in the settlement succumbing to the severe heat. Since the forced eviction in 2015 and the absence of resettlement, HLRN has documented the death of 23 persons in Shakur Basti for various reasons, including injury during demolition, exposure to the heat, rain, and cold, and snake bites.

During the eviction process in Jeeva Nagar, Coimbatore, two persons died from electrocution while removing tiles from their houses.

In the aftermath of the demolition of 30 houses in Nehru Place, Delhi, an older couple who were amongst those rendered homeless, died after falling ill due to prolonged exposure to the cold and rain.

Couple Dies from the Cold after Demolition of their Home in Delhi

Sixty-year-old Prakash and his 55-year-old wife, Meena lived with their son in Ambedkar Camp, Nehru Place in Delhi. He earned his livelihood by running a small shop from his house. The shop was the only source of income for the family that had lived at the site for over 25 years. In March 2019, without any prior notice, the Delhi Development Authority demolished their house. They lost all their belongings, including food grains, clothes, blankets, furniture, and other essential items in the demolition drive. They did not receive any rehabilitation. Thus, they were forced to live out in the open in the cold. As a result of the extreme hardship that the family was subjected to in the winter season without any form of shelter, the couple died within a month of their eviction. Their son, who could not bear the loss of his parents, left the site and moved elsewhere.

During the eviction of families living under the Amar Mahal Junction Flyover in Mumbai in April 2019, reportedly two children, including a one-year-old infant, died after being injured.¹⁴³

No one has been held accountable for these deaths; neither have the affected families been paid any compensation.

The financial losses incurred by already economically marginalized communities as a result of forced evictions, including the increased cost of rebuilding homes and the loss of livelihoods and days of work, have contributed to a sustained deterioration in their standard of living with long-term health impacts, which have not been documented. Also, the psychological impacts of forced evictions, especially on children, are seldom acknowledged or addressed.

A direct result of forced evictions on marginalized communities is the increased rate of malnourishment, malnutrition, and hunger. In the aftermath of a forced eviction, families are not able to cook food or spend money on food. This is also because they lose food supplies and cooking implements during the brutal demolition drives. The surge in expenditure related to rebuilding homes or relocating, and the inevitable loss of income resulting from loss of livelihoods also contribute to a much lower expenditure on food and healthcare, which directly contributes to increased morbidity and vulnerability of evicted persons, especially children, older persons, persons with chronic and serious illnesses, and pregnant and lactating women.

Inadequate living conditions resulting from loss of housing directly contribute to a deterioration of the health of affected persons, including over the long-term. For instance, Gadia Lohar families that lost their homes in Mansarovar Park, Delhi in 2017 continue to suffer from adverse health impacts, as a result of inadequate housing and water and sanitation facilities.

b. Violation of the Human Rights to Adequate Housing, Land, and Security of the Person and Home

“The human right to adequate housing is the right of every woman, man, youth, and child to gain and sustain a safe and secure home and community in which to live in peace and dignity.”

~ Special Rapporteur on Adequate Housing, E/CN.4/2006/41

As affirmed by the United Nations, the act of forced eviction is a gross violation of the human right to adequate housing. When the state demolishes houses, people lose not just the roof over their heads but their security, safety, and substantial investment in that housing, which is often built over many years with hard-earned savings and personal labour. Since resettlement is seldom provided to affected families, they are either rendered homeless or forced to live in very inadequate housing. This affects the realization of multiple human rights of affected persons and results in an overall deterioration in their standard of living. The loss of housing for children has serious long-term impacts and greatly impedes their development as well as their ability to study, play, and grow in a safe and secure environment.

Forced evictions also violate the human right to security of the person and home, and increase vulnerability of evicted/displaced persons, in particular of women and children, to a range of violations, including sexual violence and abuse and an increased threat of trafficking. In some instances, early marriage of adolescent girls has been reported in the aftermath of an eviction, as parents, worried for their daughters' safety, prefer to marry them off rather than have them live on the streets or in insecure and remote resettlement sites.

“My hand was injured by the police during the demolition. They pushed me and then bulldozed my house. We are poor people, where do we go?”

A woman who was rendered homeless after being evicted from Shakur Basti, Delhi in May 2019

c. Violation of the Human Right to Education and Children's Rights

One of the immediate impacts of a forced eviction is that children are not able to attend school. This is due to several reasons. As reported above, evictions often occur during or just before school examinations or during the academic year. Children who are evicted or witness demolition of their homes are unable to appear in examinations, as a result of which they often lose an entire academic year and consequently, drop-out of school. The loss of uniforms, school books, and school bags during the demolition process also impedes children's ability to attend school and study.

In Delhi, for instance, in several sites children reported that teachers would not admit them to school without a school uniform, which they lost during the bulldozing of their homes. Their parents could not afford to buy them new uniforms because of the extensive losses suffered by them as a result of the eviction. Affected families often incur increased financial costs to retain their children in schools that are located far from resettlement sites or alternative housing locales. Those who cannot afford the increased expenditure are forced to pull their children out of school. The girl child is generally most afflicted and often stops studying in order to take care of younger siblings or contribute to the household income, or because of safety concerns.

"After the eviction from my home and relocation to Perumbakkam, I have to travel 25 kilometres to my school (one-way) and there is no proper bus facility. On most days, I find no seat in the bus and, thus, I have to sit on the bus floor, as I am too tired to stand. I do not like the new tenements we have been given in Perumbakkam, as the ceiling leaks and the corridors are not well-lit. It is dark most of the time. By the time I return from school, the roads and streets are dark and I am unable to play because I am tired from the long journey and it is also not safe. I am unable to concentrate on my studies because I spend all my time commuting. Most of the days, I skip breakfast, and by the time I reach school I am tired. As we were evicted in the middle of the academic year, shifting to a new school has been very challenging. The school in Perumbakkam is not very good. I have no option but to commute 50 kilometres a day as I want to continue studying."

~ A girl studying in class nine, who was evicted from Kakkan Nagar, Chennai in September 2019

In Chennai, 36 of the 42 settlements that witnessed forced evictions in 2019 were forcibly relocated during the middle of the academic year. This resulted in children having to travel 22 kilometres (one way) from their new sites of residence to their old schools, in order to continue with their education. After persistent demands from the affected communities, special bus arrangements were made for families relocated from two sites. However, the bus facilities did not cater to all locations from which children had been evicted nor were the special buses sufficient and proportionate to the number of children accessing schools from the resettlement site.¹⁴⁴



Children rendered homeless after demolition of their houses

Adverse Impacts of Forced Evictions and Displacement on Children

The immediate and long-term impacts of forced evictions, displacement, and inadequate resettlement on children are acute and include psychological trauma, mental illness, fear, insecurity, anxiety, loss of education, loss of health, and increased vulnerability to sexual abuse and violence. Girls are often more seriously affected, forced to drop out of school, and also are more prone to trafficking and early marriage.

d. Violation of the Human Right to Work/Livelihood and Reduced Income

Evictions, displacement, and relocation adversely impact affected persons' right to work/livelihood. When families lose their homes, they are not able to go to work for several days until they find alternative accommodation or are able to rebuild their homes. This results in many people losing their jobs. Those who are forced to move to distant resettlement sites or to other locales, have to seek new employment, which is often difficult to find. Women's livelihoods are most adversely affected.

The loss of livelihoods results in a loss of income for already impoverished families. In addition, in the aftermath of an eviction they have to spend more on reconstructing homes, purchasing lost essential items, and often on securing vital documents, including election cards, ration cards, driving licenses, school certificates and other important documents, lost during the demolition process.

Families living in Yamuna Khadar and Gyaspur, Delhi suffered extensive loss of livelihoods because along with the demolition of their homes DDA officials also destroyed their crops.

An assessment study conducted by Information and Resource Centre for the Deprived Urban Communities (IRCDUC) and HLRN of 300 families resettled in Perumbakkam in the years 2017, 2018, and 2019 revealed that 92 per cent of the families have members who lost livelihoods after relocation and have not been able to get new jobs till date. Of the 300 families surveyed, only women lost employment in 182 families, while in 45 families, both men and women lost their jobs after relocation. Women have suffered the most from livelihood loss because of the great distance from the resettlement site to their places of work from the resettlement site. The lack of safety and the absence of adequate childcare facilities and after school facilities for children has prevented women from travelling long distances for work.



Crops of small farmers destroyed during the demolition drive in Yamuna Khadar, Delhi

HLRN

Adverse Impacts of Forced Evictions and Displacement on Women

Forced evictions, displacement, and inadequate resettlement disproportionately affect women. In the aftermath of an eviction, challenges faced by women are multi-fold. These include loss of livelihoods and access to food, breakdown of social structures and support systems, debilitating health impacts, and increased vulnerability to gender-based violence. Incidents of home demolition and eviction also adversely impact economic and social vulnerabilities of women and exacerbate pre-existing and intersectional challenges faced by women in accessing their rights to housing, land, health, work, water, sanitation, privacy, and security.



Adolescent girls and women are at high risk of gender-based violence after they lose their homes

HLRN

6. Violation of National and International Laws, Policies, and Standards

Almost all the documented acts of forced eviction and demolition of homes across the country have violated the provisions of the Constitution of India, national and international laws, and progressive Indian court judgments that have interpreted the right to housing as an integral component of the right to life under Article 21 of the Constitution. They also violate The Right of Children to Free and Compulsory Education Act 2009 as well as several state and central laws that include provisions for due process, including the requirement of notice, for forced evictions. These include the Delhi Development Act 1957, Slum Areas (Improvement and Clearance) Act 1956, the Public Premises (Eviction of Unauthorized Occupants) Act 1971, and The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014, among other laws. Forced evictions by state authorities, especially during the pandemic, also contravene the duties of the central and state governments under the Disaster Management Act 2005 (Sections 36 and 39) to mitigate a disaster and provide shelter to affected persons.

By these acts of forced evictions, state authorities have also breached India's treaty obligations under, *inter alia*, the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; and the Convention on the Rights of Persons with Disabilities.

The reported acts of forced eviction also go against provisions of General Comment 4 ('The right to adequate housing') and General Comment 7 ('Forced evictions') of the UN Committee on Economic, Social and Cultural Rights; the Basic Principles and Guidelines on Development-based Evictions and Displacement; the UN Guiding Principles on Security of Tenure for the Urban Poor; the New Urban Agenda; the UN Declaration on the Rights of Peasants and Others Working in Rural Areas, and, The 2030 Sustainable Development Agenda. Furthermore, acts of forced eviction and displacement compromise India's commitment to implementing the Sustainable Development Goals.

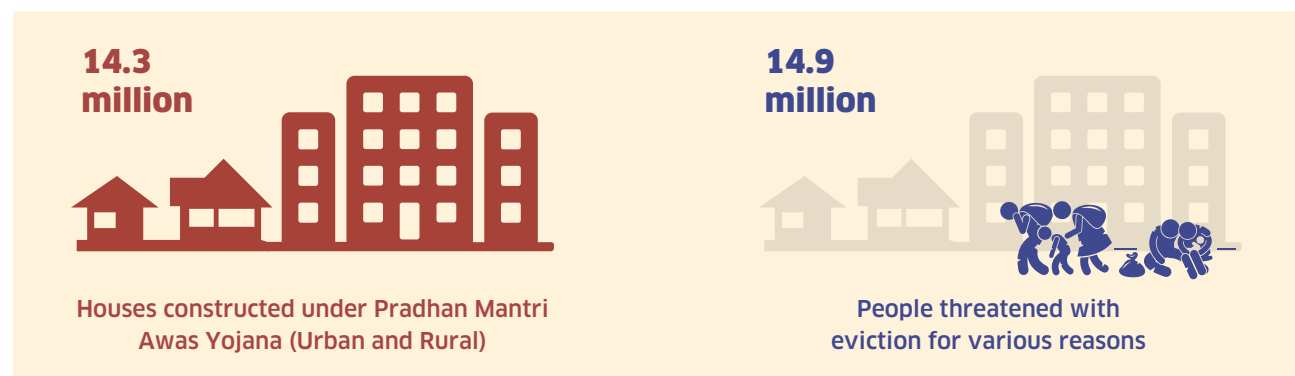
Several courts in India, including the High Court of Delhi and the High Court of Bombay, have denounced forced evictions as violations of human rights and international law. In 2019, the High Court of Bombay [W.P. 14102/2019] affirmed:

General Comment No. 7 prohibits forced eviction stressing that the State itself must refrain from forced evictions and ensure that the law is enforced against its agents third parties who carry out such evictions. It is settled law that The International Covenant on Economy, Social and Cultural Rights is binding upon the Government of India, as it is a multi-party treaty, ratified by India in 1976. Consequently, the obligations under the said covenant are enforceable in India.

The continued occurrence of forced evictions also violates several progressive judgments of the Supreme Court of India and state High Courts that have called for protection of human rights and due process during any eviction or relocation procedure. For instance, in the historic judgment of *Sudama Singh v. Government of Delhi* (2010), the High Court of Delhi recognized and upheld the human right to housing and the state's legal obligation to fulfil it, including for low-income residents. The Court adopted a human rights-based approach to hold that forced evictions violate multiple human rights, while also recognizing the right to resettlement. However, the favourable directives from the case have not been implemented in letter and spirit, even ten years after the judgment, leading to continued deprivation and marginalization of the affected petitioners, lack of comprehensive state policy on forced evictions, and continued instances of eviction without due process.

The incidents of home demolition disregard the objectives of the central government's Housing for All-2022 scheme/PMAY as well as several state housing schemes that cite provision of housing for economically weaker sections and low-income groups as their goal. With each home destroyed, the government backtracks on its

commitment to provide ‘housing for all.’ Government data indicates that as of 15 July 2020, 10.9 million houses (of the targeted 22 million) had been constructed under the rural component of PMAY,¹⁴⁵ while as of 15 June 2020, PMAY – Urban had recorded the construction of 3.4 million houses (of the ascertained demand of 11.2 million).¹⁴⁶ The total housing constructed under PMAY, to date, thus amounts to about 14.3 million units. Given the widespread demolition of homes over the last three years and the grave threat of eviction faced by over 14.9 million people, progress made under the national housing scheme could be offset considerably.



7. Impacts on Dalits, Adivasis, and Other Marginalized Communities

Forced evictions in 2019 affected several marginalized communities, including economically weaker sections, Dalits/Scheduled Castes, and Scheduled Tribes/Adivasis/Indigenous/tribal peoples. Since India's independence in 1947, it is estimated that of those displaced across the country for ostensible 'development' projects, 40 per cent are Adivasis/tribal peoples while 20 per cent are Dalits/Scheduled Castes.¹⁴⁷ In 2019, information available with HLRN reveals that marginalized communities were affected by forced evictions and home demolitions in several states, including in Assam, Bihar, Delhi, Kerala, Odisha, Tamil Nadu, and Uttar Pradesh.

Several incidents of home demolition and eviction across the country have disproportionately affected Dalits and Adivasis. In Chennai, an estimated 60–70 per cent of the families evicted in the year 2019 were Dalits whereas in Delhi, about 70 per cent of the evicted families comprised Scheduled Castes/Dalits and Other Backward Classes.

Over 100 Mahadalit (a marginalized group among Scheduled Castes) families were forcibly evicted in Begusarai District, Bihar in January 2019 in a drive to remove 'encroachments'.¹⁴⁸ In Assam's Thekeraguri Village, 120 tribal/Indigenous people belonging to the Ahom, Deuris, Kachari, and Sonowal communities were forced to vacate government land for the construction of a hydroelectric project.¹⁴⁹ More than 100 tribal families in Kerala's Wayanad District were removed from their dwellings, allegedly because their names were missing from a list of landless tribal people.¹⁵⁰ In 2019, the Gadia Lohar community, a historically nomadic community, witnessed demolition of homes in Faridabad, Noida, and Sahibabad.



Gadia Lohar families who lost their homes during 'anti-encroachment' drives in Sector 77, Noida (left) and in Sahibabad (right)

In Odisha, Dalits and Adivasi communities were affected by several incidents of forced eviction in different parts of the state. In Bhalugadia Village, 41 Dalit families were evicted for the expansion of the Hingula open cast coal mine while in Rakas Village, 18 Dalit families were evicted for the expansion of the Jagannath open cast mine. A road construction project led to the eviction of seven Dalit families while six Dalit families were affected in Haldipadia, Bhubaneswar for the removal of 'illegal' constructions. In Bhubaneswar's Sitaram Basti, 55 Dalit and tribal families were displaced for the construction of a bus terminal.

In Komaram Bheem District of Telangana, 16 Adivasi families, including a pregnant woman, were rendered homeless and illegally detained by the Forest Department in June 2019, under the guise of protecting the forest. The families claimed that they had been cultivating the forestland for over 50 years and were caught unawares when the demolition began. The notices served to some families were in Telugu, which the villagers did not understand. After the eviction, the families were brought to the Forest Timber Depot at Vempalli and not allowed to leave. They were reportedly provided one meal a day and had to sleep under the open sky, in the absence of any accommodation. After a *habeas corpus* writ was filed in the High Court for the State of Telangana [W.P. 11946/2019], the Forest Department produced the 16 families in Court. The Court took notice of the issue and

ordered the authorities to immediately provide accommodation to the affected families, and sufficient ration and essential supplies, along with medical facilities. The state government was directed to assign alternative land to the families within a period of six months with irrigation facilities and agricultural implements, and to construct houses for them within a period of one year.¹⁵¹ The Court remarked that:

Being a welfare State, it is the foremost duty of the State to look after its tribal population. Undoubtedly, a large portion of the tribal population lives in the forest area, where they and their ancestors have spent their lives for decades, if not for centuries. Since the tribal population is rooted in the dense forest land in the mountains and rivers of the State, they are wedded to their land, both physically and psychologically. Hence, their entire life revolves around the forest, and its wildlife, and its environs.

Article 21 of the Constitution has been interpreted creatively by the Apex Court that right to live would necessarily include the right to preserve not only one's own life, but preserve one's own culture, and tradition, and social norms and one's faith. Thus, before the tribal population is uprooted from its natural surrounding careful steps need to be taken by the State as not to wrench the tribal population and to throw them into a vacuum.

However, even a year after the High Court's order, the displaced families have not been resettled.¹⁵²

In Assam's Sonitpur District, 450 houses of the Muslim community were demolished on religious grounds, allegedly because they were suspected to be 'Bangladeshis.'¹⁵³ In Hojai, also in Assam, over 600 Muslim families witnessed demolition of their homes during a drive to remove 'encroachments.'¹⁵⁴

Loss of housing and displacement also results from violence and discrimination against Dalits and other marginalized groups. In June 2019, 25 houses belonging to Dalit families were set on fire in Katihar District, Bihar by miscreants, allegedly for land grabbing.¹⁵⁵ At least 150 houses of poor Muslim families in the Bhusa Mandi area of Meerut, Uttar Pradesh were burnt during an 'anti-encroachment' drive in the city.¹⁵⁶

During the pandemic, several Dalit and Adivasi communities witnessed forced evictions, including in Siddipet in Telangana, Sagada Village in Odisha, Macheng Village in Manipur, and the villages of Hardi, Jaganpur Chak, and Siwal in Madhya Pradesh.

Additionally, a large number of Adivasis face the imminent threat of eviction from mining and infrastructure projects on their ancestral lands. For example, over 9.5 million¹⁵⁷ Adivasis and other forest-dwellers could potentially be evicted as the Supreme Court examines the validity of their claims under the Forest Rights Act 2006. Similarly, a large number of indigenous communities are likely to be displaced due to the Mumbai–Ahmedabad High Speed Rail Project in Gujarat and Maharashtra; the Polavaram Irrigation Project in Andhra Pradesh; tourism projects around the Statue of Unity in Gujarat; 'encroachment-removal' drives in the Sanjay Gandhi National Park in Maharashtra; expansion of the 'core area' of the Panna Tiger Reserve in Madhya Pradesh; and coal mining projects in Chhattisgarh, Jharkhand, and Odisha, among others.

Children, women, persons with disabilities, transgender persons, and older persons are the worst affected by forced evictions and displacement. Thus, an intersectional lens is useful to assess the disaggregated and disparate impacts of forced eviction on different communities, individuals, and groups.

8. Limited Access to Remedy and Justice

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

59. All persons threatened with or subject to forced evictions have the right of access to timely remedy. Appropriate remedies include a fair hearing, access to legal counsel, legal aid, return, restitution, resettlement, rehabilitation and compensation...

The majority of evicted and displaced persons in India do not have access to justice, neither is their right to effective remedy protected or fulfilled. In most cases, affected persons are left to fend for themselves with limited recourse to relief and redress. Most state grievance redress mechanisms do not address issues related to forced evictions and displacement. As the urban and rural landless poor are generally perceived as ‘encroachers’ or ‘illegal’ residents by the state and its law-enforcement authorities, their pleas for justice are often ignored. Where they are able to generate resources or are supported by institutions, they approach courts or national and state human rights institutions for relief.

Several complaints on evictions across India have been registered with relevant national and state human rights institutions. These institutions generally respond by seeking explanations in the form of reports or replies from concerned state agencies. Independent investigations or punitive action against responsible officials, however, are seldom undertaken.

Role of Courts in Forced Evictions

The Supreme Court of India and several state High Courts, in numerous judgments, have upheld the right to housing/shelter as an inalienable component of the fundamental right to life. However, in 2019, **court orders and their interpretation by state authorities were responsible for at least 14 incidents of forced eviction** recorded by HLRN. These orders resulted in the **eviction of over 20,500 people**, including in Assam, Delhi, Jharkhand, Madhya Pradesh, Maharashtra, Tamil Nadu, Uttarakhand, and Uttar Pradesh.

For instance, 400 houses in Bokaro, Jharkhand were demolished in August 2019 following an order of the Estate Court to remove ‘encroachments’ for the expansion and development of the Bokaro airport. The order also stated that the administration would recover the costs of the demolition from the ‘encroachers’¹⁵⁸ who were people from very low-income groups. Similar demolitions near the airport had been conducted a few years ago, under an expansive order of the High Court of Jharkhand [W.P. (PIL) 1783/2011]. In that case, the High Court had taken action against public sector companies in Jharkhand, which had permitted persons without legal titles to live on public properties, and ordered their eviction.

In Tamil Nadu, the Madras High Court continued its strong stance against ‘encroachments’ despite the state government’s reluctance to demolish lower-income settlements, in some cases. For instance, in Velachery, Chennai, about 56 families were evicted from land belonging to the Indian Railways in June 2019. The eviction had been ordered by the Madras High Court [W.A. 687/2018] and was later confirmed by the Supreme Court of India [S.L.P 2148/2019]. The evicted families have been moved to the resettlement site at Perumbakkam, where reportedly, they are living in inadequate conditions.

In Jeeva Nagar, Coimbatore, authorities demolished 200 houses as per the direction of the Madras High Court in *K.K. Pudur Residents’ Welfare Association v. The District Collector, Coimbatore District* [W.P. 9958 and 19121/2012, 9477/2016]. The Court rejected the plea of the District Collector that the settlements were inhabited by economically weaker sections of society and demolition would cause them severe hardship. Instead it held that:

Merely because the encroachers/occupants have been there for a long period of time, because there is a declaration by (Tamil Nadu Slum Clearance Board) TNSCB as Slum Area and because certain sums of money have been spent by TNSCB towards improvement of the said slum area towards provision of basic amenities it cannot be held that the occupiers/encroachers have acquired any right much less an indestructible right beyond the ambit of the State duty to remove encroachments.

Consequently, affected families that had been living at the site for many years were forced to relocate to Keeranatham, and their homes were demolished in October 2019. In a similar order [W.P. 9817/2017], the Madras High Court had proactively ordered the demolition of a settlement on public land, despite the state government's clarification that the settlement was neither a hindrance nor causing any nuisance to anyone.

In Karur, Tamil Nadu, over 50 houses were demolished under various orders of the Madras High Court to remove 'encroachments' near Karur Lake. In an order dated 2 August 2019, in *suo moto* W.P. (MD) 17136/2019, the Court held state authorities responsible for not acting against the 'encroachers' and stated:

It, prima facie, appears, that on account of the lethargic attitude exhibited by the concerned official respondents, encroachers began to think that it is their fundamental right to encroach upon the water bodies as well as public lands and it is high time that the top echelons of the Government should wake up to the reality and take appropriate, speedy and remedial action.

In an earlier order dated 24 October 2018 [W.P. (MD) 16338/2016], related to the same site, the Court had refused to take into consideration that land titles (*pattas*) had been issued by the government to people settled around the lake to carry out agricultural activities:

Despite number of directions issued, unauthorised occupants are continuing to hold water bodies with the tacit support of the officials. Issuance of 2B patta certainly will not give any right and that too over the water body. Nobody is entitled to do agricultural operations or to use the land for any other operation, when it is classified as water body.

The High Court of Madhya Pradesh, in a series of orders [W.P. 11270/2012, 18902/2014], directed the removal of 'encroachments' from the hilly region around Jabalpur, allegedly to protect forests and preserve green areas. Consequently, the state authorities demolished over 2,628 structures, including houses, from the Madan Hills area.

Orders from the National Green Tribunal (NGT) were also responsible for multiple incidents of forced eviction in 2019. Directions from NGT to clear 'encroachments' near Arthala Lake led to the demolition of at least 25 houses in Ghaziabad, Uttar Pradesh in May 2019, with over 500 houses near the Lake faced with the threat of eviction. In an order dated 20 September 2016 [O.A. 180/2015, Principal Bench], NGT had directed the Government of Uttar Pradesh to take steps to remove 'encroachments' from the area for the protection of water bodies. However, in the same order, the bench refused to prohibit the ongoing construction of a six-lane elevated road in the area.

Over 500 houses in Yamuna Khadar, Delhi were demolished without notice by DDA in October 2019. The eviction was carried out in pursuance of orders from NGT [O.A. 6/2012, Principal Bench] to remove 'encroachments' on the Yamuna floodplain. Subsequently, the High Court of Delhi in *Yamuna Khadar Slum Union v. Delhi Development Authority* [W.P. (C) 10900/2019], prohibited further evictions in the area in view of the approaching winter. As the demolition had been carried out without due process, the Court directed DDA to rehabilitate persons rendered homeless within 10 days or allow them to set up temporary camps in the area. However, in a counter case filed by DDA [L.P.A. 681/2019], the High Court of Delhi stayed the implementation of its earlier order in favour of the residents. On 18 February 2020, NGT empowered DDA to constitute a Special Purpose Vehicle for the rejuvenation of the Yamuna River and remove 'encroachments' in the area. Consequently, the threat of demolition remains over 2,000 houses in the area, and it is not clear whether the requirement of due process, as laid down in the High Court of Delhi judgment in the case *Ajay Maken v. Union of India*, will be implemented.

The year 2019 also witnessed some progressive judgments from courts. In March 2019, the High Court of Delhi delivered a landmark judgment in *Ajay Maken v. Union of India* [W.P. (C) 11616/2015], where the Court

unequivocally recognized the human right to adequate housing, as laid down in international law, and held that any eviction carried out without due process would be illegal. The Court stated that before conducting evictions, authorities must explore other alternatives to avoid demolition, provide appropriate notice and consult affected persons, and provide adequate rehabilitation and compensation. The judgment set a precedent to provide relief to persons affected by forced evictions without due process. The Court stated that:

The right to the city (RTTC) acknowledges that those living in JJ clusters in jhuggis/slums continue to contribute to the social and economic life of a city. (...) Prioritising the housing needs of such population should be imperative for a state committed to social welfare and to its obligations flowing from the ICESCR (International Covenant on Economic, Social and Cultural Rights) and the Indian Constitution. The RTTC is an extension and an elaboration of the core elements of the right to shelter and helps understand the broad contours of that right.

.....

The decisions of the Supreme Court of India on the right to shelter and the decision of this Court in Sudama Singh require a Court approached by persons complaining against forced eviction not to view them as 'encroachers' and illegal occupants of land, whether public or private, but to require the agencies to first determine if the dwellers are eligible for rehabilitation in terms of the extant law and policy.

In August 2019, about 10 houses in Lajpat Nagar, Delhi, were demolished by the Indian Railways, without prior notice, on grounds that the houses were situated too close to the railway tracks and beyond the permissible safety limit. The High Court of Delhi [W.P. (C) 10545/2019] provided relief to the affected persons and held that:

In view of the judgment of this Court in Ajay Maken, it is expected that the respondent no. 2 (Railways), before taking any demolition activity, would at least follow the above procedure and identify an alternate area where the jhuggies can be shifted, granting the jhuggie dwellers sufficient time to shift from the jhuggies before the demolition activity is undertaken.

In September 2019, the Bombay High Court [W.P. 14102/2019] had ordered relief in the form of alternative housing or payment of rent for families living in the toxic resettlement site of Mahul.

9. Extensive Threat of Eviction and Displacement

In addition to the reported incidents of forced eviction in 2019, HLRN has also documented information on several imminent threats of forced eviction and displacement across the country. **Over 14.9 million (1.49 crore) people in India currently live under the threat of eviction and displacement** (see map in *Annexure III* and table in *Annexure VIII* for details). This estimate is based on primary and secondary research by HLRN. The actual number could be much higher, as there is no official data on people facing eviction threats in the country. Reasons for potential displacement include infrastructure projects, forest protection, restoration of water bodies, removal of ‘encroachments’ and clearance of government land; implementation of court orders; and, tourism development.

Infrastructure Projects

The Mumbai–Ahmedabad High Speed Rail Project (‘bullet train’ project) is likely to affect at least 14,900 families that have been identified as ‘Project Affected Households’ by the ‘Resettlement Action Plan’ prepared for the project. Of the total affected households, about 35 per cent belong to the ‘vulnerable category,’ which includes households where the “head of the family is Scheduled Caste, Schedule Tribe, WHH (widow, separated woman, single woman), disabled, Below Poverty Level, and persons above 65 years of age with no immediate family members to support.”¹⁵⁹ The project requires the acquisition of over 1,434 hectares of land and 3,892 structures to be demolished or ‘impacted.’ In addition to loss of lands and livelihoods, the project is also expected to result in the felling of 38,000 trees and will affect 37 ‘Common Property Resources.’¹⁶⁰ Reports indicate that as of July 2020, 60 per cent of the land for the project had been acquired.¹⁶¹ Since its inception, the project has been challenged by affected persons, including through 100 petitions in the Gujarat High Court. Petitioners who are affected farmers have raised issues related to non-compliance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, inadequacy of compensation, and privatization of Social Impact Assessments, among other problems.¹⁶² Activists working with affected communities have drawn attention to how various barriers, including language and bureaucratic processes, were systematically used to prevent communities from being involved in the land-acquisition process.¹⁶³ In response to a question raised in the Lok Sabha, Parliament of India, the Minister of Railways declared that around Rs 7,065 crore (70.65 billion) had been spent on the project, as of February 2020, mainly on “land acquisition, litigation in courts, conducive law and order situation,” among other expenditure heads.

The Ministry of Railways has directed the National High-Speed Rail Corporation to prepare Detailed Project Reports for six more High Speed Rail corridors, namely, the Delhi–Varanasi corridor, the Delhi–Ahmedabad corridor, the Mumbai–Nagpur corridor, the Mumbai–Hyderabad corridor, the Chennai–Mysore corridor, and the Delhi–Amritsar corridor, all of which are likely to result in the displacement of thousands of people across the country.¹⁶⁴

Being constructed by the Kerala Rail Development Corporation, the 540-kilometre ‘Thiruvananthapuram–Kasargod Semi High-Speed Rail’ or ‘silver line’ project requires the acquisition of 1,200 hectares of land.¹⁶⁵ On 10 June 2020, the Government of Kerala approved its Detailed Project Report and set the target for its completion by 2025.¹⁶⁶ The project is now being touted as a means to revive economic activity in the state after the COVID-19-induced recession.¹⁶⁷ It is estimated that 80,000–100,000 people would be displaced by this project.¹⁶⁸

In Manipur, road construction projects being financed by the Asian Development Bank could displace over 571 families in Phalong Village, the Langol foothills, and other areas in Imphal East and West. Also in Manipur,



Asian Development Bank-sponsored road project in Phalong

over 140 families are threatened with displacement due to the proposed Irang Hydroelectric Project, which local communities are opposing.

A project that has already displaced thousands of families and threatens to displace over 500,000 more people is the Polavaram Irrigation Project, which was declared a National Project by the Andhra Pradesh Reorganization Act 2014. According to the Ministry of Jal Shakti (Water Resources), 105,601 families in Andhra Pradesh have been identified as 'Project Displaced Families,' of which 3,922 families had been rehabilitated, as of December 2019.¹⁶⁹ It is estimated that 300 villages will be submerged and over 55,000

Adivasi families will be displaced by the dam construction.¹⁷⁰ The National Commission for Scheduled Tribes has asked the state government to address the specific vulnerabilities of Scheduled Tribes, including providing them with 'land for land.'¹⁷¹ Despite the rising incidents of COVID-19 across the country, in early July 2020, the Government of Andhra Pradesh announced plans to relocate 7,000 families from the Velairupadu *mandal*¹⁷² (15 villages) by the end of July and from Polavaram *mandal* (19 villages) by the end of August 2020. Affected families protested the move, and objected to the timing of the forced relocation and the fact that the government had not announced a rehabilitation package.¹⁷³



Affected persons protesting the Irang Hydroelectric Project that would displace them

GRAM

The Poola Subbaiah Veligonda Project is likely to result in the displacement of 7,555 families in Prakasam District of Andhra Pradesh. This irrigation project includes the Nallamala Sagar Reservoir and proposes to draw flood water from the Krishna River and impound the reservoir through a feeder canal.¹⁷⁴ Reportedly, 2,938 'Project Displaced Families' have chosen to accept a 'one-time settlement' in cash whereas arrangements for rehabilitation for the remaining 4,617 families, reportedly, will be made under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.¹⁷⁵

Also in Andhra Pradesh, seven villages in YSR Kadapa District will be submerged by the Gandikota Reservoir project. The state Department of Water Resources has listed 5,647 families of these villages as 'Project Displaced Families'¹⁷⁶ that are supposed to be compensated and rehabilitated according to provisions of the law.

In Dharamshala, Himachal Pradesh, at least 900 families, including in the villages of Gaggal, Ichhi, Matour, and Sohra, live under the threat of displacement for the Kangra Airport expansion project.¹⁷⁷ The draft plan of the Airport Authority of India states that more than 40 hectares of land are to be acquired to increase the length of the runway from 1,370 metres to 3,010 metres.¹⁷⁸

Despite directions from the National Green Tribunal [O.A. 49/2016, Western Zone] restraining the Vadodara Municipal Corporation from proceeding with the Vishwamitri Riverfront Development Project, plans have been made to revive it.¹⁷⁹ While calling for implementation of orders from the Supreme Court of India and NGT, activists have drawn attention to the environmental and economic unfeasibility of the project.¹⁸⁰ Studies have documented that since 2014, over 5,000 people living in 'informal settlements' along the river banks, including in Indira Nagar, Kalyan Nagar, and Sanjay Nagar, have already been displaced by project-related construction.¹⁸¹ Affected families have been shifted to Tarsali, which is 12 kilometres away from their original site of residence.¹⁸² Another 3,000 houses are at risk of being demolished for the project.¹⁸³

In Gujarat, at least 5,000 Adivasis living in the villages of Gora, Kevadiya, Kothi, Limdi, Navagam, and Waghariya around the Statue of Unity, reportedly, live under the threat of displacement, as a result of multiple projects proposed to boost tourism in the region.¹⁸⁴ In 2018, more than 100 families lost their homes and lands for the project. Activists working with affected communities in the region have reported how certain laws are being used to systematically evict original inhabitants of the area, mainly consisting of impoverished Adivasi communities. The enactment of a new law—the Statue of Unity (SoU) Area Development and Tourism Governance Act 2019—has fuelled this process. In addition, existing legal protections such as mandatory consent of the *gram sabha*

(village council) are being violated in order to promote tourism in the region.¹⁸⁵ After a public interest litigation [PIL 130/2019] filed in the Gujarat High Court regarding the state government's claim on the land was dismissed, affected families in the area have been actively resisting the fencing of land to be acquired for tourism projects.¹⁸⁶ In May 2020, at least 20 Adivasis in Kevadiya Village were detained while protesting the construction of a fence around their villages, during the COVID-19 lockdown, for the Statue of Unity project.¹⁸⁷

In Jharia, Dhanbad, 100,000 families are likely to be displaced from their homes, as a result of coal mining projects. For more than 100 years, coal mining in the area has resulted in underground coal fires. Despite the existence of the Jharia Rehabilitation and Development Authority since 2004, affected families have not been adequately rehabilitated.¹⁸⁸ Incidents of subsidence or collapse of surface land due to underground mining have contributed to the adverse health and inadequate living conditions of affected families. People have also lost their lives. Of the 100,000 families to be displaced, the government has labelled 72,000 families as 'illegal encroachers.' Reportedly, however, all families will be provided with alternative housing under the Housing for All-2022 scheme.

In February 2019, the Ministry of Environment, Forests and Climate Change issued clearance for open cast coal mining in Chhattisgarh's Hasdeo Arand—one of the largest continuous stretches of dense forest in India spanning 170,000 hectares—which is rich in biodiversity and inhabited by threatened species of wildlife.¹⁸⁹ The forest is also home to the indigenous Gond tribe that depends on it for food, medicines, livelihoods, and worship. With mining activities in the area, about 80 per cent of the entire forest area, which includes 30 villages, is likely to be lost.¹⁹⁰ Affected communities have been protesting the approval granted to the mining project on grounds that their consent was not taken. In June 2020, the central government announced the auction of 41 coal mines for commercial mining, including in 'no-go' forests and biodiversity-rich areas, giving rise to fears of increased displacement and deforestation.¹⁹¹ About 20,000 families, mostly Adivasis, face the threat of displacement from commercial mining in the states of Chhattisgarh, Jharkhand, and Odisha.¹⁹²

Environmental Projects

In Maharashtra, over 2,500 people from the Warli community living within the perimeter of the Sanjay Gandhi National Park, face the threat of eviction. The Warlis, who are recognized as a Scheduled Tribe, have been living in close proximity to the forests in north Mumbai for generations. Orders of the High Court of Bombay [W.P. 305/1995] to remove 'encroachments' from the Park threaten to uproot the Warlis from their land. While the Court had directed those who could prove their tenure before 1995 to be provided resettlement upon payment of Rs 7,000, many families do not have documents to establish their residence. Moreover, they are reluctant to move into inadequate resettlement sites away from the forest, and are instead, demanding permission to build permanent houses on their ancestral land, with access to essential services, including water, sanitation, and cooking gas connections.¹⁹³

About 150 people from the Adivasi village of Rampura, situated in the buffer zone of the Panna Tiger Reserve in Madhya Pradesh are at risk of being evicted for the expansion of the Reserve's 'core area.' Affected villagers, who mainly rely on agriculture, have been protesting the potential displacement from their ancestral land without the allocation of alternative land.¹⁹⁴ Residents of other villages in the buffer zone, such as Talgaon, have been forced to relocate in the past without adequate rehabilitation, which has resulted in the loss of their traditional livelihoods.¹⁹⁵

Following an order of the High Court of Kerala, 178 families living on the banks of the Konthuruthy Canal in Thevara, Kochi, face an imminent threat of eviction by the Kochi Municipal Corporation. All 'encroachments' along city canals have been ordered to be removed as part of 'Operation Breakthrough' to address water-logging issues and rejuvenate canals.¹⁹⁶ Of the 178 identified families, 42 families with 'possession records' over their land have been included in the beneficiary list of the state government's Livelihood Inclusion and Financial Empowerment (LIFE) Mission.¹⁹⁷

Across Delhi, more than 3,000 houses situated along the Yamuna River could be demolished as a result of orders of the National Green Tribunal [O.A. 6/2012, Principal Bench] for the restoration of the river and removal of ‘encroachments’ from its floodplains.¹⁹⁸ Another 5,000 families living in the settlements of Bela Gaon, China Colony, and Moolchand Basti on the banks of the Yamuna River are likely to be rendered homeless for the Yamuna Riverfront Development Project. The Delhi Development Authority (DDA) plans to develop nearly 1,500 acres on the river banks in order to “restore wetlands and the riverine ecosystem.”¹⁹⁹ In September 2019, the Lieutenant-Governor directed DDA to “prepare a comprehensive plan for the rejuvenation of the Yamuna in a sustainable manner.” Families living on the floodplains mainly consist of daily-wage earners and farmers who have consistently borne the brunt of several arbitrary evictions since 2016.

An order of the Gauhati High Court [PIL 78/2012] for the removal of ‘non-tribals’ from protected areas in Assam has threatened at least 202,786 families with eviction. Reportedly, many of these families are migrants who have been living in the area for decades and even hold titles to the land.²⁰⁰ Over the years, they have assimilated with the local tribal communities and adopted the local language and culture.

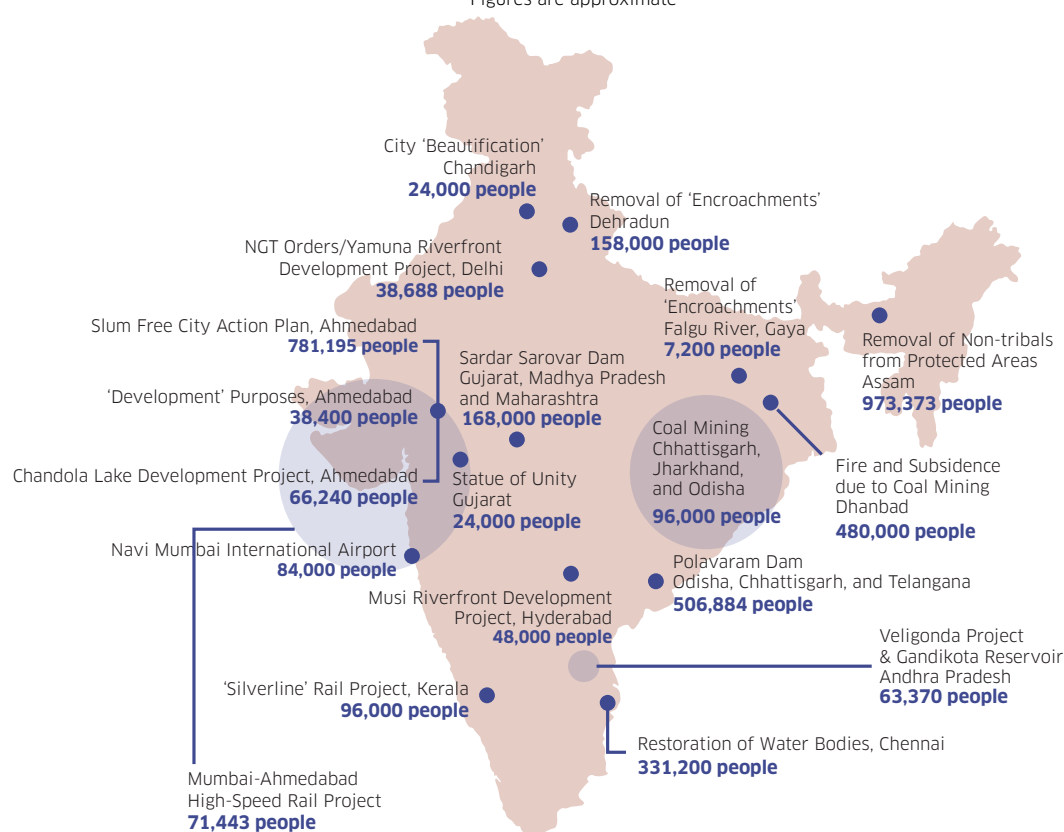
Over 300 more houses in the Madan Hills area of Jabalpur are likely to be demolished under the direction of the High Court of Madhya Pradesh [W.P. 11270/2012, 18902/2014] to remove ‘encroachments’ from hilly areas. The order resulted in the demolition of over 2,628 structures in 2019.

In Odisha, 35 families living in the Ramgarh settlement, located within the Budharaja Reserve Forest in Sambalpur, face the threat of eviction by the state forest department.²⁰¹

In Ambedkar Nagar, Bengaluru, over 300 houses could be demolished under an order of the National Green Tribunal [O.A. 125/2017, Principal Bench] to remove ‘encroachments’ from the buffer zone of Bellandur Lake. The settlement is home to over 1,000 people, many of whom have been living in the area for more than 40 years and have official documents validating their proof of residence.²⁰² While several families have been considered ‘eligible’ for resettlement, others including tenants, have been excluded. As the majority of people work in the informal sector, they are reluctant to move to the designated resettlement site, for fear of losing their livelihoods. In November 2019, an attempt to demolish the settlement was postponed, as a result of protests by residents.

Some of the Major Threats of Eviction

Figures are approximate



On the basis of a case filed by wildlife and nature conservation groups in the Supreme Court of India in March 2008, the Court has been examining the validity of claims made by forest-dwellers under India's historic Forest Rights Act 2006. In an order dated 13 February 2019 [W.P. (C) 109/2008], the apex court ordered the eviction of over 1.9 million forest-dwelling families—in 21 states across the country—whose forest claims had been rejected.²⁰³ When the Court was informed that several states had erroneously rejected claims of tribals over forestland, it stayed the evictions and directed the concerned state governments to file detailed status reports of the claims. With the case still pending in the Supreme Court, over 9.5 million²⁰⁴ affected forest-dwellers continue to live in extreme insecurity and fear of impending displacement, which would not only result in the loss of their homes and habitats, but also of their livelihoods, cultures, customs, and ways of life that have been in symbiosis with nature.

'Slum-clearance' and 'Beautification' Projects

As part of a 'city beautification project' under the Slum Rehabilitation Scheme, over 5,000 houses are likely to be demolished in Colony Number 4 in Chandigarh, despite strong resistance from affected persons. Reports indicate that arrangements for alternative housing have been made in Maloya for 4,000 families.²⁰⁵ In Hyderabad, over 10,000 houses situated on the banks of the Musi River face the threat of demolition for the Musi Riverfront Development and Beautification Project.²⁰⁶ In Dehradun, orders of the High Court of Uttarakhand [W.P. (PIL) 47/2013] could result in the demolition of 33,000 houses of low-income families living along the Rispana and Bindal rivers. Despite the promulgation of an ordinance by the state government to prevent any demolition without rehabilitation,²⁰⁷ 150 people were evicted in 2019.

Over 250 houses in Jaipur could be partially or fully demolished on account of orders of the Rajasthan High Court [W.P. 4783/2003] to 'remove encroachments' from various city roads.²⁰⁸

Despite a direction of the High Court of Delhi [W.P. (C) 11616/2015] prohibiting evictions without due procedure and adequate resettlement, residents of over 200 houses in Shakur Basti continue to live in fear of eviction by the Indian Railways. With the continued development of railway-related infrastructure in the area, many families repeatedly receive threats of eviction without any assurance of rehabilitation.²⁰⁹

About 162,000 houses in settlements across Ahmedabad are set to be demolished under plans to make the city 'slum-free' under the 'Slum Free City Action Plan 2020–25'.²¹⁰ Families living in 1,550 houses in Gulabi Tekra, Ahmedabad have suffered from multiple evictions over the years, including in 2017 and 2018, as part of an ongoing project under the In Situ 'Slum' Rehabilitation component of PMAY – Urban. Most of the affected families consist of daily-wage workers, migrant labourers, and artists involved in idol-making. While active resistance from residents and support of civil society organizations prevented the demolition of their houses in 2019, residents live in constant fear of being evicted. Also, in Ahmedabad, 15,000 houses located around the Chandola Lake in the Bada Chandola (Pandra Bazaar) area are likely to be demolished, as part of the Chandola Lake Development Project.

A large number of people across India have been living with the continued threat of displacement for many years. These include those living along the Delhi–Mumbai Industrial Corridor; persons affected by the Sardar Sarovar Project in Gujarat, Madhya Pradesh, and Maharashtra; and, those threatened with displacement from forestland-clearance drives in many states.

'Disaster Management'

Nearly 55,000 families residing on the banks of the Buckingham Canal, Cooum River, and Adyar River in Chennai continue to face eviction threats. As a sign of protest, in some settlements residents have not participated in the state's enumeration process. Families are continuing to demand *in situ* (on site) upgradation of their homes or proximate resettlement (within 3 kilometres), where *in situ* upgrading is not possible.

10. Loss of Housing from Fire and Arson

In addition to the loss of homes through direct demolitions and forced evictions, HLRN has also documented extensive loss of housing resulting from incidents of fire in low-income settlements.

According to information compiled by HLRN, in the year 2019, **over 2,400 houses of low-income families were reduced to ashes, affecting over 11,580 people** in settlements across the country (see *Annexure IX* for a list of reported incidents of fire in 2019). This data only reflects cases known to HLRN. The actual number could be much higher as many incidents are not reported. In 2018, HLRN had documented over 3,300 low-income families losing their homes to fire, which resulted in more than 15,800 people being rendered homeless.

In 2018 and 2019, HLRN documented that about 27,400 people lost their homes on account of fires in their settlements.

During 2019, several incidents of fire in low-income settlements were reported from across the country. These fires resulted in widespread destruction of houses, completely gutting down some settlements, as well as the deaths of several people. According to data from the National Crime Records Bureau, 12,748 lives were lost in fire incidents in India in 2018,²¹¹ implying that fires claimed 35 lives a day.²¹²



Fires in settlements often leave families homeless

Barring a few major incidents of fire in which many lives are lost and property extensively damaged, incidents of fire in informal settlements and the resultant loss of homes, living spaces, and the displacement of families, mostly go unnoticed. The victim-survivors of such fire incidents seldom receive adequate resettlement and compensation from concerned authorities making them vulnerable to homelessness and further displacement. At HLRN, since 2018, we have thus attempted to also document cases of fire incidents that result in homelessness and displacement of families. The aim is to bring to the government's notice such incidents and ensure proper rehabilitation of affected families. We also hope to raise the critical question, which needs further investigation, of whether all such fire incidents are accidents or acts of arson too. Often, fire is used as an insidious means of evicting people from land and clearing land for other purposes.

In most of the reported cases in 2019, the reasons attributed to fire and resulting housing loss included short circuits of wiring and gas cylinder blasts. However, in the majority of incidents, the exact cause of fire could not be ascertained. Conclusive evidence is lacking, as such incidents are rarely investigated. Information is also not available on rehabilitation provided to affected families. In some instances, local government authorities offered some monetary compensation and temporary relief to affected persons but not alternative housing.

In Sarfabad Village of Noida's Uttar Pradesh, a fire reportedly burnt down 250 houses in January 2019.²¹³ Affected families lost all their belongings, including valuable documents, in the fire. While survivors received immediate assistance in the form of food and material for setting up temporary shelter from people living in the adjoining high-rise apartments, there has been no reported support from the government.²¹⁴

In Yamuna Khadar, Delhi, about 15 houses were completely destroyed by fire on 12 January 2019. The families did not receive any compensation or rehabilitation from the government. In February 2019, about 250 houses were damaged by a fire, the cause of which has not been ascertained, in Delhi's Paschim Puri area.²¹⁵ The Delhi government had asked the Delhi Urban Shelter Improvement Board to rehabilitate the affected families but reports indicate this was not done.²¹⁶

In Meerut, Uttar Pradesh, at least 150 houses in Bhusa Mandi were burnt in a terrible fire in March 2019, during an 'anti-encroachment' drive.²¹⁷ The affected persons who worked mostly as daily-wage labourers lost their

homes and belongings, and were forced to sleep in the open in the cold weather. While the Special Investigation Team probing the incident identified several suspects including a political leader, reportedly, no compensation was given to the affected families.²¹⁸

In June 2019, over 100 houses were gutted in a major fire that broke out in Amritsar's Chamrang Road. While the definite reason for the fire is not known, fire department officials claim the fire spread due to the explosion of fuel canes, stoves, and gas cylinders. Affected families, however, believe that someone deliberately set their houses on fire.²¹⁹

In Jalandhar's Chabbewal, fire engulfed about 400 houses in July 2019.²²⁰ The reason for the fire is not known; neither is information available on whether families that lost their homes received any form of rehabilitation or compensation.

Residents of Delhi's Shaheed Bhagat Singh Camp suffered extensive damage when a fire gutted 250 homes in February 2019 while 40 families in Lalita Park, Delhi were rendered homeless when a fire destroyed their homes in the heat of April.



Shaheed Bhagat Singh Camp in Delhi devastated by a fire



Gutted homes in Lalita Park, Delhi

In December 2019, a fire incident in the Anaj Mandi area of Delhi claimed the lives of 43 people,²²¹ mostly migrant workers who earned a meagre income and lived in cramped conditions, within an industrial unit. The lack of affordable housing options, including rental housing, had forced them to live in such inadequate conditions.

The failure of the state to investigate such cases of fire and to adequately rehabilitate survivors of fire incidents in informal settlements presents a persistent story of not just their suffering but also of the possibility of other motives being responsible for the resultant clearance of land and displacement of families.

11. Displacement from Disasters in 2019

Though this report focuses on forced evictions and displacement by state authorities for various reasons, we also believe it is important to mention the extensive displacement that low-income and marginalized communities across India face from disasters. Very often, communities displaced from disasters are forced to migrate and live in inadequate conditions without security of tenure, which in turn heightens their risk of forced eviction and repeated displacement.

India registered the highest number of new displacements in the world due to natural disasters in 2019. The Internal Displacement Monitoring Centre estimated that over 5 million people (5,018,000) were displaced on account of natural disasters in India in 2019.²²² These mostly consisted of tropical storms, cyclones, and floods from monsoon rains. While government action in evacuating people has been commendable, in many instances, displacement of evacuees has been prolonged on account of loss of housing and damage to property.

In the year 2019, Cyclone Fani affected the states of Andhra Pradesh, Odisha, and West Bengal, and resulted in the evacuation of 1.8 million people. Cyclone Vayu resulted in the evacuation of 289,000 people in Gujarat in June 2019. In later months, monsoon rains resulted in the displacement of 2.6 million people. In Odisha and West Bengal, Cyclone Bulbul triggered the displacement of 186,000 people. Between March and June, a drought-like situation displaced 50,000 farmers in Maharashtra.

Such disasters are likely to rise on account of climate change. As of December 2019, India was estimated to have 590,000 people internally displaced as a result of disasters.²²³



Floods in Kalgachia of Barpeta District, Assam



Devastation after Cyclone Fani, Odisha

III. RECOMMENDATIONS



Housing and Land Rights Network has consistently stood against the practice of forced evictions, as they constitute a gross violation of human rights. It is, thus, of great concern that forced evictions continue across India, largely without due process, in contravention of national and international human rights laws, policies, and standards. The scale of the crisis has assumed even greater proportions during this time of a global pandemic, when despite the public health and economic crisis, the Indian government continues to demolish homes of the urban and rural poor, thus greatly increasing the direct risk to their health and lives. Incidents of such egregious violations, moreover, are never investigated or condemned by the state.

Given the emergency situation resulting from the unabated occurrence of forced evictions across India without any accountability, **Housing and Land Rights Network would like to propose the following recommendations**—which are based on and in compliance with international human rights standards and norms—for immediate implementation, **to the Indian government – at the central, state, and local levels.**

Recommendations Related to Remedial Action

1. Take immediate measures towards **restitution of human rights of all affected persons** by providing adequate compensation, resettlement, and rehabilitation; restoring homes, livelihoods, basic services, and education; ensuring access to places of work, education, and healthcare; and, enabling return to original sites of residence, where possible and desired. Provide compensation to all affected persons, based on human rights assessments and comprehensive criteria, for all losses—material and non-material—and damage incurred during the eviction/relocation/demolition process.²²⁴ Support evicted families to rebuild their homes at the same site if the land is vacant, or provide adequate alternative housing within a vicinity of three kilometres of the original site of residence.
2. Ensure that evicted, displaced, and homeless/landless families are considered for **priority housing and land allotment** under all state and central housing and land schemes. Those who lose their homes to fire should also be considered for priority housing.
3. **Investigate all incidents of forced eviction**, according to due process of the law, and take punitive action against those found guilty of violating the law, human rights, court orders, and health directives.
4. Conduct detailed **investigations of all incidents of fire** in ‘informal settlements’ to ascertain the actual reasons. If arson is the cause, prosecute those responsible. Develop a comprehensive rehabilitation policy for those who lose their homes to fires and ensure that just compensation is paid in time.

Recommendations Related to Positive Action and Prevention of Violations

5. Impose an **immediate national moratorium on forced evictions** and home demolitions. Housing and Land Rights Network has been calling for a moratorium on evictions in India for several years. This was also a recommendation of the UN Special Rapporteur on Adequate Housing, in her 2017 report on her mission to India.²²⁵ In light of the COVID-19 pandemic, the urgency to order a national ban on evictions is even greater. India should issue a strict national moratorium on home demolitions/forced evictions, for any reason, including ostensible ‘public purpose’ projects. At any time, forced evictions violate human rights and should be prohibited. However, under the current circumstances, demolishing homes and rendering people homeless would result in increasing their vulnerability and directly threaten their health and lives. As advised by the World Health Organization and the Indian government, an effective means to control

the spread of COVID-19 is to stay at home, as much as possible. It is thus imperative that the state does not destroy homes of those who have them.

6. Ensure that the national **moratorium on evictions** also covers **rental evictions**.²²⁶ Low-income communities that have suffered from economic hardship during the lockdown should not be evicted for their inability to pay rent. Several countries have cancelled rent and imposed moratoriums on rental evictions.²²⁷ In order to address livelihood concerns and the economic marginalization of small, low-income renters, the Indian government should consider a scheme of providing rental vouchers to low-income families to enable them to pay rent arrears, from March to December 2020.
7. Ensure the provision of **adequate services**, including water, sanitation, electricity, and access to food and livelihood sources to the urban and rural poor.
8. Recognize and uphold the human right to adequate housing,²²⁸ as guaranteed in international law. **Develop a comprehensive housing policy aimed at providing durable solutions for adequate housing for all.** This should include the adoption of a 'Housing First' approach to prioritize adequate housing for homeless persons and the provision of low-cost housing options along a 'housing continuum,' including hostels for migrant workers and single homeless people, collective housing arrangements, and social rental housing. In order to develop adequate policy response, states must conduct accurate surveys and collect disaggregated data on the number of migrant workers, homeless people, and others living without adequate housing. The 'Guidelines for the Implementation of the Right to Adequate Housing'²²⁹ developed by the UN Special Rapporteur on Adequate Housing should be incorporated into state housing policies.
9. Recognize that the right to housing is integrally linked with several other human rights, including the rights to work/livelihood, education, and health. Incorporate a **human rights and social justice approach** for implementation of all central and state schemes related to housing.
10. **Incorporate UN standards of 'adequate housing'** in all housing-related state interventions such as schemes, programmes, policies, and COVID-19 recovery plans. Adequate housing must include: legal security of tenure; provision of basic services; habitability; affordability; accessibility (for all); adequate location; cultural adequacy; physical security; participation and information; access to land, water, and other natural resources; freedom from dispossession, damage and destruction; resettlement, restitution and compensation; access to remedies; education and empowerment; and, freedom from violence against women.²³⁰

UN Basic Principles and Guidelines on Development-based Evictions and Displacement

25. In order to secure a maximum degree of effective legal protection against the practice of forced evictions for all persons under their jurisdiction, States should take immediate measures aimed at conferring legal security of tenure upon those persons, households and communities currently lacking such protection, including all those who do not have formal titles to home and land.

11. Ensure that the recently-announced central government proposal of providing **Affordable Rental Housing Complexes** for the urban poor is developed with the **active participation** of, and consultation with, migrant workers, homeless people, transgender communities, persons with disabilities, other urban poor communities, independent experts, civil society organizations, and social movements to ensure it is inclusive, feasible, and serves the needs of the affected populations. The role of the private sector should be limited and strictly regulated to ensure that profit does not become the primary motive behind the scheme. Instead, the scheme must incorporate the 'human right to adequate housing' framework to ensure that the urban poor, including all those working in the informal sector, have access to affordable, safe, and secure housing that enables them to live with dignity.

12. Include recommendations of affected communities, civil society, and independent experts, and finalize the long-pending draft **Model Tenancy Act**. The model law must include adequate provisions for rent control and ensure that housing is recognized as a human right and not a commodity for the purpose of financialization.
13. Compile **disaggregated data on evictions**, home demolitions, displacement and resettlement across India. This information should be published and regularly made available to the people.
14. Recognize and uphold the **right to land** of urban and rural communities. Take immediate measures to provide security of tenure to all those living in conditions of insecurity in urban and rural areas, consistent with the requirement of international human rights instruments, including General Comment 4 of the UN Committee on Economic, Social and Cultural Rights, and the UN Guiding Principles on Security of Tenure for the Urban Poor.²³¹ Tenure options should be flexible, provided along a spectrum – including rental housing, collective tenure options, and ownership; and, should be discussed with people to ensure the best solutions for them. Many families have been living in settlements for decades and have legal rights to the land based on the doctrine of ‘adverse possession.’ However, the state continues to view them as ‘encroachers’ and evicts them from their homes and land. This mindset needs to change and also needs to be reflected in state policy.
15. **Invest adequately in low-cost housing for low-income groups, with a focus on social housing.** Define ‘affordable housing’ on the basis of income to prevent its misuse. Prioritize participatory and human rights-based *in situ* (on site) upgrading of housing that respects peoples’ livelihoods and cultural needs. In areas where *in situ* upgrading is not possible, ensure that alternative housing/land is provided within three kilometres of people’s original places of habitation, after consultation with, and the consent of, affected communities. Ensure that people’s self-built housing is protected, improved, and regularized, through adequate budgetary investments, supportive policy frameworks, and technical assistance.
16. **Halt the creation of resettlement sites** in remote areas and on peripheries of cities. The state must stop forcefully relocating low-income communities to these sites under the garb of permanent housing and ‘resettlement.’ Despite extensive research on the negative impacts of such resettlement on the lives of affected populations, several states continue to push people into further impoverishment and ill health.
17. Ensure **coordination between different land-owning authorities**, including between those of the centre and states, and delineate responsibilities and accountability of agencies to guarantee that those responsible for relocation/eviction provide adequate resettlement and rehabilitation.
18. Carry out **comprehensive reviews of multiple laws**, policies, and schemes; ensure harmonization between them and consistency with human rights standards. Remove provisions that exacerbate existing inequalities and make women vulnerable to being evicted from their homes and lands.
19. Ensure that the **free and prior informed consent** of all affected persons is taken before any eviction/relocation/redevelopment/*in situ* upgrading project is finalized.
20. Carry out human rights-based ‘**eviction impact assessments**,’²³² consistent with national and international law, prior to the implementation of any project. Ensure that the differential impacts of evictions and displacement on women, children, and marginalized groups are taken into account, including through the collection of disaggregated data. All social, eviction, and environmental impact assessment documents should be made public, and must be shared with the affected persons.
21. Take specific preventive measures to avoid and/or **eliminate underlying causes of forced evictions**, such as speculation in land and real estate. The government should review the operation and regulation of the housing and tenancy markets, and when necessary, intervene to ensure that market forces do not increase the vulnerability of low-income and other marginalized groups to forced eviction.

22. **Define ‘public purpose’** adequately, consistent with human rights standards, to ensure that marginalized individuals, groups, and communities are not routinely displaced for projects that do not benefit them but instead result in their chronic impoverishment and increased marginalization. Adopt a **protocol** based on the UN Basic Principles and Guidelines on Development-based Evictions and Displacement,²³³ to ensure that any **relocation/eviction only takes place for ‘exceptional circumstances’** and complies with due process requirements and protects human rights of affected persons.
23. **Review** the nation’s **economic policy**, and its unsustainable reliance on projects that sanction evictions and displacement. The notion that a large number of the urban and rural poor must continue to pay for India’s economic growth has not only to be challenged but also removed from policy frameworks and their implementation. Special efforts must be made to ensure that evictions are not sanctioned and justified in India’s COVID-19 economic recovery plan. The state must realize that forced evictions lead to increased impoverishment of affected communities, including through loss of employment, education, and health. The long-term impact of such evictions, thus, has a direct bearing on the country’s GDP, another reason for imposing a moratorium on forced evictions and home demolitions.
24. **Implement progressive court judgments upholding the human right to adequate housing.** It is important to note that all state governments immediately implement court orders calling for evictions but do not implement orders aimed at providing relief and rehabilitation. This has been a consistent finding in HLRN’s research on forced evictions since 2015.
25. Implement **recommendations made to India by all UN human rights bodies** and Special Procedures, including those of the Special Rapporteur on Adequate Housing in her mission to India report.²³⁴
26. Implement recommendations accepted by India during its third **Universal Periodic Review**,²³⁵ especially the three recommendations related to providing adequate housing for all. These are:

161.155: Implement a human-rights based, holistic approach to ensure access to adequate housing as well as to adequate water and sanitation, also for marginalized groups, including Dalits/scheduled castes, homeless, landless, scheduled tribes, religious and ethnic minorities, persons with disabilities, and women.

161.156: Expand the “Housing for all” scheme to realise the right to adequate housing for vulnerable people and eliminate homelessness by 2030.

161.157: Continue the Housing for All policy led by the Government to eradicate by 2030 the problem of homelessness, in conformity with Goal 11 of the 2030 Agenda.
27. Ensure a **comprehensive monitoring system** in the country that integrates the national and international reporting framework. A large number of evictions violate not just human rights of affected persons but also harm the environment, and are carried out for projects that exacerbate climate change and compromise India’s international legal and moral commitments, including to the Sustainable Development Goals, the Paris Agreement, and international human rights law.
28. Incorporate a **human rights and climate justice approach** to implementing the Sustainable Development Goals (SDG), several of which relate to the need to improve housing and living conditions of the urban and rural poor. The indicators to monitor the Goals should be human rights-based and developed in consultation with independent experts and local communities. Reports submitted by the Government of India on progress made in SDG implementation, including as part of its Voluntary National Review at the High Level Political Forum in July 2020, do not present an accurate analysis of the situation on the ground, as they are devoid of human rights indicators and standards.

Specific Recommendations for State Governments

1. Develop and **promulgate laws on the human rights to adequate housing and land**, on the lines of the Odisha Land Rights to Slum Dwellers Act 2017²³⁶ and the Punjab Slum Dwellers (Proprietary Rights) Act 2020.²³⁷ Such laws should be based on human rights and should not discriminate people on the basis of tenure status or geographical location. They should also move away from referring to the urban poor as ‘slum-dwellers.’
2. Develop and promulgate **right to homestead legislation**, which provides secure land for housing and subsistence livelihoods for the urban and rural landless and homeless population, similar to the Madhya Pradesh Housing Guarantee (for Lower Income Groups and Economically Weaker Sections) Act 2017.²³⁸ Given the large-scale ‘reverse migration’ from urban to rural areas, as a result of the COVID-19 lockdown across India, there is an urgent need to ensure security of land, housing, and food in rural areas. In 2013, the Government of India’s Task Force on Land Reforms had drafted a National Right to Homestead Bill, which was never taken up for discussion in Parliament. It is time for state governments to prioritize the development of homestead legislation and improve living conditions in rural and urban areas.

Specific Recommendations for National and State Human Rights Institutions

1. **Investigate complaints of forced eviction** and demolition of homes across India and play a more proactive role in preventing evictions and assisting affected communities with remedies, relief, and restitution for the violation of their human rights.
2. Develop **human rights-based guidelines for evictions** and resettlement on the basis of international human rights norms and standards and progressive court judgments.
3. Given the scale of the evictions crisis in the country, the **National Human Rights Commission should appoint a Special Rapporteur on evictions** and establish a national observatory on evictions.

IV. CONCLUSION



This report highlights the unrelenting crisis of forced evictions across India, which is not just a crisis related to the loss of homes but a grave human rights crisis that is directly contributing to the loss of health and well-being of affected persons, while resulting in increased impoverishment, deprivation, and exclusion.

The COVID-19 pandemic has created an unprecedented financial crisis, not just in India, but around the world. The loss of livelihoods and income has forced people into situations of hunger and destitution. Studies estimate that millions, probably at least 260 million people, in India will be pushed further into poverty.²³⁹ Given this severe situation, it is a moral imperative of the state to take care of its people, improve their living conditions, and protect their health and lives. While exposing the gaps in social protection, the pandemic has also highlighted the importance of adequate housing in safeguarding people's health and lives. Instead of using this as a wake-up call and working towards investing in durable solutions to provide adequate housing for all and to end homelessness, the Government of India, at all levels, is continuing with its agenda of demolishing homes of the urban and rural poor. Research by HLRN reveals that state authorities evicted **at least 20,000 people** (conservative estimate) from their homes during the pandemic in India (16 March to 31 July 2020).

It is disconcerting that guidance from the World Health Organization and India's Ministry of Health and Family Welfare to 'stay at home' and directives from UN agencies and Indian courts not to carry out evictions are being ignored by central authorities and state governments to promote this anti-poor agenda, which in the guise of economic growth and infrastructure development, is further dispossessing and displacing people who were already living in situations of extreme marginalization and vulnerability across the country.

The fact that a large percentage of the Indian population continues to live in insecure and inadequate conditions is an indication of the failure of state policy. Instead of focusing on improving their housing and living conditions, state actions that consider the urban and rural poor as dispensable in the nation's drive to industrialize and modernize, even during a global pandemic, thereby directly exacerbating their marginalization and poverty, are highly condemnable.

Given the precarious living conditions of the urban and rural poor and their heightened risk of infection, including their inability to practice physical distancing and wash hands frequently, HLRN had called on the Government of India on 13 March via a press release²⁴⁰ and on 18 March via a letter to the Ministry of Housing and Urban Affairs to impose a national moratorium on forced evictions and ensure that no one in the country is rendered homeless. We had also called for measures to improve living conditions of those who are homeless and inadequately housed. The Ministry took heed of HLRN's letter by forwarding it to all state governments (on 29 April 2020) and asking them to frame policies to protect those without adequate housing. Despite this, both state and central government authorities, such as the Indian Railways, have committed grave violations of human rights by demolishing homes of the urban and rural poor at the height of the pandemic, thereby threatening their lives and worsening the risk of exposure to and spread of the coronavirus.

Data compiled by HLRN on forced evictions across urban and rural India in the years 2017, 2018, and 2019, and during the pandemic in 2020, while being a conservative estimate of the actual scale of the crisis, is alarming and reveals a distressing reality of state-sponsored de-housing and destruction of homes, property, and other resources of the country's poorest and most marginalized populations. The fact that over **568,000 people** have been evicted from their homes, as a result of direct state action in the last three years, with **over 519 people being evicted daily**, and **over 14.9 million people** currently faced with the threat of eviction from their homes and habitats, is glaring evidence of this serious but unaddressed national crisis. What is also disconcerting is the lack of accountability of officials responsible for these acts of forced eviction, which are often accompanied by violence, force, and arson.

As highlighted in HLRN's series of reports on forced evictions in India, the impacts of home demolition and forced eviction are long-term and severe, and result in an increase in poverty, destitution, and unemployment; loss of education, health, security and sometimes, lives too; hunger and malnutrition; and, mental, physical, and psychological distress. Women, children, persons with disabilities, older persons, and other marginalized groups are among those most adversely affected. However, there is still no official data on evictions and home demolitions in India and no official studies to assess the disaggregated impact of evictions and failed resettlement on different groups, communities, and populations.

Forced evictions not only violate national and international laws and policies, but also reflect a continuing systematic dispossession and exclusion of the poor. Persistent acts of forced eviction and home demolition by the state are directly contributing to a rise in displacement, homelessness, landlessness, and social unrest. Affected persons have little recourse to remedy and suffer multiple human rights violations as well as a considerable deterioration in their standard of living. This adversely impedes human development, social justice, and national progress.

The continued sanction of forced evictions by the state also reflects a failure to understand and resolve the housing crisis in India, which is not merely about the shortage of housing units but also about the absence of tenure security and land rights for the urban and rural poor, which precludes the realization of the human right to adequate housing for the vast majority. Acts of home demolition directly contravene the objectives of India's Housing for All–2022 scheme. Furthermore, the failure to recognize and implement the right to adequate housing as a human right—which includes ensuring access to affordable and secure housing, work/livelihoods, education, healthcare, water, food, sanitation, and electricity—also limits the success of any housing scheme. With the continued sanction of forced evictions and home demolitions, the goal of 'housing for all' in India will not be achieved.

State policies related to economic growth, urban and rural development, industrial development, and housing need to be re-envisioned in order to respect and uphold the rights, lives, and livelihoods of the majority of Indians who contribute to the nation with their subsidized labour and low ecological footprints.

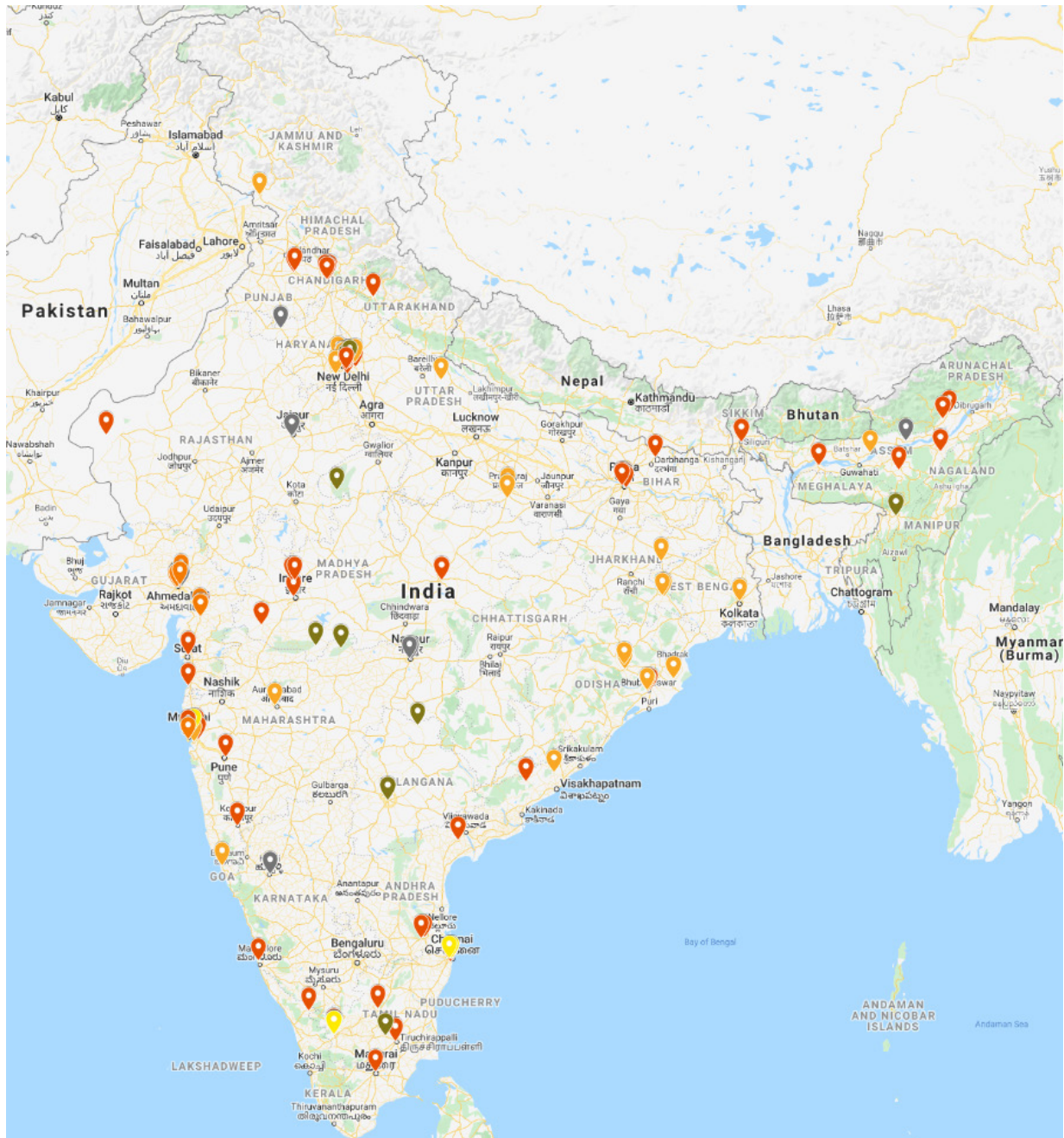
The government, at all levels, needs to incorporate a strong human rights approach in the conceptualization and implementation of housing and land policies and schemes. Realizing the 'human right to adequate housing' is not merely about constructing houses but is about social and economic justice, which includes protecting and improving housing built by people, providing them with legal security of tenure, and enabling everyone to achieve an adequate standard of living. It is only through the respect, protection, and fulfilment of the human rights of the urban and rural poor to their lands and homes, that India's housing crisis can be resolved.

Housing and Land Rights Network hopes that this report will help draw attention to the unabating but silent national crisis of forced evictions and displacement, and that the recommendations presented above will be implemented immediately, in order to address this emergency situation and bring about justice and restoration of the human rights of millions of affected persons.

ANNEXURES

ANNEXURE I

MAP ONE: FORCED EVICTIONS IN INDIA IN 2019



'Slum Clearance/
City-beautification'
Drives



Infrastructure Projects



Environmental Projects
and Forest/Wildlife
Protection



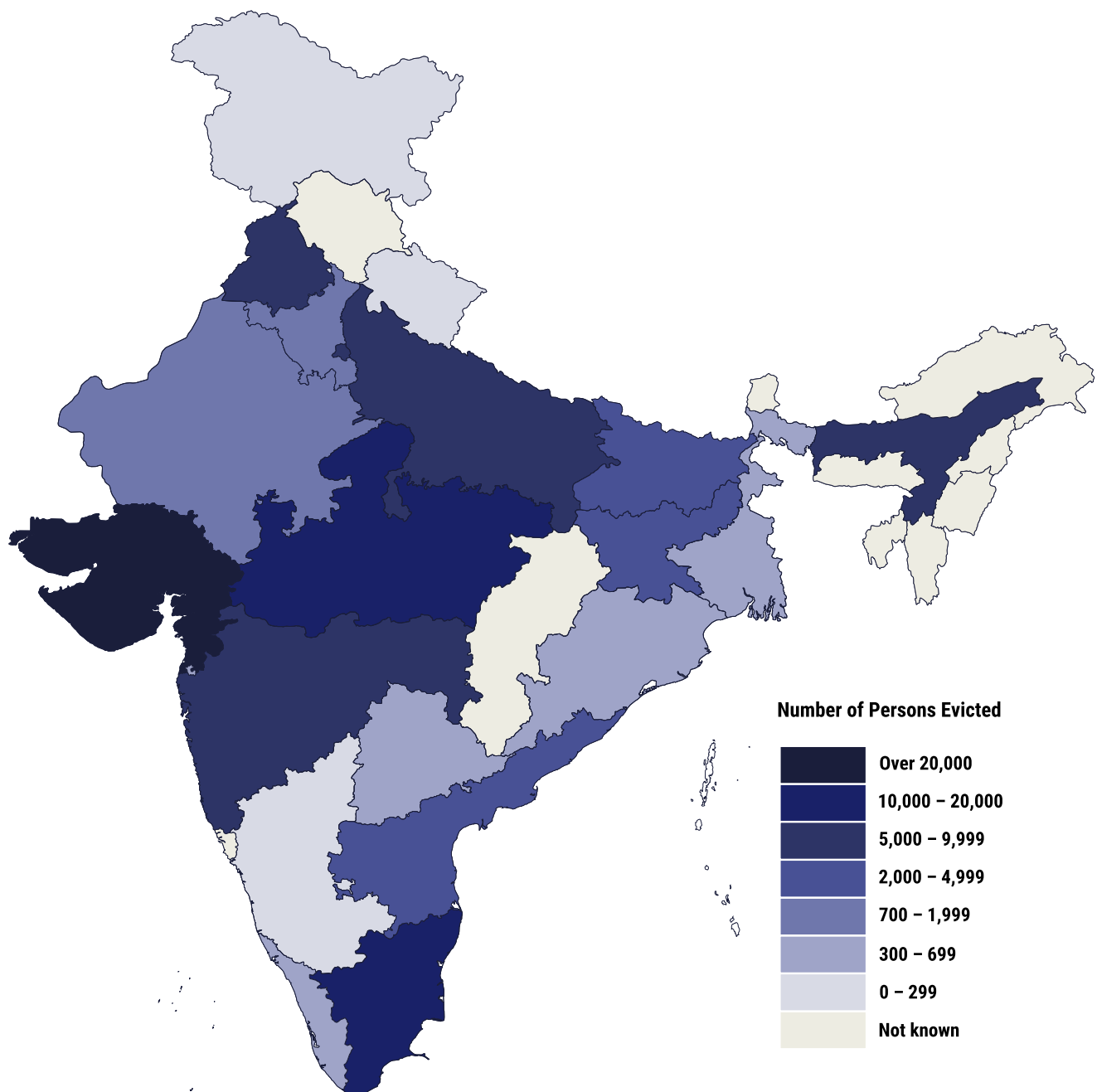
'Disaster Management'



Other Reasons

ANNEXURE II

MAP TWO: STATE-WISE OCCURRENCE OF EVICTIONS IN INDIA IN 2019



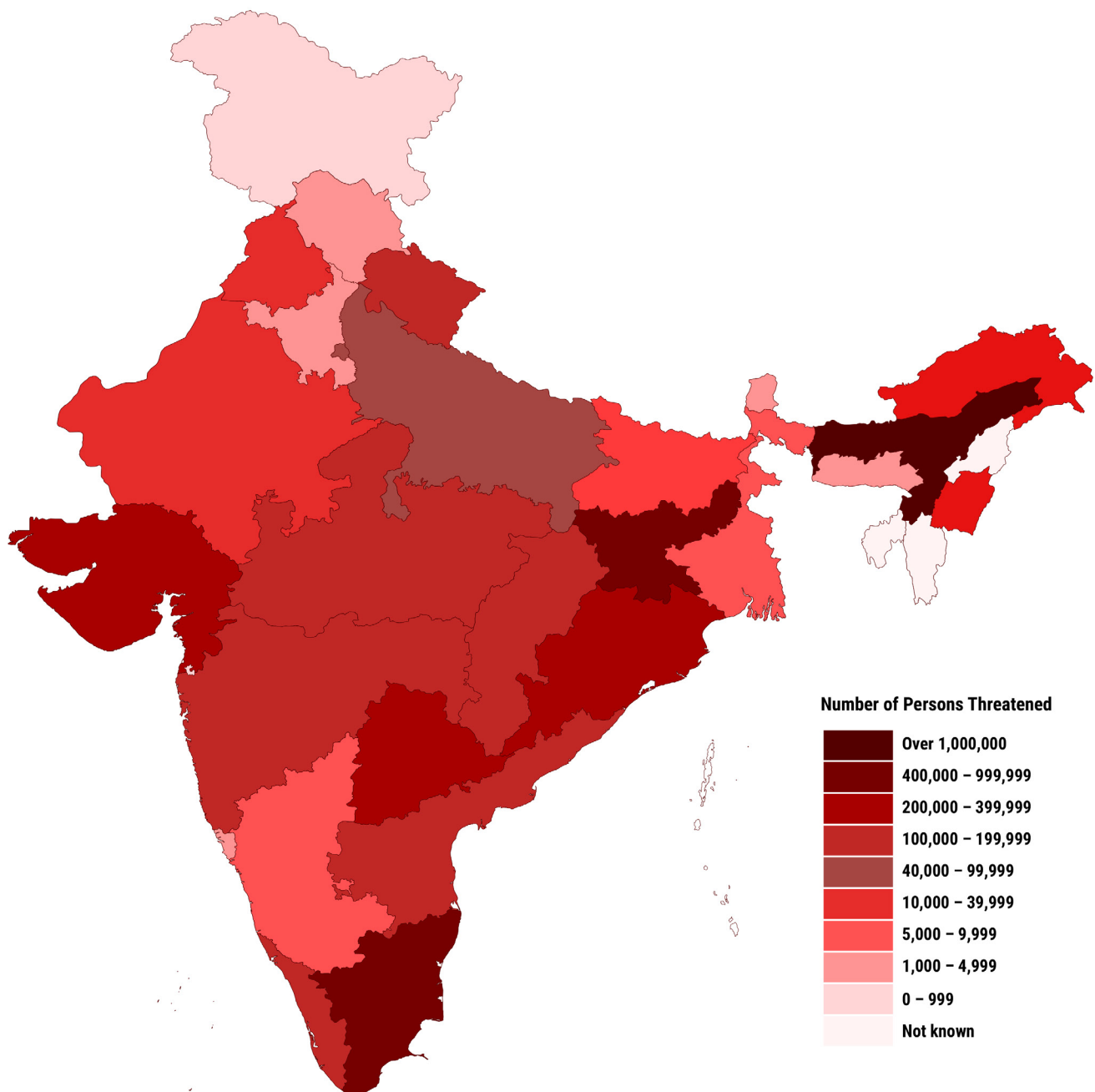
ANNEXURE III

MAP THREE: THREAT OF FORCED EVICTIONS IN INDIA



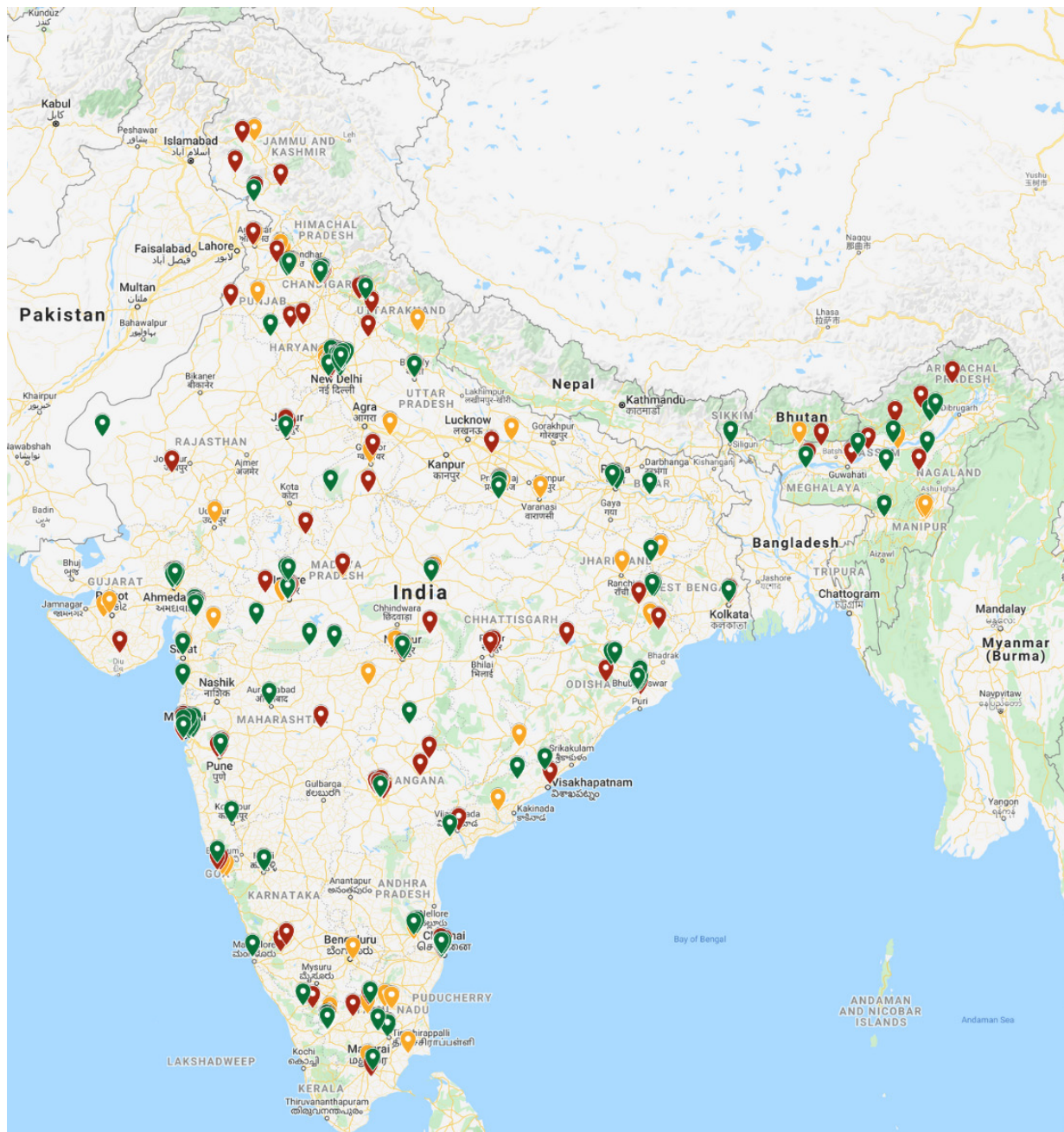
ANNEXURE IV

MAP FOUR: STATE-WISE DISTRIBUTION OF EVICTION THREATS IN INDIA



ANNEXURE V

MAP FIVE: FORCED EVICTIONS IN INDIA: 2017-2019



Incidents of Eviction in 2017



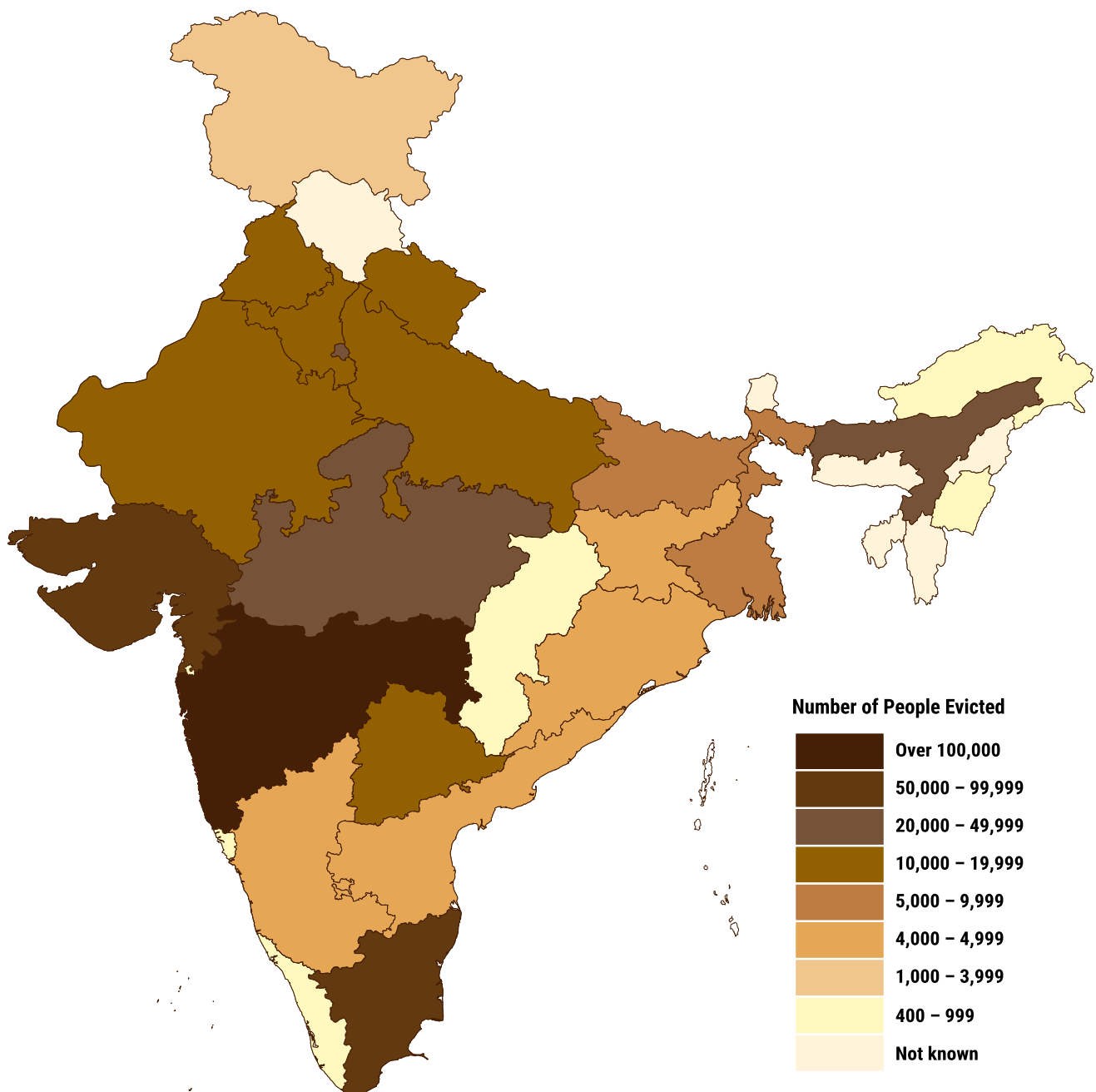
Incidents of Eviction in 2018



Incidents of Eviction in 2019

ANNEXURE VI

MAP SIX: STATE-WISE OCCURRENCE OF FORCED EVICTIONS: 2017-2019



ANNEXURE VII

TABLE ONE:
FORCED EVICTIONS IN INDIA IN 2019*

I. EVICTIONS UNDERTAKEN FOR 'SLUM' CLEARANCE/ REMOVAL OF 'ENCROACHMENTS'/ 'BEAUTIFICATION' PROJECTS

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
1.	Andhra Pradesh	Guntur	Parisapogu Srinivasa Rao Navyandhra Charmakarula Colony, Obulanaidupalem	December	Removal of 'encroachments'	Over 100	No
2.	Andhra Pradesh	Tirupati	Avilala Village	April	Removal of 'encroachments'	400	No
3.	Andhra Pradesh	Tirupati	Yerramareddypalem in Renigunta	April	Removal of 'encroachments'	28	No
4.	Andhra Pradesh	Visakhapatnam	Chintapalle, Vizag Agency	December	Removal of 'encroachments'	45	No
5.	Assam	Goalpara	Along Urpada Beel Lake, near Agia	November	'Beautification' drive/ tourism	45	Not known
6.	Assam	Golaghat	Furkating	June	Removal of 'encroachments'	109	Not known
7.	Assam	Guwahati	Thekeraguri Village, Lakhimpur District	November	Government land clearance	120	Not known
8.	Assam	Hojai	Sarkebasti Village	March	Removal of 'encroachments'	Over 600	Not known
9.	Assam	Lakhimpur	Chandmari	September	Following a Gauhati High Court order to remove 'encroachments'	76	Not known
10.	Bihar	Begusarai	Rajaura Village	January	Removal of 'encroachments'	Over 100	No
11.	Bihar	Patna	Buddha Colony	September	'Smart city' project	100	No
12.	Bihar	Patna	Haj Bhavan	October	'Smart city' project	200	No
13.	Bihar	Patna	R.P.S. More	November	Removal of 'encroachments' along the Badshahi drain	15	Not known
14.	Bihar	Patna	R.P.S. Engineering College	November	Removal of 'encroachments' along the Badshahi drain	20	Not known
15.	Bihar	Patna	Sampatchak	November	Removal of 'encroachments' along the Badshahi drain	70	Not known
16.	Chandigarh	Chandigarh	Khuda Ali Sher Village	April	Removal of 'illegal constructions'	50 (including a few shops)	No
17.	Dadra and Nagar Haveli and Daman and Diu	Daman	Ishkati Sheri Machhiwad Village, between Lighthouse Road and Jampore Beach	November	Removal of 'illegal constructions'	135	Evicted families told to apply for alternative houses under the Pradhan Mantri Jan Awaas Yojana

* This table is arranged alphabetically according to the name of the state/Union Territory of India. Within each state, cities/districts have also been arranged alphabetically.

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
18.	Delhi	Delhi	JJ Camp below Safdarjung Flyover, near the railway track at INA Market	January	Removal of 'encroachments'	100	No
19.	Delhi	Delhi	Y.K. Jhuggi Camp, Yamuna Khadar, Chilla, Mayur Vihar Phase I	February	Removal of 'encroachments'	10	No
20.	Delhi	Delhi	Nehru Place	March	Removal of 'encroachments'	30	No
21.	Delhi	Delhi	Sonia Gandhi Camp, Pul Pralhadpur	April	'Removal of encroachments' from Railway land	50	No
22.	Delhi	Delhi	Shakur Basti	May	Removal of 'encroachments'	12	No
23.	Delhi	Delhi	Mansarovar Park – near Shri Nanak Niwas Gurudwara and the railway track	May and November	Removal of 'encroachments' and allegedly, for the safety of residents living in the settlement	35	No
24.	Delhi	Delhi	Kanchan Basti, Mayapuri	July	Removal of 'encroachments' and allegedly, for the safety of residents living in the settlement	250	No
25.	Delhi	Delhi	Y.K. Jhuggi Camp, Yamuna Khadar, Chilla, Mayur Vihar Phase I	August	Removal of 'encroachments'	10	No
26.	Delhi	Delhi	Lajpat Nagar	August and September	On the basis of a complaint of residents of a neighbouring housing society	10	No
27.	Delhi	Delhi	New Ashok Nagar, near Shani Mandir	November	Removal of 'encroachments'	100	No
28.	Delhi	Delhi	Gyaspur Colony, Nizamuddin	November	Removal of 'encroachments'	60	No
29.	Delhi	Delhi	Shalimar Bagh	November	'City beautification' and removal of 'encroachments'	70	65 families relocated to Bawana
30.	Gujarat	Ahmedabad	Maninagar	May	Removal of 'encroachments'	25	No
31.	Gujarat	Ahmedabad	Sola Naroda, Vastrapur	May	Removal of 'encroachments'	36	No
32.	Gujarat	Ahmedabad	Juhapura	August	Removal of 'encroachments'	80	No
33.	Gujarat	Ahmedabad	Gokul Nagar Mahatma Temple	October	Government land clearance	600	No
34.	Gujarat	Ahmedabad	Meghani Nagar	November	Government land clearance	500	No
35.	Gujarat	Vadodara	Kotyark Nagar, Kishanwadi	January	Removal of 'illegal constructions'	30	Not known
36.	Gujarat	Vadodara	Along the banks of the Vishwamitri River	May and August	Vishwamitri Riverfront Development Project	250	No; displaced families are still living in relief camps
37.	Haryana	Faridabad	Gadia Lohar settlement	April	Removal of 'encroachments'	60	No
38.	Karnataka	Mangalore	Mukka, Surathkal	May	Government land clearance	1	Not known

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
39.	Kerala	Wayanad	Thovarimala, near Sultan Bathery	April	Removal of 'encroachments'	Over 100	Not known
40.	Madhya Pradesh	Barwani	Badgaon	February	Government land clearance	35	No
41.	Madhya Pradesh	Indore	Bijasan	March	'Beautification' of the Bijasan Mata Mandir	12	Not known
42.	Madhya Pradesh	Ujjain	Narsing Ghat Colony	May	Removal of 'encroachments'	36	No
43.	Madhya Pradesh	Ujjain	Ramakrishna Vihar, Nimanwasa	December	Removal of 'illegal colony'	Not known	Not known
44.	Maharashtra	Kolhapur	Kalamba Road, Tapovan Ground	October	Removal of 'encroachments'	11	Not known
45.	Maharashtra	Mumbai	Amar Mahal Junction, Chembur	April and June	Removal of 'encroachments'	25	No
46.	Maharashtra	Mumbai	Balaji Complex, Nandivali Village	May	Removal of 'illegal constructions'	Over 100	No
47.	Maharashtra	Mumbai	Along Irla Nallah (drain), Nehru Nagar, Vile Parle	June	Removal of 'encroachments'	30	Not known
48.	Maharashtra	Mumbai	Along Chamdawadi Nallah, Bandra	June	Removal of 'encroachments'	176	Not known
49.	Maharashtra	Mumbai	Along Mukhyadhyapak Nallah, Dharavi	June	Removal of 'encroachments'	34	Not known
50.	Maharashtra	Mumbai	Tansa Pipeline, Vakola Gaondevi, Santacruz (East)	November	Following a Bombay High Court order (PIL 140/2006) for the removal of 'encroachments'	110	Not known
51.	Maharashtra	Navi Mumbai	Sector 24, Turbhe	Not known	Removal of 'encroachments'	30	Not known
52.	Maharashtra	Navi Mumbai	Plots 39 and 40, Sector 8, Gavhan Kopar, Ulwe	April	Removal of 'encroachments'	An entire chawl (at least 40 rooms)	Not known
53.	Maharashtra	Navi Mumbai	Near Panvel Flyover	May	Removal of 'encroachments'	40	No
54.	Maharashtra	Pune	Dobarwadi, Sopan Baug	November	Following a Supreme Court order to remove 'encroachments'	Not known	No
55.	Odisha	Bhubaneswar	Near K-7 Bus Stop, Kalinga Nagar	June	Removal of 'encroachments'	12	No
56.	Odisha	Bhubaneswar	Haldi Padia	July	Removal of 'illegal constructions'	6	No
57.	Punjab	Ludhiana	Shaheed Bhagat Singh Nagar Colony, Pakhowal Road	January	Removal of 'encroachments'	200	A few families received alternative plots
58.	Punjab	Ludhiana	Sector 38, Chandigarh Road	August	Removal of 'encroachments'	200	Some of the affected families relocated to Mundian Kalam
59.	Punjab	Ludhiana	Khokha Market, Sectors 38 and 39, Chandigarh Road	August	Removal of 'encroachments'	1,300	450 families considered 'eligible' for resettlement; received alternative housing at Badal Colony, Mundian Kalam

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
60.	Punjab	Ludhiana	Railway Colonies 5 and 12	December	Removal of 'encroachments'	150	130 families received alternative housing at Giaspura resettlement site
61.	Punjab	Mohali	Behlolpur Village, behind Civil Hospital, Phase 6	February	Removal of 'illegal constructions'	70	Not known
62.	Rajasthan	Jaisalmer	Sam sand dunes	October	Removal of 'encroachments'	100	Not known
63.	Tamil Nadu	Chennai	Velachery	June	Following a Supreme Court order to vacate railway land [S.L.P 2148/2019 (Supreme Court of India) and W.A. 687/2018 (Madras High Court)]	56	Families relocated to Ukkadam
64.	Tamil Nadu	Coimbatore	Masjid Colony, Ukkadam	July	Removal of 'encroachments' for a 'smart city' project	552	Families relocated to Perumbakkam
65.	Tamil Nadu	Coimbatore	Al Ameen Colony, Ukkadam	September	Removal of 'encroachments' for a 'smart city' project	43	Families relocated to Vellalore
66.	Tamil Nadu	Coimbatore	Jeeva Nagar, Mettupalayam Road, Karamadai	October	Removal of 'encroachments' on a road, following an order of the Madras High Court [W.P. 9958 and 19121/2012, 9477/2016], which the Supreme Court refused to stay [S.L.P. (Civil) 11001/2018]	200	180 families relocated to Keeranatham
67.	Tamil Nadu	Madurai	Between Raja Mill Road and Kuruvikaran Salai	November	'Beautification' of Vaigai River for a 'smart city' project	120	Alternative accommodation provided by the Tamil Nadu Slum Clearance Board
68.	Tamil Nadu	Salem	Kannankurichi	September	To vacate temple land	20	No
69.	Tamil Nadu	Trichy	Edamalaipatti Pudur Road, Crawford	November	Removal of 'encroachments' by the Tamil Nadu Highways Department	20	No
70.	Uttarakhand	Dehradun	Haridwar Bypass Road	December	Following an order of the Uttarakhand High Court [W.P. (PIL) 47/2013] to remove 'encroachments' along the riverbed	150 people	Not known
71.	Uttar Pradesh	Noida	Chhijarsi, Sector 23	August	Removal of 'encroachments'	50	Not known
72.	Uttar Pradesh	Noida	Sector 116	August	Removal of 'encroachments'	150	No
73.	Uttar Pradesh	Noida	Sector 25-A	August	Removal of 'encroachments'	20	Not known
74.	Uttar Pradesh	Noida	Sector 77, Gadia Lohar settlement	August	Removal of 'encroachments'	150	No

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
75.	Uttar Pradesh	Noida	Sarfabad Village	September	Removal of 'encroachments'	150	Not known
76.	Uttar Pradesh	Noida	Sorkha Zahidabad Village, Sector 117	November	Removal of 'encroachments'	200	No
77.	Uttar Pradesh	Noida	Nayabans Village	November	Government land clearance	Over 200	Not known
78.	Uttar Pradesh	Noida	Sector 177	November	Removal of 'encroachments'	200	No
79.	Uttar Pradesh	Prayagraj	Mehenduri	December	Removal of 'encroachments'	26	No
80.	Uttar Pradesh	Sahibabad	Gadia Lohar settlement	October	Removal of 'encroachments'	50	No
81.	West Bengal	Siliguri	Masjid Para	June	Government land clearance	30	Not known
TOTAL NUMBER OF HOUSES DEMOLISHED						9,617	
TOTAL NUMBER OF PEOPLE EVICTED (Using the Census 2011 average household size of 4.8 persons – except where the exact number of people is known)						46,162	

II. EVICTIONS UNDERTAKEN FOR INFRASTRUCTURE AND OTHER PROJECTS

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES AFFECTED)	RESETTLEMENT PROVIDED
82.	Andhra Pradesh	Vizianagaram	Srungavarapukota	November	Road widening	Over 20 (including shops)	Affected families were given 'some essential commodities'
83.	Assam	Darrang	Near Mangaldai Civil Hospital	November	Government projects, including a hospital and women's college	60	Not known
84.	Delhi	Delhi	Rajiv Camp	January and May	Construction of a pavement	6	No
85.	Delhi	Delhi	Kalibari Marg, C-33 JJ Camp	March	Construction of a parking lot	60	56 families relocated to Dwarka
86.	Delhi	Delhi	Barwala Village, Bawana	June	Highway construction	26	Not known
87.	Delhi	Delhi	Minto Road	August	Construction of housing for central government officials	55	All families relocated to Dwarka
88.	Delhi	Delhi	Sunehri Bagh Road	September	Construction of housing for central government officials	200	57 families relocated to Dwarka
89.	Goa	Mapusa	Mapusa	December	Bus stand construction	Not known	Not known
90.	Gujarat	Ahmedabad	Gurukul	August	Road widening	35	No
91.	Gujarat	Ahmedabad	Behind National Institute of Design	September	Road widening	55	15 families resettled

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES AFFECTED)	RESETTLEMENT PROVIDED
92.	Gujarat	Ahmedabad	Rabri settlement, near Azad Society	September	Road widening	35	No
93.	Gujarat	Ahmedabad	Sarkhej Santhal Circle, Naroda	September	Road widening	5	No
94.	Gujarat	Ahmedabad	Vishala Circle	November	Town-planning project	175	No
95.	Gujarat	Surat	Katargam	January	Water works over the Tapi embankment	750	No
96.	Gujarat	Vadodara	Sanjay Nagar	May	In situ 'slum rehabilitation' under Pradhan Mantri Awas Yojana – Urban	396	No
97.	Gujarat	Vadodara	Near Chhani Police Station	November	Road widening	176	No
98.	Gujarat	Vadodara	Tarsali (part of Sanjay Nagar cluster)	Not known	In situ 'slum rehabilitation' under Pradhan Mantri Awas Yojana – Urban	750	No
99.	Gujarat	Vadodara	Maneja (part of the Sanjay Nagar cluster)	Not known	In situ 'slum rehabilitation' under Pradhan Mantri Awas Yojana – Urban	656	No
100.	Haryana	Gurugram	Along National Highway 8, Kherki Daula Village	July	Alignment of Dwarka Expressway	100	Families relocated to Sector 37-C
101.	Jammu and Kashmir	Jammu	Outside Jammu Airport	November	Jammu Airport expansion	61	No
102.	Jharkhand	Bokaro	Near Bokaro Airport	August	Airport expansion, on the basis of an order from the Estate Court, Bokaro	400	Not known
103.	Jharkhand	Jamshedpur	Jugsalai railway crossing	March	Railway track construction	Over 56	Not known
104.	Jharkhand	Jamshedpur	Anna Chowk	July	Bridge construction	68	Not known
105.	Maharashtra	Aurangabad	Padegaon	March	Creation of a solid waste management plant	28	Not known
106.	Maharashtra	Mumbai	Along Reay Road Bridge	September	Bridge repair and maintenance	500	Half of the eligible families relocated to Mahul
107.	Maharashtra	Mumbai	Naya Nagar, Goregaon West	November	Widening of a drain	70	Not known
108.	Maharashtra	Navi Mumbai	Chinchpada, Panvel	Not known	Airport development	25	Not known
109.	Odisha	Angul	Nayak Sahi, Bhalugadia Village	October	Hingula open cast coal mine expansion	41	No
110.	Odisha	Angul	Rakas Village	October	Jagannath open cast mine expansion	18	No
111.	Odisha	Bhubaneswar	Sitaram Basti	July	Construction of an Inter-State Bus Terminal at Baramunda	55	No

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES AFFECTED)	RESETTLEMENT PROVIDED
112.	Odisha	Bhubaneswar	Pandakudia, Shampur	December	Construction of houses for families from Kargil Basti and another site	4	No
113.	Odisha	Cuttack	Krushak Bazaar, Dobandha Nagar	August	Road construction	9	No
114.	Tamil Nadu	Coimbatore	Ukkadam Main Road	November	Ukkadam Flyover work	12	Families relocated to Ukkadam
115.	Tamil Nadu	Coimbatore	Along Perur Main Road	November	Road widening	150	Families provided alternative housing by the Tamil Nadu Slum Clearance Board
116.	Uttar Pradesh	Bareilly	Bilsanda, Pilibhit	March	Creation of a public park	Not known	No
117.	Uttar Pradesh	Ghaziabad	Villages of Dasna, Kushaliya, and Rasulpur Sikrod	November	Delhi-Meerut expressway construction	200	Financial compensation paid to affected farmers
118.	Uttar Pradesh	Prayagraj	Dhobi Ghat	December	Construction of an underground parking lot	17	No
119.	Uttar Pradesh	Prayagraj	Rajpur	December	Road widening	40	No
120.	West Bengal	Kolkata	Under Tallah Bridge, B.T. Road	November	Bridge repair work	60	No - families have been living in transit camps in inadequate conditions
TOTAL NUMBER OF HOUSES DEMOLISHED						5,374	
TOTAL NUMBER OF PEOPLE EVICTED (Using the Census 2011 average household size of 4.8 persons – except where the exact number of affected people is known)						25,795	

III. EVICTIONS UNDERTAKEN FOR ENVIRONMENTAL PROJECTS, FOREST PROTECTION, AND WILDLIFE CONSERVATION

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
121.	Assam	Silchar	Howaithang Reserve Forest of Cachar	June	Removal of 'encroachments' from the Reserve Forest area	82	Not known
122.	Delhi	Delhi	Y.K. Jhuggi Camp, Yamuna Khadar, Chilla, Mayur Vihar Phase I	October	Following an order of the National Green Tribunal to vacate the floodplains of the Yamuna [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]	500	No
123.	Madhya Pradesh	Burhanpur	Siwal	July	Forest land clearance	31 (150 people)	Not known

III. EVICTIONS UNDERTAKEN FOR ENVIRONMENTAL PROJECTS, FOREST PROTECTION, AND WILDLIFE CONSERVATION

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
124.	Madhya Pradesh	Jabalpur	Different locations in Madan Mahal Hills, including Bajrang Nagar, Bedi Nagar Chouhani, Nehru Nagar, and Supatal	January to October	Following an order of the Madhya Pradesh High Court [W.P. 11270/2012] to remove 'encroachments' from the area	2,628	Some families have been resettled, while others are awaiting resettlement
125.	Madhya Pradesh	Sheopur	Karahal	December	Removal of 'illegal occupants' from tribal, revenue, and forestland	11	Not known
126.	Maharashtra	Amravati	Dhakna, Melghat Tiger Reserve	January	Wildlife conservation	42 (200 people)	Not known
127.	Maharashtra	Mumbai	Yari Road, Versova	February	Mangrove protection	150	No
128.	Tamil Nadu	Trichy	Mudhalipatti, Karur	September	Following a Madurai High Court order [W.P. (MD) 17136/2019] to remove 'encroachments' along a canal for restoration of a lake	Over 50	Not known
129.	Telangana	Asifabad/Komaram Bheem District	Kolam Gondi Village	June	Forest protection	16	No
130.	Telangana	Hyderabad	Under Shivaji Bridge, Afzal Gunj area	September	Musi River conservation drive	119	No
131.	Uttar Pradesh	Ghaziabad	Near Arthala Lake	May	Following an order of the National Green Tribunal for clearance of 'illegal structures' around the lake [O.A. 180/2015, Principal Bench]	25	No
TOTAL NUMBER OF HOUSES DEMOLISHED						3,654	
TOTAL NUMBER OF PEOPLE EVICTED (Using the Census 2011 average household size of 4.8 persons – except where the exact number of affected people is known)						17,539	

IV. EVICTIONS UNDERTAKEN FOR 'DISASTER MANAGEMENT'

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
132.	Maharashtra	Mumbai	Kalwa, Thane	July	Removal of 'encroachments' to prevent landslides	20	Temporary resettlement provided in a nearby school
133.	Tamil Nadu	Chennai	Kakkan Nagar	September	Integrated Cooum River Eco-Restoration Project	300	Families relocated to Perumbakkam
134.	Tamil Nadu	Chennai	Pallavan Nagar, Chintadripet	September	Integrated Cooum River Eco-Restoration Project	924	Families relocated to Perumbakkam
135.	Tamil Nadu	Chennai	Amma Nagar	November	Integrated Cooum River Eco-Restoration Project	260	Families relocated to Perumbakkam

IV. EVICTIONS UNDERTAKEN FOR 'DISASTER MANAGEMENT'

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
136.	Tamil Nadu	Chennai	Sathya Sai Nagar, Thirumangalam	December	Integrated Cooum River Eco-Restoration Project	230	Families relocated to Perumbakkam; nearly 30 families were given housing only in January 2020, after protests
137.	Tamil Nadu	Coimbatore	G.M. Nagar, near Ukkadam	July	Removal of 'encroachments' along the Rajavaikal water channel to prevent flooding in the area	271	Families relocated to Ukkadam
138.	Tamil Nadu	Coimbatore	Fathima Nagar, near Karumbukadai	August	Removal of 'encroachments' along a water channel to prevent flooding in the area	9	Families relocated to Ukkadam
139.	Tamil Nadu	Coimbatore	Karumbukadai , along the Noyyal River	December	Removal of 'encroachments' along a water channel to prevent flooding in the area	40	Families relocated to Ukkadam
TOTAL NUMBER OF HOUSES DEMOLISHED						2,054	
TOTAL NUMBER OF PEOPLE EVICTED (Using the Census 2011 average household size of 4.8 persons – except where the exact number of affected people is known)						9,859	

V. EVICTIONS UNDERTAKEN FOR OTHER REASONS

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
140.	Assam	Sonitpur	Sootea	December	Removal of 'encroachments'/ suspected 'Bangladeshis'	450 (3,000 people)	Affected families have been living in three camps since the eviction
141.	Gujarat	Ahmedabad	Odhav, Block 84	August	Unsafe building for EWS housing	500	1,332 people have been provided with rent and are living in Odhav Industrial Area; they have been assured alternative accommodation
142.	Haryana	Fatehabad	Hooda	May	Political rally/ 'security' reasons	Over 100	No; police officials told affected families that they could rebuild their houses at the same site after the rally
143.	Karnataka	Hubballi	Bengeri	June	Following a Karnataka High Court order, on the basis of a plea by the 'original land owner'	52	Not known

	STATE/ UNION TERRITORY	DISTRICT/CITY	SITE OF EVICTION	MONTH	PURPORTED REASON FOR THE EVICTION	APPROXIMATE NUMBER OF HOUSES DEMOLISHED (FAMILIES/PEOPLE AFFECTED)	RESETTLEMENT PROVIDED
144.	Maharashtra	Nagpur	Giri Colony, Indira Nagar	November	Following an order of the Bombay High Court, Nagpur Bench (PIL 70/2017, 28 August 2019) to remove structures under high-tension power lines	About 200 people	Not known
145.	Maharashtra	Nagpur	Jat Tarodi	November	Following an order by the Bombay High Court, Nagpur Bench (PIL 70/2017, 28 August 2019) to remove structures under high-tension power lines	About 500 people	No
146.	Rajasthan	Jaipur	Mansarovar area	May	Political rally	300	Not known
TOTAL NUMBER OF HOUSES DEMOLISHED						1,548	
TOTAL NUMBER OF PEOPLE EVICTED (Using the Census 2011 average household size of 4.8 persons – except where the exact number of affected people is known)						8,270	
TOTAL NUMBER OF HOUSES DEMOLISHED IN URBAN AND RURAL INDIA IN 2019						22,247	
TOTAL NUMBER OF PEOPLE EVICTED IN URBAN AND RURAL INDIA IN 2019 (Using the Census 2011 average household size of 4.8 persons – except where the exact number of affected people is known. However, many families consist of more than 5 persons and many of the demolished structures housed more than one family. This total, is, thus, a conservative estimate)						107,625	

Source of data: Primary and secondary research by HLRN and information from partner organizations

ANNEXURE VIII

TABLE TWO:
THREAT OF EVICTIONS IN INDIA

	STATE	SITE AND CITY/TOWN/VILLAGE	HOUSES/ FAMILIES/ PEOPLE THREATENED	PURPORTED REASON OF EVICTION
1.	Andhra Pradesh	Along the canals of Bandar, Eluru, and Ryves, Vijayawada	80,000 people	Removal of 'illegal' constructions
2.	Andhra Pradesh	Areas under the Secunderabad Cantonment Board, Hyderabad	600 families	Clearance of defence land
3.	Andhra Pradesh	Eleven villages in Prakasam District	7,555 families	Poola Subbaiah Veligonda Project
4.	Andhra Pradesh	Several locations, Hyderabad	100 houses	Removal of 'encroachments'
5.	Andhra Pradesh	Seven villages in YSR Kadapa District	5,647 families	Gandikota Reservoir Project
6.	Arunachal Pradesh	Tawang Dam area	10,000 people	Construction of the Tawang Dam
7.	Arunachal Pradesh and Assam	Dibang	Over 800 families	Dibang Multipurpose Project
8.	Assam	Districts of Baksa, Bongaigaon, Chirang, Darrang, Dhemaji, Goalpara, Kamrup, Kamrup (metro), Kokrajhar, Lakhimpur, Morigaon, Nagaon, Sonitpur, Tinsukia, and Udalguri	202,786 families	Gauhati High Court order [PIL 78/2012] for the removal of "non-tribals and other persons not eligible to hold possession of land" in the tribal belts and blocks
9.	Assam	Betabari, Barpeta	700 families	Removal of 'encroachments' from the protected area of the Manas National Park
10.	Assam	Dimapur	20–22 families	Expansion and development of Dimapur Airport
11.	Assam	Goalpara: Bhalukdubi, Dhuptola, and Moylaputa	Not known	Restoration of green cover of the forest
12.	Assam	Juria, Nagaon	80 families	Prevention of riverbank erosion, Brahmaputra River
13.	Assam	Kamrup, Guwahati	30 families	Removal of 'encroachments' along the Narengi–Panikhaiti Road
14.	Assam	Kawoimari Reserve, Sarthebari, Barpeta	2,000 families	Removal of 'encroachments'
15.	Assam	Lungsung, Kokrajhar	1,300 families (6,241 people)	Removal of 'encroachments'
16.	Assam	Mayong Hatimuria, Morigaon	300 families	Prevention of riverbank erosion, Brahmaputra River
17.	Assam	Sipajhar Village, Guwahati	70,000 people	Alleged 'encroachment' of grazing land
18.	Assam	Thekeraguri Village, Boginodi, Lakhimpur District, Guwahati	92 indigenous families (already displaced from river erosion)	Government land clearance
19.	Bihar	Jamui District	Over 100,000 families	Removal of 'encroachments'
20.	Bihar	Bindtoli, Patna	167 families (800 people)	Government land clearance
21.	Bihar	Banks of the Falgu River, Gaya	1,500 houses	Patna High Court order [C.W.J. 16977/2019, dated 26 August 2019] for the removal of 'encroachments' on the banks of the Falgu River
22.	Chandigarh	Colony Number 4	5,000 houses	'City beautification' under the Slum Rehabilitation Scheme
23.	Chandigarh	Manimajra	400 houses	To remove 'illegal' structures located outside 'Lal Dora' land

	STATE	SITE AND CITY/TOWN/VILLAGE	HOUSES/ FAMILIES/ PEOPLE THREATENED	PURPORTED REASON OF EVICTION
24.	Chandigarh, Haryana, and Punjab	Sukhna Lake catchment area, including Kaimbwala, Kansal, Khuda Alisher, and Nayagaon	600 houses (just in Kaimbwala)	Removal of 'encroachments' from the Sukhna Lake catchment area, following an order of the Punjab and Haryana High Court [C.W.P. 18253/2009]
25.	Chhattisgarh, Jharkhand, and Odisha	Several villages in the three states	Over 20,000 families	Coal mining
26.	Delhi	China Colony, Mallah Gaon, Moolchand Basti, and other sites along the banks of the Yamuna River	5,000 houses	Yamuna Riverfront Development Project
27.	Delhi	Gyaspur Colony, Nizamuddin	40 houses	To protect the floodplains of the Yamuna from 'encroachments' following an order of the National Green Tribunal [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]
28.	Delhi	JJ Camp below the Safdarjung Flyover	100 houses	Alleged safety of residents
29.	Delhi	Lalita Park	500 houses	To protect the floodplains of the Yamuna from 'encroachments' following an order of the National Green Tribunal [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]
30.	Delhi	Machhi Market, behind Akshardham Temple	300 houses	To protect the floodplains of the Yamuna from 'encroachments' following an order of the National Green Tribunal [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]
31.	Delhi	Majnu ka Tila	120 families	To protect the floodplains of the Yamuna from 'encroachments' following an order of the National Green Tribunal [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]
32.	Delhi	Nizamuddin Basti, near Sarai Kale Khan Bus Stand	250 houses	To protect the floodplains of the Yamuna from 'encroachments' following an order of the National Green Tribunal [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]
33.	Delhi	Pul Mithai, DRP Railway Line	160 houses	Removal of 'encroachments'/'slum clearance'
34.	Delhi	Purana Bus Adda, near Sarai Kale Khan, Behlulpur	200 houses	To protect the floodplains of the Yamuna from 'encroachments' following an order of the National Green Tribunal [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]
35.	Delhi	Shakur Basti	200 houses	Clearance of railway land, allegedly to construct a new railway track
36.	Delhi	Sonia Gandhi Camp, Pul Prahladpur	100 houses	Removal of 'encroachments'
37.	Delhi	Thokar Number 10, Near Shakarpur Police Station	150 houses	To protect the floodplains of the Yamuna from 'encroachments' following an order of the National Green Tribunal [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]
38.	Delhi	Yamuna Khadar	1,500 houses	To protect the floodplains of the Yamuna from 'encroachments' following an order of the National Green Tribunal [O.A. 6/2012 and M.A. 967/2013 & 275/2014, Principal Bench]
39.	Goa	Baina, South Goa	400 families	'Disaster management' and coastal zone rules
40.	Gujarat	Ahmedabad	162,749 houses	Slum Free City Action Plan 2020–2025
41.	Gujarat	Ahmedabad	400 houses	Ahmedabad Metro Rail Project
42.	Gujarat	Ahmedabad	8,000 houses	Failure of land-holders to regularize holdings under the Urban Land Ceiling Act, and requirement of land for 'development' purposes
43.	Gujarat	Chhota Chandola, Ahmedabad	1,200 houses	In situ 'slum redevelopment' project under Pradhan Mantri Awas Yojana – Urban
44.	Gujarat	Bada Chandola (Pandra Bazaar), Ahmedabad	13,800 houses	Chandola Lake Development Project

	STATE	SITE AND CITY/TOWN/VILLAGE	HOUSES/ FAMILIES/ PEOPLE THREATENED	PURPORTED REASON OF EVICTION
45.	Gujarat	Dang District	311 villages or 226,769 people [comprising Bhil, Konkana (Kunvi), and Varli tribal groups and the particularly vulnerable tribal groups of Kathodi, Kolcha, and Kotwalia]	Par-Tapi-Narmada River Linking Project and construction of three dams: Gira, Dabdar, and Kelwan
76.	Gujarat	Gulbai Tekra, Ahmedabad	1,550 houses	In situ 'slum redevelopment' under Pradhan Mantri Awas Yojana
47.	Gujarat	Narmada District, around the Statue of Unity: Villages of Gora, Kevadiya, Kothi Limbdi, Navagam, and Vadhadiya	5,000 houses of tribals	Tourism projects near the Statute of Unity
48.	Gujarat	Villages of Neempada and Nirgundmal in Dang	54 families [26 in Neempada and 28 in Nirgundmal]	Rejection of claims on forest land under the Forest Rights Act leading to eviction notices
49.	Gujarat	Five settlements in Rajkot	1,000 houses	Housing allotment under Pradhan Mantri AwasYojana
50.	Gujarat	Sayajipura, Vadodara	140 houses	Construction of houses for economically weaker sections
51.	Gujarat	13 settlements in Surat	4,350 houses	In situ 'slum redevelopment' under the state Regulations for the Rehabilitation and Redevelopment of the Slums 2010 and Gujarat Slum Rehabilitation Policy 2013
52.	Gujarat	Vadodara River clusters	3,000 houses	Vishwamitri Riverfront Development Project
53.	Gujarat	Villages affected by the Sardar Sarovar Dam in Gujarat	200 families	Sardar Sarovar Project on the Narmada River
54.	Haryana	Jharsa, Sector 37	50 houses	Removal of 'encroachments'/'slum clearance'
55.	Haryana	Sohna Road, Gurugram	350 houses	Construction of a flyover
56.	Himachal Pradesh	Kullu	71 houses	Removal of 'encroachments' along the Kullu-Bhuntar Highway
57.	Himachal Pradesh	Stretch of Manali-Kullu Highway, Manali	24 houses	Road widening
58.	Himachal Pradesh	Villages around the Kangra Airport: Gaggal, Dharamshala (including villages of Ichhi, Gaggal, Matour, and Sohra)	900 families	Expansion of the Kangra Airport
59.	Jammu and Kashmir	Lakhanpur to Palli Morh, Kathua	171 people	Land clearance
60.	Jammu and Kashmir	Srinagar	80 houses	Removal of 'encroachments' along Khushalsar Lake
61.	Jharkhand	Bari Cooperative, Bokaro Steel City	200 houses	Removal of 'encroachments' on the Garga River
62.	Jharkhand	Barigora, Jamshedpur	110 structures (including houses)	Laying a railway track
63.	Jharkhand	Different parts of Jamshedpur	500 houses	Construction of the railway track between Kharagpur and Chakradharpur
64.	Jharkhand	Jharia area, Dhanbad	100,000 families	Coal mining
65.	Jharkhand	Nirmal Nagar, Jamshedpur	150 houses	Government land clearance (Jharkhand State Housing Board)
66.	Jharkhand	Palamau Tiger Reserve, Latehar and Garhwa districts	1,600 families	North Koel Dam project in 'core area' of the Palamau Tiger Reserve
67.	Jharkhand	Tinplate in Golmuri, Jamshedpur	300 houses	Government land clearance (Indian Railways)
68.	Karnataka	Ambedkar Nagar, Bengaluru	300 houses	Order of the National Green Tribunal [O.A. 125/2017, Principal Bench] to remove 'encroachments' from Bellandur Lake's buffer zone
69.	Karnataka	Nagalamadike, Tumkur	30 families	Government land clearance

	STATE	SITE AND CITY/TOWN/VILLAGE	HOUSES/ FAMILIES/ PEOPLE THREATENED	PURPORTED REASON OF EVICTION
70.	Karnataka	Villages of Permude and Kuthethur, Mangalore	700 families	Notification of the state government to acquire over 800 acres of land as per The Karnataka Industrial Areas Development Act
71.	Karnataka	Tumkur	30 families	Government land clearance
72.	Karnataka	Yarazarvi Savadatti Taluk, Belagavi	200 families	Government land clearance
73.	Kerala	Banks of Konthuruthy Canal, Kochi	178 families	Canal restoration project
74.	Kerala	Coastal areas of Kerala	10,000 people	Vizhinjam International Deepwater Multipurpose Seaport
75.	Kerala	Kochi	1,300 families	Canal development projects
76.	Kerala	Muthanga, Wayanad	295 families	Forestland clearance
77.	Kerala	Thuruthi Village, Kannur	29 houses	Construction of a national highway
78.	Kerala	11 districts, including Kasaragod and Thiruvananthapuram	20,000 families	Thiruvananthapuram–Kasaragod Semi High-Speed Rail ('Silver Line') Project
79.	Madhya Pradesh	Ahata Rustam Khan and Pratap Nagar, Bhopal	150 houses	Construction of 'smart roads' under the Smart Cities Mission
80.	Madhya Pradesh	Karahal, Sheopur	500 houses	Removal of Sikh families, claimed to be 'illegal occupants' from tribal, revenue and forest land
81.	Madhya Pradesh	Karamdi, Ratlam	21 families	Government land clearance
82.	Madhya Pradesh	Machhi Bazaar, Indore	300 houses	Order of the National Green Tribunal for riverfront development project between Harsiddhi and Machhi Bazaar [O.A. 115/2014, Central Zone]
83.	Madhya Pradesh	Madan Mahal Hills	300 houses	Removal of 'encroachments' following an order of the Madhya Pradesh High Court [W.P. 11270/2012]
84.	Madhya Pradesh	Mandla	575 villages (at least 600 families)	Nuclear power project
85.	Madhya Pradesh	Rampura Village, Panna District	150 people	Tiger conservation (Panna Tiger Reserve)
86.	Madhya Pradesh	Villages affected by the Sardar Sarovar Dam in Madhya Pradesh	35,000 families	Sardar Sarovar Project on the Narmada River
87.	Maharashtra	Along the Mithi River, Mumbai	53 houses	Santacruz–Chembur Link Road project
88.	Maharashtra	Along the Versova Creek, Mumbai	500 houses	Mangrove protection
89.	Maharashtra	Bezonbagh, Nagpur	379 houses	Order of the Nagpur bench of the Bombay High Court [W.P. (PIL) 1515/2008] for the removal of 'encroachments' on the land of Bezonbagh Society
90.	Maharashtra	Bheemchhaya in Kannamwar Nagar, Vikhroli, Mumbai	800 houses	Clearance of notified forest area
91.	Maharashtra	Chiradpada Village, Thane District	16 people (Adivasis)	Construction of the Mumbai–Nagpur Samruddhi Mahamarg ('Prosperity Highway')
92.	Maharashtra	Core and buffer areas of Tadoba–Andhari Tiger Reserve	1,100 people	Removal of 'encroachments' from wildlife habitats
93.	Maharashtra	Eight Adivasi villages in Damanganga and Vaitarna, Maharashtra	4,000 people	Damanganga–Vaitarna–Godavari intrastate link project
94.	Maharashtra	Ghatkopar–Mahul Road, Mumbai	237 houses	Road-widening drive
95.	Maharashtra	Friends Colony, Gittikhadan, Hazaripahad, KT Nagar, Narmada Colony, Vayusena Nagar, and Vrindavan Colony – Nagpur	350 houses	Widening of Katol Road
96.	Maharashtra	Mazgaon, Mumbai	40 houses	Construction of Hancock and Carnac Bunder bridges
97.	Maharashtra	Navi Mumbai	17,500 families (1,500–2,000 houses in 10 villages)	Construction of the Navi Mumbai International Airport
98.	Maharashtra	Sanjay Gandhi National Park, Mumbai	2,500 people	Forestland clearance

	STATE	SITE AND CITY/TOWN/VILLAGE	HOUSES/ FAMILIES/ PEOPLE THREATENED	PURPORTED REASON OF EVICTION
99.	Maharashtra, Gujarat, and Dadra and Nagar Haveli	Several villages in Maharashtra, Gujarat, and Dadra and Nagar Haveli	14,884 households	Mumbai–Ahmedabad High-Speed Rail Project ('bullet train' project)
100.	Maharashtra	Shivpuri Chowk, Nashik	150 houses	Removal of 'unauthorized' constructions
101.	Maharashtra	Sion Koliwada, Mumbai	500 houses	'Slum' rehabilitation programme
102.	Maharashtra	Tawade Hotel area, Kolhapur	19 houses	Removal of 'illegal' structures
103.	Maharashtra	Villages affected by the Delhi–Mumbai Industrial Corridor Project	50,000 people	Dighi Industrial Port, part of the Delhi–Mumbai Industrial Corridor Project
104.	Maharashtra	Villages affected by the Sardar Sarovar Dam	500 families	Sardar Sarovar Project on the Narmada River
105.	Manipur	Chadong Village, Ukhrul District	100 families (500 people)	Submergence from the Mapithel Dam
106.	Manipur	Koijam Khunou Village, Thoubal District	22 families (70 people)	The Forest Department claims people are 'encroachers' in the Khanuda Reserved Forest
107.	Manipur	Langol foothills and other areas, Imphal East and West	500 families (1,500 people)	Asian Development Bank-sponsored Ring Road project
108.	Manipur	Macheng Village, Imphal	1,346 houses	Removal of 'illegal housing' inside the Langol Reserved Forest area
109.	Manipur	Moirang Ithing Sendra, Bishnupur	17 families	Conservation of Loktak Lake
110.	Manipur	Four villages in Tamenglong District	280 families (840 people)	Pabram Dam
111.	Manipur	Phalong, Part-III Village, Tamenglong	71 families (250 people)	Asian Development Bank-sponsored road construction
112.	Manipur	Sekmai Village	500 families (1,500 people)	Army camp expansion
113.	Manipur	Taobam (Irang) and two other villages, Tamenglong	140 families (420 people)	Irang Dam
114.	Manipur	Tousang Khunou Village, Tamenglong	705 families	Loktak Downstream Hydroelectric Project over the Leimatak River
115.	Manipur	Wakha Village, Imphal East	112 families (595 people)	Proposed establishment of Cultural University
116.	Manipur	Yaithibi Loukon, Thoubal	1,752 families (5,256 people)	Construction of the proposed National Sports University, a mega food park, and a medical college
117.	Meghalaya	Punjabi Line Colony, Shillong	300 families	Removal of 'encroachments'/commercial development of the area
118.	Odisha	Abdalpur, Jaipur	100 families (Scheduled Tribe)	Development of a park
119.	Odisha	Between Malgodam and Panposh, Rourkela	760 houses	Construction of Jharsuguda–Rourkela third railway line on the Mumbai–Howrah route
120.	Odisha	Nilamadhab Basti, OMFED Square, Bhubaneswar	80 families	Construction of transit housing
121.	Odisha	Ramgarh, Budharaja Reserve Forest	35 houses identified (survey is on)	Removal of 'encroachments'
122.	Odisha	Salia Sahi, Bhubaneswar	10,000 families	Road widening
123.	Odisha, Chhattisgarh, and Telangana	Several villages in the three states	105,601 families	Polavaram Dam on the Godavari River
124.	Odisha	Bhawanipatna, Kalahandi, Sitaburtipada	34 families	'City beautification'
125.	Odisha	Taladanda Canal Road, Cuttack	515 houses	Expansion of Sriram Chandra Bhanj Medical College and Hospital
126.	Odisha	Ward 1, Kantigadia Village, Jaipur	48 families	Construction of a liquor warehouse

	STATE	SITE AND CITY/TOWN/VILLAGE	HOUSES/ FAMILIES/ PEOPLE THREATENED	PURPORTED REASON OF EVICTION
127.	Punjab	Bhabat Village, Zirkapur, Mohali	154 residential structures (in addition to 66 commercial and 84 warehouses)	Order of the Punjab and Haryana High Court [C.W.P. 27436/2015] to remove 'illegal' structures within 100 metres of the Chandigarh International Airport
128.	Punjab	Rajiv Gandhi Colony, Ludhiana	5,000 families	Clearance of land belonging to the Punjab Small Industrial and Export Corporation
129.	Rajasthan	Between Kartarpura Nullah and Tonk Phatak Flyover, along the Jaipur–Delhi railway line, Jaipur	250 houses	Road-widening project following orders of the Rajasthan High Court order [W.P. 4783/2003] where general directions were issued for removal of 'encroachments' from various roads in Jaipur
130.	Rajasthan	Dungarpur	3,206 families	Removal of 'encroachments'
131.	Rajasthan	Jhalana , Jaipur	36 families (283 people)	Government land clearance
132.	Rajasthan	Taausar Village, Nagaur	24 houses	Order of the Rajasthan High Court to remove 'encroachments'
133.	Sikkim	Bringbong Village	50 households	Stage IV Teesta Dam
		Gnon Sangdong Village	400 people	
		Phidang Village	200 people	
		Dzongu Village, Hee Gyathang Gram Panchayat Unit Village, and Rong Rong Village	2,000 people	
134.	Sikkim	Passingdang Village	70 households	Panang Hydroelectric Project
135.	Tamil Nadu	Along Adyar River, Buckingham Canal, and Cooum River, Chennai	55,000 families	Restoration of water bodies
136.	Tamil Nadu	Along banks of the Cooum River, Chennai	14,000 structures	'Disaster management'/restoration of water bodies
137.	Tamil Nadu	Along Buckingham Canal, Chennai	66 settlements (26,300 'encroachments')	Removal of 'encroachments'
138.	Tamil Nadu	Ambedkar Nagar, Chennai	110 people	Restoration of Pallikaranai marshland
139.	Tamil Nadu	Coimbatore	15,717 families	Government land clearance
140.	Tamil Nadu	CMC Colony, Ukkadam, Coimbatore	1,565 families	Ukkadam–Athupalam flyover construction
141.	Tamil Nadu	Coimbatore – multiple sites around water bodies	2,563 houses	Restoration of water bodies – under the Smart Cities Mission
142.	Tamil Nadu	Dhobikana, Coimbatore	80 families	Ukkadam–Athupalam flyover construction
143.	Tamil Nadu	Elephant corridor in Sigur, Udagamandalam	390 houses	Order of the Supreme Court of India [W.P. (C) 897/1996] to create an elephant corridor
144.	Tamil Nadu	Kamakshi Amman Nagar, Chennai	550 people	Restoration of Pallikaranai marshland
145.	Tamil Nadu	K.P. Kandhan Nagar, Chennai	230 people	Restoration of Pallikaranai marshland
146.	Tamil Nadu	Kumbakonam, Thanjavur, Chennai	923 houses	Order of the Madras High Court [W.P. 31720/2015] to clear areas along temple tanks and channels
147.	Tamil Nadu	Mahalakshmi Nagar, Chennai	70 people	Restoration of Pallikaranai marshland
148.	Tamil Nadu	Muthannankulam, Thadagam Road, Coimbatore	206 families	'Slum clearance'
149.	Tamil Nadu	Near Adambakkam Lake, Chennai	700 houses	Removal of 'encroachments' on lake banks
150.	Tamil Nadu	Neduvankarai Pillayar Koil Street (known as Moovendar Nagar), Chennai	100 houses	Proposal of the Tamil Nadu Slum Clearance Board to cancel earlier allotments made to families as houses fall under the 'Cooum River's right of way'
151.	Tamil Nadu	Nilgiri Hills	Not known	Order of the Madras High Court [W.P. 35809/2004] to remove 'encroachments'
152.	Tamil Nadu	Quaid-e-Milleth Nagar, Chennai	115 people	Order of the Madras High Court [W.P. 693/2015] to clear government land for water body restoration
153.	Tamil Nadu	Sanganoor Channel, Coimbatore	2,500 houses	Removal of 'encroachments' along water bodies

	STATE	SITE AND CITY/TOWN/VILLAGE	HOUSES/ FAMILIES/ PEOPLE THREATENED	PURPORTED REASON OF EVICTION
154.	Telangana	Banks of Musi River, Hyderabad	10,000 houses	Removal of ‘illegal structures’ as part of the Musi Riverfront Development and Beautification Project
155.	Telangana	Secunderabad Cantonment Board area	35,000 families	Government land clearance (Ministry of Defence)
156.	Uttarakhand	Across the city of Dehradun	33,000 houses	Order of the Uttarakhand High Court [W.P. (PIL) 47/2013] to remove ‘illegal constructions’ across the city
157.	Uttarakhand	Champawat	118 families (568 people)	Removal of ‘encroachments’
158.	Uttarakhand	Champawat	30 families	Forestland clearance
159.	Uttarakhand	Ganganagar in Haldwani, Dehradun	73 families	Removal of ‘encroachment’ from Chakata forest area
160.	Uttar Pradesh	Around Arthala Lake, Ghaziabad	500 houses	Order of the National Green Tribunal [Original Application 180/2015, Principal Bench] to clear ‘illegal structures’ around the lake
161.	Uttar Pradesh	Bakarganj, Bareilly	25 houses	Construction of a waste treatment plant
162.	Uttar Pradesh	Gautam Buddha Nagar, Greater Noida	3,600 families	Phase I construction of the Noida Greenfield International Airport, Jewar
163.	Uttar Pradesh	Jewar Bangar Village, Gautam Buddha Nagar, Greater Noida	592 families	Land acquisition for the resettlement of 3,600 families to be displaced for the Noida Greenfield International Airport
164.	Uttar Pradesh	Different areas in Ghaziabad, including Akash Nagar, Balaji Enclave, Hindon flood plains, and Loni	644 constructions [954 constructions identified of which 310 have been demolished already]	Removal of ‘illegal constructions’
165.	Uttar Pradesh	Jama Masjid area, Agra	10,000 houses	Metro project
166.	Uttar Pradesh	Kydganj, Allahabad	115 houses	Order of the Allahabad High Court [First Appeal 98/1998] in 2016 to clear ‘illegal occupation’ of the land
167.	Uttar Pradesh	Villages of Dohar, Panari, and Piparahwa, Sonabhadra	400 families	Land clearance, after discovery by the Geological Survey of India of 3,000 tonnes of gold deposits
168.	Uttar Pradesh	Surma, Lakhimpur Kheri	417 families (2,000 people)	Removal of ‘encroachments’ from the Dudhwa National Park
169.	Uttar Pradesh and Madhya Pradesh	10 villages	2,000 families	Construction of a dam as a part of the Ken-Betwa river linking project
170.	West Bengal	Bishnupur, Kolkata	100 houses	Prevention of construction within 100 metres of heritage monuments; to facilitate entry of Bishnupur (temple town of terracotta) in UNESCO’s list of World Heritage Sites
171.	West Bengal	New Garia–Airport Metro alignment, Mahisbathan, Kolkata	1,090 houses	Metro project
172.	Forest areas across 21 states (Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Odisha, Rajasthan, Tamil Nadu, Telangana, Tripura, Uttarakhand, Uttar Pradesh, and West Bengal)		1,900,000 (over 1.9 million) families	Following a Supreme Court of India order [W.P. (C) 109/2008] to evict forest-dwellers whose claims under the Forest Rights Act 2006 were rejected; at present there is a stay order on the eviction by the Supreme Court
TOTAL NUMBER OF PEOPLE AFFECTED (Using Census 2011 average household size of 4.8 persons – except where exact number of affected people is known)				14,900,146 (14.9 million)

Source of data: Primary and secondary research by HLRN and information from partner organizations

ANNEXURE IX

TABLE THREE:
INCIDENTS OF LOSS OF HOUSING FROM FIRE
IN INDIA IN 2019

	STATE/ UNION TERRITORY	SITE	MONTH	NUMBER OF FAMILIES AFFECTED/ HOUSES GUTTED
1.	Andhra Pradesh	Komaravolu Village, Krishna District	June	9
2.	Assam	Millang Village, Upper Siang District	October	25
3.	Assam	Rama Camp Market, near Dirang, West Kameng District	October	7
4.	Bihar	Muzaffarpur	March	200
5.	Delhi	Yamuna Khadar	January	15
6.	Delhi	Indira Camp and Jawahar Camp, Kirti Nagar	January	40
7.	Delhi	Shaheed Bhagat Singh Camp, Paschim Puri, Punjabi Bagh	February	250
8.	Delhi	Lalita Park	April	40
9.	Delhi	Opposite Nivedita Kunj, Sector 7, R.K. Puram	April	8
10.	Delhi	Moti Nagar	July	2
11.	Delhi	Wazirabad	August	12
12.	Gujarat	Near Chandola Lake, Narol, Ahmedabad	February	15
13.	Gujarat	Kheriya Village, Dahod	April	8
14.	Haryana	Nathupur, Gurugram	January	Over 100
15.	Haryana	Gurugram	March	35
16.	Haryana	Nathupur Village, DLF Phase 3, Gurugram	March	70
17.	Haryana	Sheetla Mata Colony, Sector 5, Gurugram	April	3
18.	Haryana	Sector 112, Bajghera, Gurugram	May	35
19.	Himachal Pradesh	Koti Village, Kotkhai, Shimla	March	8
20.	Himachal Pradesh	Bathri Village, Haroli Tehsil	April	40
21.	Jammu and Kashmir	Maratha Mohalla, near Jammu Railway Station, Jammu	June	250 (41 belonging to Rohingyas)
22.	Jammu and Kashmir	Qasim Nagar, Jammu	November	11
23.	Madhya Pradesh	Chand Badi in Chhola Mandir, Bhopal	January	6
24.	Madhya Pradesh	Shankar Nagar, Bhopal	April	10
25.	Madhya Pradesh	Vishwakarma Nagar, Bhopal	August	4
26.	Maharashtra	Koparkhairane, Mumbai	January	Over 20
27.	Maharashtra	Kranti Nagar, Kurla, near the Mumbai International Airport compound, Mumbai	January	8
28.	Maharashtra	Wadala Gaon, Nashik	February	3
29.	Odisha	Sialinai Village, Similipal Tiger Reserve	January	16
30.	Odisha	Sialinai Village, Similipal Tiger Reserve	February	24
31.	Odisha	Bataradapalli Village, Ganjam District	July	8
32.	Punjab	Kalsi Nagar Market, Phillaur, Phagwara	March	7
33.	Punjab	Chamrang Road, Amritsar	June	100

	STATE/ UNION TERRITORY	SITE	MONTH	NUMBER OF FAMILIES AFFECTED/ HOUSES GUTTED
34.	Punjab	Chabbewal, Jalandhar	July	400
35.	Uttar Pradesh	Bhopura Village, Sahibabad, Ghaziabad	January	Over 24
36.	Uttar Pradesh	Sarfabad Village, Noida	January	250
37.	Uttar Pradesh	Bhusa Mandi, near Sadar Bazaar Police Station, Meerut	March	150
38.	Uttar Pradesh	Mohinipurwa in Thakurganj, Lucknow	April	10
39.	Uttar Pradesh	Bhopura Village, Sahibabad, Ghaziabad	October	20
40.	Uttar Pradesh	Gomti Nagar, Lucknow	November	20
41.	Uttar Pradesh	Barola, Sector 49, Noida	December	16
42.	West Bengal	Taratala, Kolkata	February	6
43.	West Bengal	Near the Dunlop area, Kolkata	February	50
44.	West Bengal	Bally Bridge side, near Dakshineswar Temple, north Kolkata	March	25
45.	West Bengal	Prince Ghulam Muhammad Shah Road, Kolkata	April	17
46.	West Bengal	Kidderpore, Kolkata	August	20
47.	West Bengal	Uttar Baluchar, Malda, Kolkata	November	15
48.	West Bengal	Kasba, Kolkata	December	'several homes'
TOTAL NUMBER OF HOUSES BURNT				2,412
TOTAL NUMBER OF PEOPLE AFFECTED/RENDERED HOMELESS BY FIRE (Using the Census 2011 average household size of 4.8 persons)				11,578

Source of data: Primary and secondary research by HLRN and information from partner organizations

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Also, the Reserve Bank of India has classified Indian centres into six tiers, on the basis of population:

Tier 1: Population of 100,000 and above; Tier 2: 50,000 to 99,999; Tier 3: 20,000 to 49,999; Tier 4: 10,000 to 19,999; Tier 5: 5,000 to 9,999; and, Tier 6: Population of less than 5,000.

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Housing and Land Rights Network (HLRN) – based in New Delhi, India – works for the recognition, defence, promotion, and realization of the human rights to adequate housing and land, which involves gaining a safe and secure place for all individuals, groups, and communities, especially the most marginalized, to live in peace and dignity. A particular focus of HLRN’s work is on promoting and protecting the equal rights of women to adequate housing, land, property, and inheritance. Housing and Land Rights Network aims to achieve its goals through advocacy, research, human rights education, and outreach through network building—at local, national, and international levels.

In the absence of official data on evictions in India, HLRN established the ‘National Eviction and Displacement Observatory’ in 2015. The Observatory monitors, documents, and responds to forced evictions across urban and rural India by aiming to assist affected communities with relief, redress, restitution, and access to justice, where possible.

Since 2017, HLRN has been publishing an annual report on forced evictions in India with comprehensive data and analysis on this silent but alarming crisis. In this report titled, ‘Forced Evictions in India in 2019: An Unrelenting National Crisis,’ the third in its series, HLRN presents the findings of its research and analysis on the nature, scale, and magnitude of forced evictions and displacement in India over the last three years. Though this report focuses on forced evictions during the year 2019, it also documents forced evictions during the COVID-19 pandemic. It draws attention to the unabating but still unaddressed national crisis of forced evictions of the urban and rural poor. The report also makes recommendations to the central and state governments to address and resolve this important issue that results in egregious human rights violations of affected communities and has severe and long-term impacts on the nation’s development and social, gender, and economic justice.

Housing and Land Rights Network hopes that this report will help draw attention to this continuing national crisis of forced evictions and home demolitions of the most marginalized, and generate awareness on the grave human rights violations and that the proposed recommendations will be implemented in order to help bring justice to the millions of affected persons across the country.



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