

III. Main Findings on Forced Evictions in India: 2022 and 2023

1. Unprecedented number of demolitions in 2023

In 2023, HLRN documented the demolition of over **107,449 (1 lakh) homes**, resulting in the forced eviction of at least **515,752 (5 lakh) people** across the country, **the highest recorded figure in the last seven years**.

Major demolition drives that affected large groups of people, for instance, in Tughlakabad (Delhi), Rama Pir No Tekro (Ahmedabad), and Faizabad - Naya Ghat (Ayodhya), among others, contributed to the significantly higher figure in 2023.

Even in 2022, there was an increase in the number of evictions from the preceding year, with over **46,371 houses** being demolished and around **222,686 (2.2 lakh) people** evicted.

2. Forced evictions occurred across India

Forced evictions of the urban and rural poor occurred across India – in megacities, smaller cities, towns, and villages. In the last two years, HLRN documented instances of evictions in 23 states and 4 Union Territories.

Prominent cities/towns where a large number of people were affected by evictions include Gurugram (Gurgaon), Navi Mumbai, and Surat (in 2022) and Delhi, Ahmedabad, and Ayodhya (in 2023).

3. Major reason for evictions: ‘encroachment-removal’/ ‘beautification’ drives

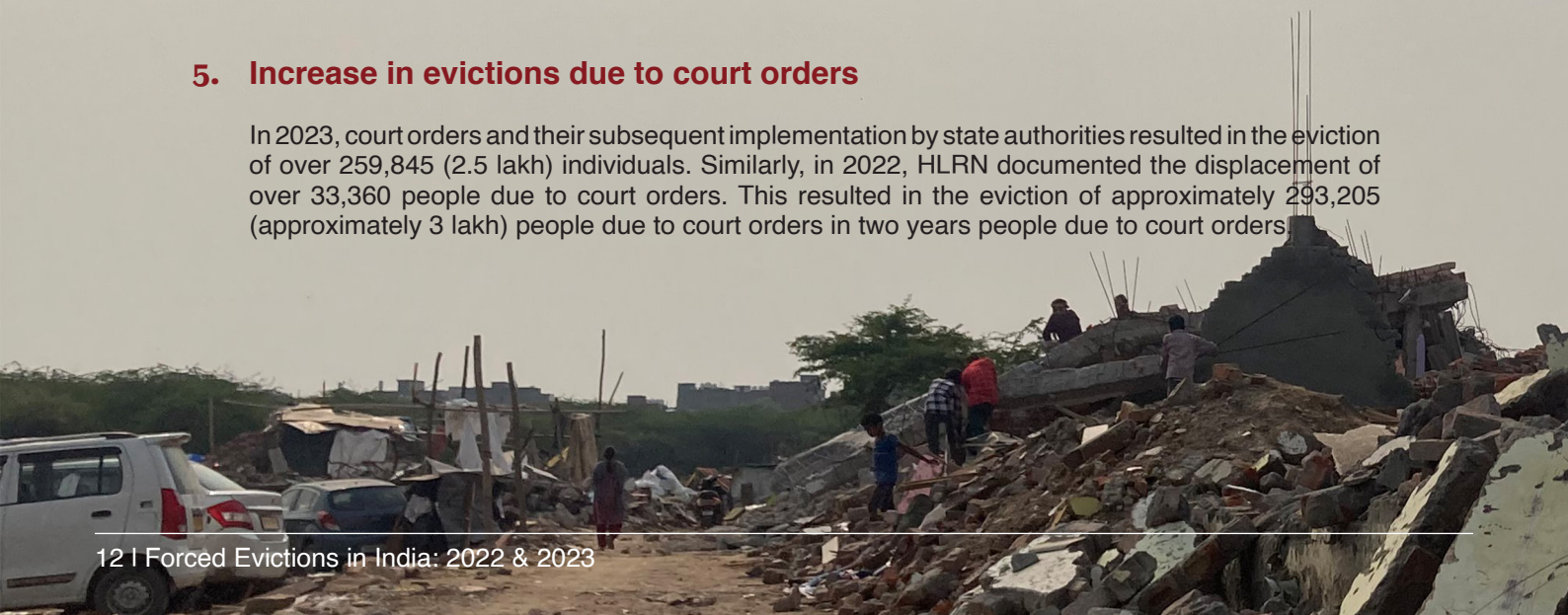
In the two years, the maximum percentage of people (59 per cent) were evicted under the guise of ‘slum’/land clearance/‘encroachment-removal’ or ‘city-beautification’ drives. This resulted in the eviction and the forcible displacement of at least 290,330 people in 2023 and over 143,034 people in 2022. Forced evictions were also carried out for a range of other reasons, including infrastructure and ostensible ‘development’ projects, including ‘smart city’ projects; environmental projects, forest protection, and wildlife conservation; ‘disaster management’ efforts, among other reasons.

4. Large number of evictions in Delhi

The National Capital Territory of Delhi recorded the most incidents of evictions (78) in 2022 and 2023. In 2023, around 278,796 (2.8 lakh) people were evicted by various state authorities in Delhi, the highest in any location in India for the year. In 2022, at least 16,233 people in Delhi lost their homes due to state action.

5. Increase in evictions due to court orders

In 2023, court orders and their subsequent implementation by state authorities resulted in the eviction of over 259,845 (2.5 lakh) individuals. Similarly, in 2022, HLRN documented the displacement of over 33,360 people due to court orders. This resulted in the eviction of approximately 293,205 (approximately 3 lakh) people due to court orders in two years.



6. Over 1.6 million people evicted in the last seven years

In the last seven years – from 2017 to 2023 – state agencies forcibly evicted over 1.68 million (16.8 lakh) people in rural and urban India. On average, between 2017 and 2023, at least 2.4 lakh people were evicted annually in India.

7. Absence of due process and violation of human rights

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. Moreover, all incidents of forced eviction documented by HLRN resulted in multiple, and gross, human rights violations. Demolition drives, in many instances, were carried out with, a level of severity and brutality, surpassing that of previous years.

8. Disproportionate impact on marginalized groups

Based on available information, in at least 36 per cent of evictions in 2023 and 27 per cent of evictions in 2022, affected persons belonged to historically marginalized groups, including religious minorities, Adivasis/Scheduled Tribes, Dalits/Scheduled Castes, Other Backward Classes, as well as nomadic and indigenous communities, such as the Gadia Lohars. However, this percentage could be higher as in most media reports, which form a bulk of the source of information, cohesive information on the demography of affected persons is not available.

9. Widespread threat of eviction

Over 17 million individuals across India currently live under the constant threat of eviction and displacement for various reasons, including potential 'slum' clearance drives, planned infrastructure projects, environmental forest protection, disaster relief measures, implementation of court orders, and tourism development, among others.

10. Low rate of rehabilitation, resettlement, or compensation

In the majority of instances where information was available (82 per cent in 2023 and 58 per cent in 2022), no rehabilitation was provided by the state to the affected persons.

11. Evictions of homeless persons living on the streets and in shelters in Delhi

In Delhi, 3,261 homeless persons were displaced from their places of dwelling in 2022 and 2023, due to the demolition of government-run shelters and beautification drives in the city.

12. Incidents of fires recorded

A staggering total of 4,106 houses belonging to low-income families were destroyed by fire accidents in both 2022 and 2023, leaving over 20,159 individuals without a home. Often, fire is used as an insidious means of evicting people and clearing the land for other purposes, including for private profit.

1. Geography

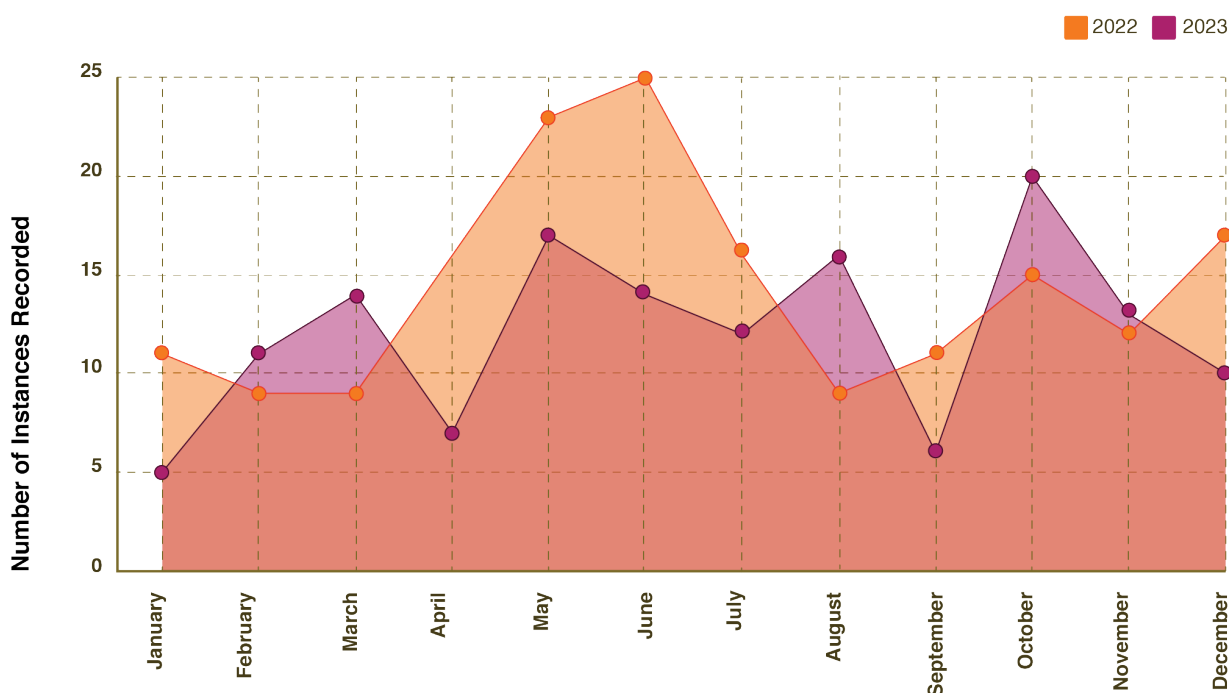
In 2023, HLRN documented incidents of forced eviction spanning both urban and rural India, occurring in **20 states** and **three Union Territories** (UTs) (Chandigarh, New Delhi, Jammu and Kashmir). In 2022, **21 states** and **three UTs** (Chandigarh, Daman and Diu, and New Delhi) reported instances of evictions. This encompasses **23 states** and **4 UTs** where evictions were recorded over the last two years. A few states such as Assam, Haryana, Gujarat, Madhya Pradesh, Maharashtra, Tamil Nadu, and Uttarakhand, among others, reported multiple instances of evictions in both years. It is, however, likely that evictions also took place in other states/Union Territories for which we do not have information.

A large number of people lost their homes in ‘**megacities**’¹⁴ (Delhi, Kolkata, and Mumbai) and in other ‘**million-plus urban agglomerations**’¹⁵/cities (Ahmedabad, Aurangabad, Bengaluru, Bhopal, Coimbatore, Chennai, Guwahati, Hyderabad, Indore, Jaipur, Jalandhar, Lucknow, Ludhiana, Nagpur, Navi Mumbai, Patna, Prayagraj, Rajkot, Ranchi, Vadodara, Vijayawada, and Visakhapatnam).

Demolitions of homes were also reported in **Tier I cities**⁶ (Bathinda, Berhampur, Bhubaneswar, Bokaro, Bulandshahr, Chandigarh, Cuttack, Darrang, Dehradun, Erode, Faridabad, Giridih, Guntur, Gurugram, Jabalpur, Jammu, Jamshedpur, Khargone, Mathura, Nagaur, Nagaon, Patha Kothagudem, Pithampur, Saharanpur, Sambalpur, Tirupur, and Gulbarga); **Tier II cities** (Ayodhya, Bargarh, Daman, Dwarka, Himatnagar, Jaisalmer, Kannauj, Nainital, Ranipet, Tikamgarh, Villupuram); and, **Tier III cities** (Morigaon).

Additionally, demolitions occurred in many villages (including in the states of Assam, Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Manipur, Telangana, Tripura, and West Bengal).

Graph 1: Month-wise Number of People Evicted in 2022 and 2023



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 examination

Map 3: Forced Evictions Across Urban Centres: 2022 and 2023

Mega Cities

1. Delhi
2. Mumbai
3. Kolkata

Million Plus Cities

4. Ahmedabad
5. Aurangabad
6. Bengaluru
7. Bhopal
8. Coimbatore
9. Chennai
10. Guwahati
11. Hyderabad
12. Indore
13. Jaipur
14. Jalandhar
15. Lucknow
16. Ludhiana
17. Nagpur
18. Navi Mumbai
19. Patna
20. Prayagraj
21. Rajkot
22. Ranchi
23. Vadodara
24. Vijayawada
25. Vishakhapatnam

Tier-1

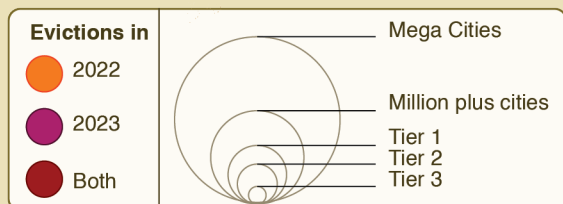
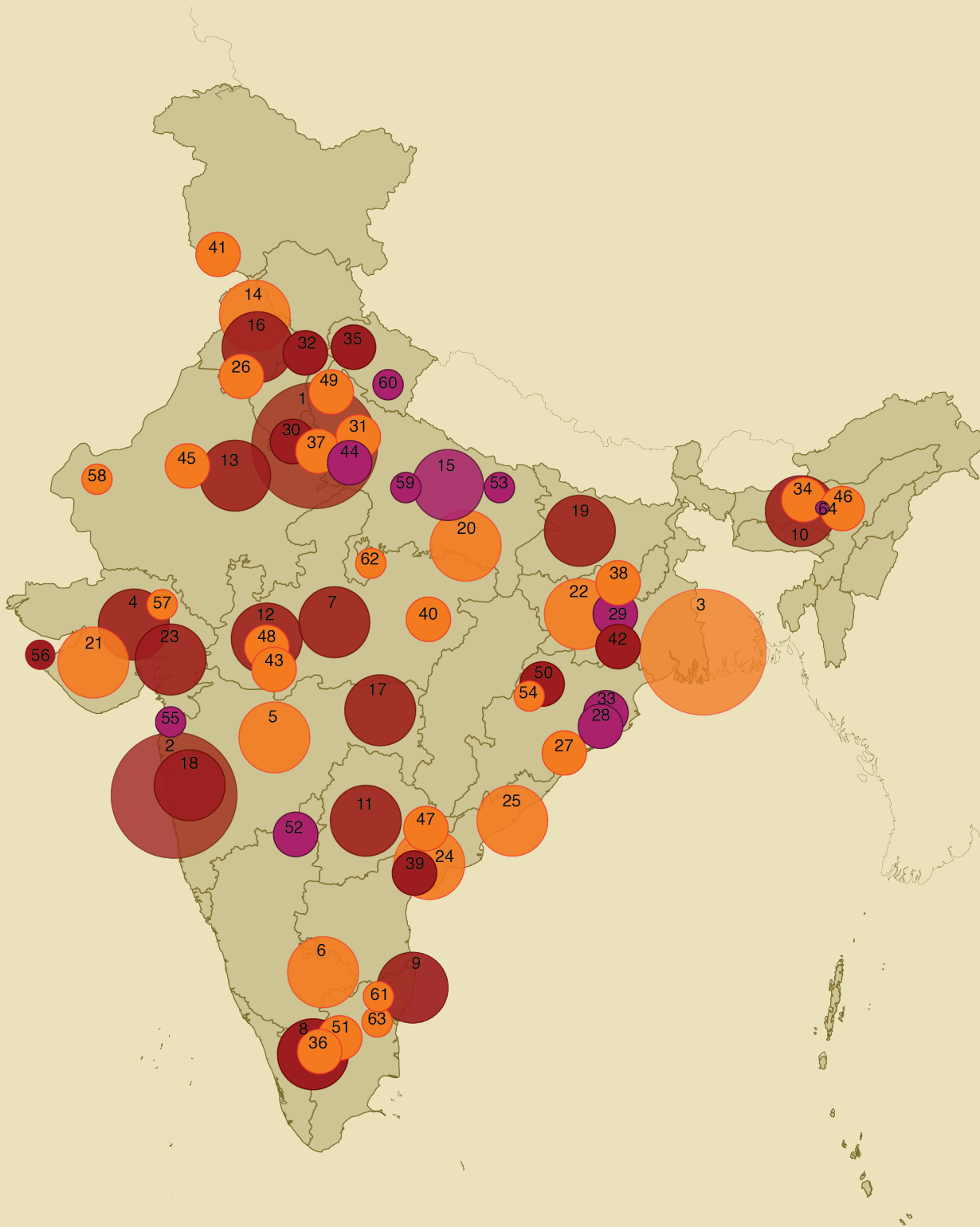
26. Bathinda
27. Berhampur
28. Bhubaneswar
29. Bokaro
30. Gurugram
31. Bulandshahr
32. Chandigarh
33. Cuttack
34. Darrang
35. Dehradune
36. Erode
37. Faridabad
38. Giridih
39. Guntur
40. Jabalpur
41. Jammu
42. Jamshedpur
43. Khargone
44. Mathura
45. Nagaur
46. Nagaon
47. Patha Kothagudem
48. Pithampura
49. Saharanpur
50. Sambalpur
51. Tirupur
52. Gulbarga

Tier-2

53. Ayodhya
54. Bargarh
55. Daman
56. Dwarka
57. Himmatnagar
58. Jaisalmer
59. Kannauj
60. Nainital
61. Ranipet
62. Tikamgarh
63. Villupuram

Tier-3

64. Morigaon





Nanakpura, New Delhi, Credits: HLRN

2. Reasons for Evictions

In most incidents of forced eviction across India, affected persons and communities are not provided with the reason for eviction/demolition of their homes; this information is also generally not made public. Housing and Land Rights Network, however, has analyzed 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 years 2022 and 2023:

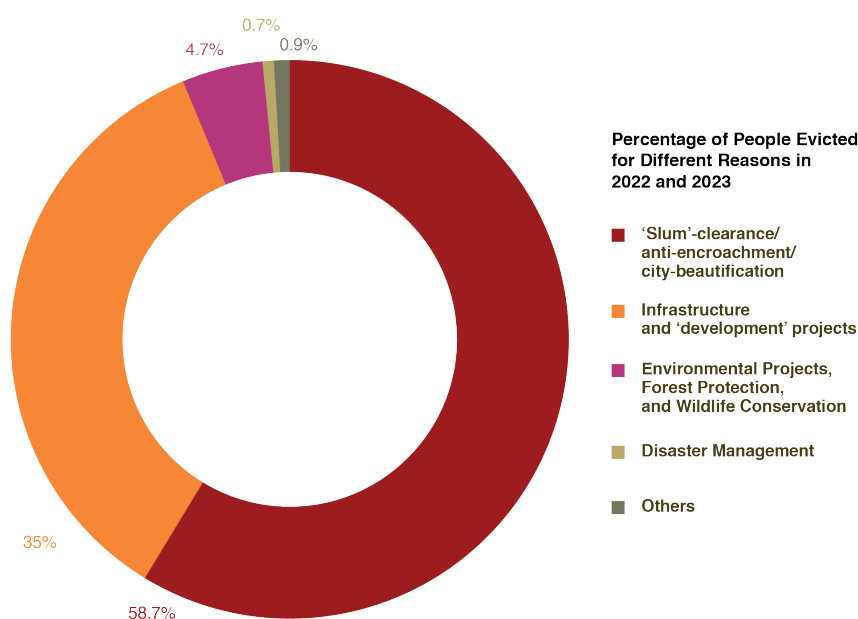
- 'Slum-clearance'/anti-encroachment/'city-beautification' drives [**58.7 per cent** of affected persons (at least **433,364 individuals**)];
- Infrastructure and ostensible 'development' projects, including road widening, highway expansion, bridge construction, and 'smart city' projects [**35 per cent** of affected persons (at least **258,873 individuals**)];
- Environmental projects, forest protection, and wildlife conservation [**4.7 per cent** of affected persons (at least **34,615 individuals**)];
- 'Disaster management' efforts [**0.7 per cent** of affected persons (at least **4,814 individuals**)];
- Other reasons, including tourism projects, government-constructed low-income housing units being declared as 'unsafe' for dwelling, and those not covered by the above four categories, affected [**0.9 per cent** of affected persons (at least **6,773 individuals**)].

(See separate findings of each year below)

Our findings and analysis suggest that the trend with regard to the reason for forced evictions has been consistent over the last two years. The highest number of people witnessed the loss of their homes for reasons related to 'slum'/government land clearance, 'encroachment-removal' drives, and 'city-beautification' projects.

Additionally, several incidents of evictions were seemingly carried out as a 'punitive measure', for instance, in Jirapur Village, Khargone, Maihar (Madhya Pradesh); Prayagraj, Saharanpur (Uttar Pradesh); Nuh (Haryana); and Jahangirpuri (Delhi), among others.

Graph 2: Major Reasons for Evictions in 2022 and 2023



An analysis of all documented evictions in 2022 and 2023 reveals that the vast majority of evictions, as in the preceding years since 2017, were not carried out for 'exceptional circumstances' as stipulated by the UN Basic Principles and Guidelines on Development-based Evictions and Displacement (2007)⁷ 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 or relocation.

2.1 'Slum'/Land Clearance/'Beautification'/Removal of 'Encroachments'

While HLRN does not advocate the use of the term 'slum' to refer to the housing of low-income groups because of its derogatory and negative connotations, it is used by the Indian government in law and policies. In 2023 and 2022, central, state, and local authorities undertook a large number of demolition drives in several cities and villages across the country. This resulted in the destruction of self-built homes of the working poor, based entirely on the perception of the state and its agencies that they are 'illegal' or 'encroachers'. Over **290,330 people were rendered homeless in 2023, (56.3 per cent of the evicted population)**. This trend mirrors our findings from 2022, where **143,034 individuals (64.2 per cent)** of the affected population, were impacted due to 'slum-clearance', 'encroachment removal', and 'city-beautification' drives.

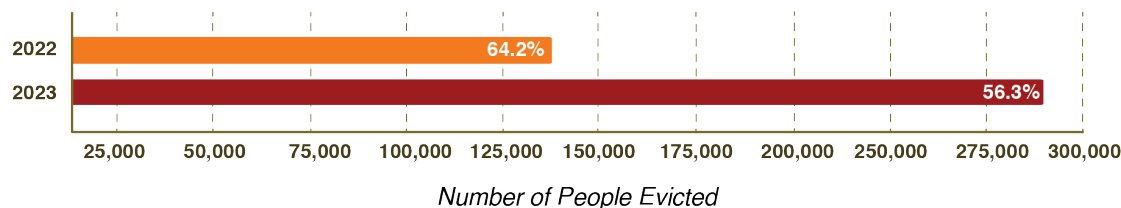
"During the demolition, a large contingent of around 200 CRPF (Central Reserve Police Force) personnel and an equal number of Delhi police officers were stationed. Their presence barred us from accessing our possessions inside. To make matters worse, they confiscated the tin roofs we had, loading them onto a truck while the demolition was still in progress."

~ A woman evicted under an encroachment removal drive in Nanakpura, Delhi in 2023

For instance, the Department of Town and Country Planning in Gurugram, Haryana, undertook a series of demolition drives in Saraswati Kunj in January⁸, May⁹, and September 2022¹⁰, destroying over 18,000 houses. As per reports, government officials conducting the drive claimed that houses, which were inhabited by daily-wage workers were resulting in 'problems related to sanitation and pollution' in the area¹¹.

A series of demolition drives were carried out in Delhi in 2022 and 2023, for 'encroachments removal' and 'city beautification', which affected a large number of informal settlements across the city. Prominent among these sites were Tughlakabad, Mehrauli, Pragati Maidan, Zakir Nagar (2023) and Bela Estate (2022).

Graph 3: Eviction due to 'Slum'/Land Clearance/'Beautification'/Removal of 'Encroachments'



Demolished Houses in Kanhaiya Gaon, Gurugram, Credits: HLRN

Map 4: Forced Evictions in Delhi: 2022 and 2023

The National Capital Territory of Delhi recorded the most incidents of evictions (78) in 2022 and 2023. In 2023, around 278,796 (2.8 lakh) people were evicted by various state authorities in Delhi, the highest in any location in India for the year. In 2022, at least 16,233 people in Delhi lost their homes due to state action.

Sites of Eviction

2022

- | | |
|---|---|
| 1. Chhatarpur Fatehpur Beri | 18. Subhash Camp, Badarpur |
| 2. 6/4 Ward 1, Mehrauli | 19. Sunder Nursery, Nizamuddin |
| 3. Bela Estate | 20. Tughlakabad |
| 4. Bela Estate, Raj Ghat | 21. Under the Delhi Noida Direct (DND) flyover, Yamuna Khadar |
| 5. Chilla Khadar | 22. Kisan Colony, Shastrri Nagar |
| 6. DND Basti | 23. Vishwas Nagar, Kasturba Naga |
| 7. Jahangirpur | 24. Bhoomiheen Camp, Kalkaji, Govindpuri |
| 8. Kabadi Basti, Punjabi Bagh | 25. Dhobi Ghat, Batla House |
| 9. Kali Bari | 26. Geeta Colony |
| 10. Kali Bari, C 31, Gole Market | 27. Old Usmanpur Village |
| 11. Kanchan Kunj, Samosa Chowk | 28. Priyanaka Gandhi Camp |
| 12. Kanchan Kunj, Shamschaan Ghat | 29. Sarojini Nagar |
| 13. Machhi Market, behind Akshardham Temple | 30. Shyam Lal College, Shahdara |
| 14. Madanpur Khadar | 31. Deenpur Village |
| 15. Manglapuri | 32. Bawana Village |
| 16. Mansarovar Park, Shahdara | 33. Gokulpuri, Kabir Nagar |
| 17. ITO Graveyard | 34. Karkardooma |
| 18. Ramesh and Lalita Park | 35. Madangir |
| 19. Sarai Kale Khan | 36. Najafgarh |
| 20. Sarai Kale Khan, Gyaspur Colony | 37. Prahladpur |
| 21. Shakur Basti | 38. Samaspur Village |
| 22. Shakur Basti - D Block | 39. Sangam Vihar |
| 23. Shyam Lal College, Shahdara | 40. Shiv Vihar, Tripal Factory |
| 24. Tauba Colony, Batla House | 41. Sultan Garden, Uttam Vihar |
| 25. Yamuna Bazar | 42. Surajpur Mod, Najafgarh |
| 26. Jamia Nagar, Batla House | 43. Okhla |
| 27. Yamuna Riverfront | 44. Shanti Van |
| 28. Mahatma Gandhi Camp, Punjabi Bagh | |

2023

- Zakir Nagar
- Bhairon Marg, Pragati Maidan
- China Colony, Moolchand basti
- Bela Estate
- Moolchand Basti
- Dhaura Kuan
- Khirki Extension, Malviya Nagar
- Kotla, Sewa Nagar
- Madipur
- Nanakpura
- Near Moti Masjid, Zakir Nagar
- Near Vishwa Apartment, Mehrauli
- Paharganj, Delhi
- Saket
- Shakur Basti
- Shakur Basti D-block
- Shashi Camp, Badarpur

Evictions in

- 2022
- 2023

* Note: Multiple incidents of demolition have been reported at some of the locations represented above, however, they have been depicted by a single point. See Annexures 1 and 2 for details of incidents.



Chief Justice of India

Justice B.N. Srikrishna

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Forced Evictions Prior to Mega Events: From Asian Games to the G20 Summit

According to the Global Report on Human Settlements 1996, major eviction programmes are often undertaken prior to the organization of international events, under the guise of 'beautification' drives, to remove informal settlements in host cities. For decades, cultural, sporting, and political mega - events have been characterized by these negative housing impacts. Thousands of people have been displaced and forcibly evicted due to mega sporting and cultural events in various countries such as Brazil, Korea, Qatar, Nigeria, the United States of America, as well as in India.¹² Delhi, in particular, has hosted several such events, from the Asian Games in 1982 to the G20 Summit in 2023.

The 1982 Asian Games in Delhi was the first international mega event after the country gained its independence. While the Asian Games were touted as 'the crowning jewel' in Delhi's history, a series of forced evictions were carried out during the preparations for the event and thereafter¹³. A large number of workers (it was observed that around one million workers arrived in the city due to the event, causing the population to rise from 5.5 million to 6.5 million)¹⁴ were brought to Delhi for construction of infrastructure linked to the Games (such as roads, flyovers, high-end housing, and sports facilities). Reports found that the workers were neither paid minimum wages, nor provided with adequate housing facilities, and were subjected to exploitation. In the absence of housing options, the number of informal settlements across the city increased and the residents have till date been living under the threat of eviction, due to a lack of security of tenure¹⁵. The unprecedented scale of construction undertaken for the Games also led to the sidelining of the Master Plan, a comprehensive framework for the city's planned development.¹⁶

Following the Asian Games, in 2003, India successfully bid to host the Commonwealth Games (CWG) in 2010. Based on its fact-finding work and research, HLRN estimates that since 2004, at least 200,000 people in Delhi were forcibly evicted as a result of the CWG, without any rehabilitation. Authorities even demolished homes at several sites across the city when residents were not present; when they were either at work or traveling out of the city. From 2004 to 2006, aggressive demolitions took place on the west bank of the river Yamuna. Subsequently, in the summer of 2006, equally severe evictions occurred on the east bank, resulting in the demolition of more than 50,000 homes. Unfortunately, most of those affected received no compensation.¹⁷

Moreover, the construction of the Commonwealth Games Village served as a means for converting public land along the floodplain into privately-owned assets.¹⁸ Recognizing the impracticality of relocating citywide settlements before the 2010 Commonwealth Games deadline, the Delhi government also opted to hide them from visitors using bamboo plantation.¹⁹

These instances are not confined to the nation's capital alone. In 2017, India hosted the FIFA Under-17 World Cup from 6 to 28 October. In order to 'beautify' areas for the event, the West Bengal government demolished 88 low-income homes and displaced 5,000 street vendors and 18,000 rickshaw pullers in Kolkata and Salt Lake City. This led to the loss of their livelihoods and sources of income.²⁰ Both domestic and international outcry managed to prevent further planned evictions. In a separate incident, the state government evicted 1,200 families to make way for the construction of a pavilion and stage for the Kolkata Book Fair.

A similar approach was observed during the 2020 visit of the former President of the United States of America, Donald Trump to Ahmedabad. The city's municipal corporation built a four-foot-high wall²¹ to hide a stretch of informal settlements on the delegation's designated route. In preparation for the event, the Ahmedabad Municipal Corporation (AMC) also issued eviction notices to about 45 residents of the settlements.

A spate of evictions and demolitions occurred in Delhi before the G20 Summit in September 2023. The Delhi Development Authority (DDA), admittedly, carried out 49 demolition drives in Delhi since 1 April 2023 in which an area measuring 229.137 acres was claimed to be 'reclaimed'.²² This includes Kasturba Nagar, Tughlaqabad, Pragati Maidan, the Yamuna Flood Plains, and Dhoola Kuan where demolition drives were carried out by the Delhi Public Works Department (PWD) and the DDA to 'beautify' the city.²³ Homeless persons were also removed from prominent locations in the city, as part of the 'beautification' drive and eight government shelters, that serve as the last refuge for those without a home, were demolished in Yamuna Pushta. These demolitions affected large groups of people and contributed to the high number of displaced persons in 2022 and 2023.

2.2 Infrastructure and Ostensible ‘Development’ Projects

Research reveals that infrastructure and purported ‘development’ projects in 2023 and 2022 continued to displace thousands of persons across urban and rural India. In 2023 alone, over **192,322 persons (37.3 per cent of the affected population) were rendered homeless as 40,067 houses** were demolished for road-widening projects, housing schemes, highway construction, construction and expansion of railway tracks, expansion of coal mines, metro projects, and ‘smart city’ projects. In 2022, **66,551 persons (30 per cent of the total number of people evicted in the year)**, were displaced for similar reasons.

Thus, in both years, at least **258,873 persons** were evicted due to various infrastructure and ‘development’ projects across the country. These include road-widening projects (in various cities such as Ahmedabad, Coimbatore, Guntur, Delhi, Mumbai, Patna, Prayagraj, Vadodara, and Ujjain among other areas) construction of highways, expressways (Bhagalpur, Delhi, Indore, and Mumbai), construction of ‘in-situ’ housing projects (Ahmedabad and Delhi), expansion of railway lines (Bhopal, Mumbai, and Surat), river-front development projects (Ahmedabad, Delhi, Indore, and Lucknow), among other projects.

“Sarkar sthanik vikas ki baat karti hai, par sthanik logon ko vishthapit karke hamein kis tarah ka vikas mil raha hai? Jahan vikas ho raha hai, humein wahan se kyun hatna chahiye?”

(The government talks about local development but by displacing local residents, what kind of development are we achieving? Why are we being removed from areas where development is taking place?)

~ A person under the threat of eviction due to a tourism development project in Narmada district, Gujarat

For instance, in January 2023, the local administration in Madhya Pradesh demolished over 200 houses, including 20 houses built under the Pradhan Mantri Awas Yojana (Prime Minister’s Housing Scheme) and a temple located in Bhaukhedi village, Sehore for an 18 kilometre long road under the Bhuakhedi-Amlaha Road project.²⁴

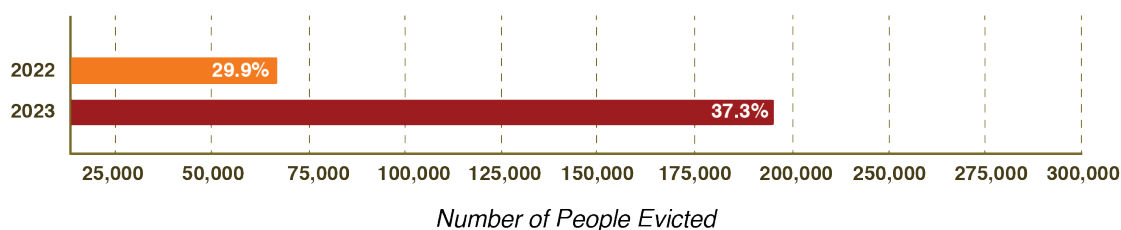
In Mathura, Uttar Pradesh, in September 2023, over 135 families from Nai basti found themselves displaced as part of the area’s redevelopment plan to modernize the rail corridor along the 12 km Mathura-Vrindavan stretch.²⁵

For the construction of the third railway line from Bhopal to Indore, Ramganjmandi-Bhopal New Line Project (worth Rs 113.8 crore), officials of the Indian Railways began demolishing houses in three colonies in Bhopal – New Arif Nagar, Ayub Nagar, and Annu Nagari in December 2022. This impacted approximately 1,100 families who had resided in the area for at least 30 years.²⁶

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 in the previous reports, all people who have been displaced as a result of legal land acquisition processes have not been documented.

Though several evictions are justified by the state for ‘public purpose,’ the term continues to be misused and is ill-defined in law, as definitions are largely inconsistent with basic human rights principles. 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, livelihoods, and security.

Graph 4: Eviction due to Infrastructure and Ostensible ‘Development’ Projects



2.3 Environmental Projects, Forest Protection, and Wildlife Conservation

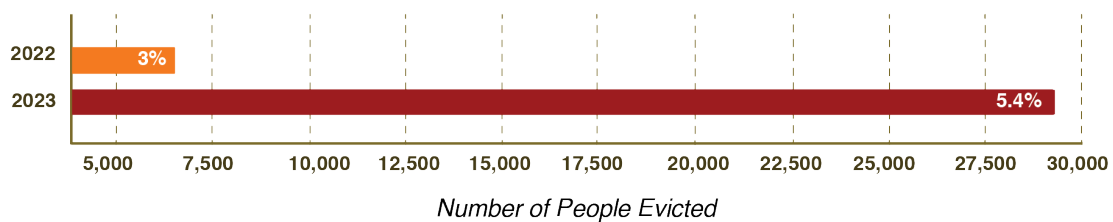
In 2023 and 2022, several incidents of forced eviction were carried out, seemingly, for the implementation of environmental projects and wildlife and forest protection. This resulted in the displacement and forced eviction of at least **34,615 individuals (16 per cent of the affected population in both years)** across the country.

Specifically, in 2023, this resulted in over **27,941 people (5.4 per cent of the total evictions in the year)** who were evicted, allegedly, for the conservation of the environment and forests. In 2022, at least **6,674 people (3 per cent of the evictions recorded that year)** lost their homes due to similar reasons. Multiple such instances of forced evictions were documented in numerous states, including Assam, Arunachal Pradesh, Gujarat, Haryana, Madhya Pradesh, Maharashtra Manipur, Odisha, Punjab, Uttarakhand, and West Bengal.

For instance, in February 2023, district administration officials from Nagaon and Sonitpur in Assam carried out a two-day eviction drive in Burha Chapori Wildlife Sanctuary, demolishing hundreds of structures, including homes, Anganwadi centres, and schools to ‘free land from illegal occupation’ in the wildlife sanctuary. Reportedly, the demolition drive was carried out in the presence of the Assam Police and Paramilitary personnel, and rendered over 2,500 families homeless.²⁷

In July 2022, combined efforts were undertaken by the Thane Municipal Corporation and the Thane District Collector to clear land along the edge of Kalwa Creek by destroying at least 57 ‘hutments’ to ‘replant mangroves’ in the area. Affected persons, reportedly, have been living along the creek for over two decades and have multiple documents including ration cards, and school certificates to prove their residence in the area, and were rendered homeless as the eviction was carried out without following due process and the provision of alternative housing.²⁸

Graph 5: Eviction for Environmental Projects, Forest Protection, and Wildlife Conservation



New Forest Amendment Act 2023

On 26 July 2023, the Forest (Conservation) Amendment Act 2023 was passed by the Lok Sabha, granting exceptions to specific forest lands from the purview of the Forest (Conservation Act) 1980. This adjustment facilitates a more straightforward process for denuding these lands of their forests and repurposing them. The far-reaching ramifications of this alteration translate to an impact on a landmass of 197,159 square kilometres—equivalent to 27.62%—out of the total expanse of India’s forests spanning 713,789 square kilometres.

Under the aegis of the Forest Conservation Act from 1980, any natural forest officially designated as “forests” within government records were provided safeguard. In a pivotal 1996 verdict by the Supreme Court, the scope of this Act was broadened to encompass all forestlands falling within the definitional boundaries of a forest, a measure implemented to curb deforestation. Regrettably, the recent amendment creates exemptions for lands not registered as “forest” in governmental archives as of 25 October 1980, thereby effectively rendering the aforementioned court ruling void.²⁹ Furthermore, the bill extends concessions to lands situated up to 100 km from India’s borders, relieving them from the purview of the Forest (Conservation) Act. As per the amendment, a land area can be excluded from the legal framework to expedite the implementation of political and security projects that hold national significance.³⁰

The potential relaxation of regulations outlined in the forest amendment act could undoubtedly exacerbate the vulnerability of those already dwelling in such regions and increase the threat of eviction due to environmental reasons.

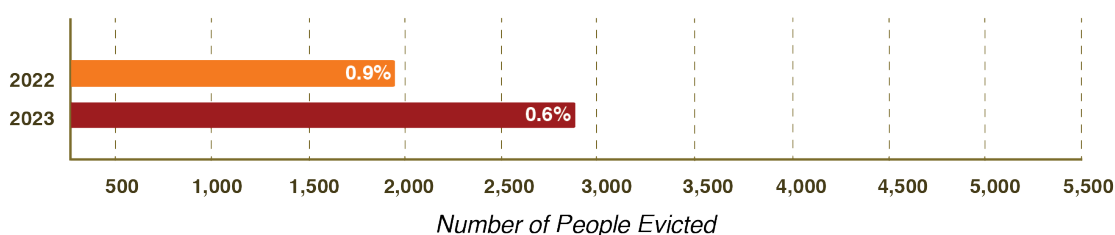
2.4 Disaster Management

Several instances of forced evictions were undertaken in 2023 and 2022 under the guise of ‘disaster management,’ thus impacting at least **4,814 persons (0.6 per cent)** of the total affected population) belonging to low-income and marginalized communities across the country.

In 2023, over **2,880 persons** were affected due to river restoration projects and the construction of ‘flood protection walls’ in Tamil Nadu and Andhra Pradesh respectively. At least **1,934 persons** in Tamil Nadu living along the banks of the Cooum River were evicted and relocated in 2022 for the implementation of the Integrated Cooum River Eco-Restoration Project. However, it is ironic that the sites to which affected communities have been relocated are also located in flood-prone areas, with no disaster-resilient components, included in the design of tenements.

As previously documented by HLRN and its partners, evictions under ‘disaster management’ have received impetus from an order of the Madras High Court [W.P. 39234/2015], and have continued over the years, including for the purpose of ‘restoration of water bodies.

Graph 6: Eviction due to Disaster Management



2.5 Others

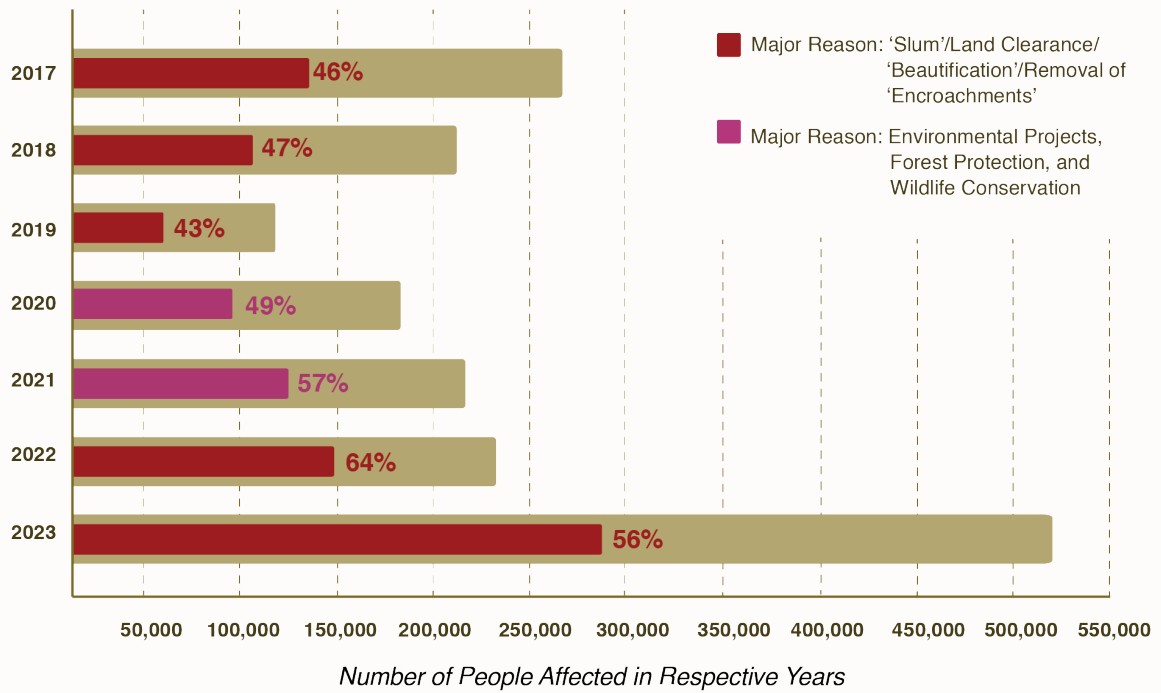
In addition to the categories of eviction mentioned above, HLRN documented numerous instances of evictions occurring in 2022 and 2023 for various other reasons. These include, but are not limited to village conflicts, demolition of government-constructed housing units deemed ‘unsafe’ without the provision of alternative accommodation, and instances where reasons were not known.

At least **2,280 persons (0.09 per cent)** were rendered homeless due to other reasons in 2023. This includes 375 families in Vadodara, Gujarat, who were evicted on grounds that the government-constructed dwelling units were ‘unsafe’ for habitation, and 100 houses located on the Talasari-Udaypur Beach which were removed by the local administration in Balasore as they belonged to persons who were ‘suspected to be involved in sex work’. In 2022, over **4,493 people (2 per cent)** were evicted in various states, including Punjab (based on verbal complaints by the village council), Telangana (on grounds of a few families being allotted land titles in different areas), Odisha (for the development of a park and construction of a statue), and, Karnataka (over allegations of causing ‘nuisance to the public’).

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.

Graph 7: Major Reason for Evictions Over the Years: 2017 to 2023



Houses being demolished in Govindasamy Nagar, Chennai under the guise of removing 'encroachments',
Credits: IRCDUC (Chennai)

3. Impact on Muslims, Dalits, Adivasis, and Other Historically Marginalized Communities

Historically marginalized communities, including Dalits/Scheduled Castes and Adivasis/Scheduled Tribes in India have disproportionately borne the brunt of the country's 'development' paradigm and suffered extensively from evictions and displacement. Despite protections in the Constitution of India and in national laws, Dalit and tribal communities continue to face forced evictions for a variety of reasons, including infrastructure projects, 'beautification' projects, and 'encroachment removal' drives.

In 2023 and 2022, research reveals that forced evictions and home demolitions had severe impacts on communities belonging to marginalized groups, including Muslims, Dalits/Scheduled Castes, Adivasis/Scheduled Tribes, as well as other marginalized groups and communities in several states, including Assam, Bihar, Delhi, Gujarat, Madhya Pradesh, Manipur, Odisha, Punjab, Tamil Nadu, Telangana, Tripura, and Uttar Pradesh.

Out of the 324 reported cases of eviction in the last two years, HLRN was able to document information regarding the caste, religion, and other identities of affected persons in 101 instances, constituting **31 per cent** of total instances documented. These marginalized groups include religious minorities such as Muslims, Scheduled Tribes, Scheduled Castes, Other Backward Classes, as well as nomadic and indigenous communities, and migrant workers. In 2023, at least **53 instances (36 per cent)** of the total reported instances) of evictions documented affected marginalized groups, while in 2022, in **48 instances (27 per cent)** of reported instances) marginalized groups were affected. These are just a few of the incidents documented by HLRN that demonstrate the disproportionate impact of forced evictions on marginalized communities, who in the absence of state support, find themselves being pushed further into impoverishment. Media reports often lack comprehensive and cohesive information about the identities and numbers of affected individuals.



Women and children rendered homeless after the demolition of their homes in Kalbari, New Delhi, Credits: HLRN

Within the subset of these 101 documented cases, where information was available, Muslims emerged as the most affected group in almost half (**44 per cent**) of instances, underscoring their particular vulnerability in the context of forced evictions and displacement.

This was followed by persons belonging to Scheduled Tribes/Adivasi/Tribal communities, who were affected in at least 23 per cent of the instances; persons belonging to Other Backward Classes in 17 per cent of instances; and Scheduled Castes/Dalits in 5 per cent of reported instances. Communities with multiple marginalities including religion, caste, and other identities were affected in at least 11 per cent of the documented instances. For instance, just in Delhi, over hundreds of families belonging to the erstwhile nomadic Gadia Lohar (ironsmith) community were rendered homeless after their settlements were destroyed in Bawana Village, Deenpur Village, Gokulpuri, Karkardooma, Manglapuri, Shahdara, Dhasa Najafgarh, Prahladpur, Shiv Vihar, and Madangir, among other areas.

Additionally, forced evictions, displacement, and inadequate resettlement disproportionately affect women and children. In the aftermath of an eviction, challenges faced by women are multifold and 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 their economic and social vulnerabilities and exacerbate pre-existing and intersectional challenges faced by them in accessing their rights to housing, land, health, work, water, sanitation, privacy, and security. For children, the immediate and long-term impacts of forced evictions 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.

Independent experts estimate that since India's independence in 1947, ostensible 'development' projects have disproportionately affected communities to Scheduled Castes and Scheduled Tribes. Of those displaced, 40 per cent are Adivasis/Indigenous Peoples/Tribals, while 20 per cent are Dalits/Scheduled Castes; with only one-third amongst them receiving resettlement.³¹





Eviction of Homeless Persons in Delhi: Deprivation of the Last Refuge

In addition to the demolition of housing units, government shelters for homeless persons were razed in Sarai Kale Khan and areas of Yamuna Pushta, in Delhi, impacting at least 1,280 persons. These evictions were carried out by the Delhi Urban Shelter Improvement Board (DUSIB), the authority responsible for providing shelter and basic amenities to homeless persons in Delhi, and rendered many without shelter, pushing them back onto the streets and floodplains without any form of refuge.

Besides the destruction of shelter homes, many homeless persons were also displaced from public spaces such as parks, pavements, and intersections, further exacerbating their plight. Incidents of such displacement have been documented in areas such as Modi Mill, Nizamuddin, Hanuman Mandir, Sarojini Nagar, Ber Sarai, and Mayapuri, affecting over 2,000 persons.

“Hum kam se kam yahaan (Yamuna Pushta) paanch saal se reh rahe hain. Yahaan hum pehle jhuggi mein rehte the, par pichle saal (March mein) hamari jhuggi todi gayi thi. Tab se hum beghar ho gaye hain aur tab se hum yahin ‘Yamuna maa’ ke paas bas pade hue hain. Ek toh koi kaam-dhanda nahi, toh kya karenge? Kiraye ka ghar kaise lenge? Isliye bas yahi pade hain.

Abhi G20 ke samay par bhi bol rahe hain ki bach kar rehna, tab bhi hum police se bach bacha kar reh rahe the, ab bhi bach kar reh rahe hain. Ab bhi tang kar rahi hai police. Rain-basera ka tent tak nahi laga jo bola tha.”

(We have been living here (at Yamuna Pushta) for at least five years. We used to live here in a hutment (jhuggi), but our house was demolished last year (in March). Since then, we have become homeless and are languishing on the banks of the river Yamuna. We don’t have any work or livelihood, so what will we do? How will we afford a room on rent? That’s why we are just lying here.

They were telling us to be careful of the police during G20; earlier also we had to be careful of the police and we are continuing to do so. Even now, the police are harassing us. They haven’t even put up the tent shelters (for winter) as they had promised)

~ Sonia, a trans woman from Yamuna Pushta, Delhi, living in homelessness

4. Low Rate of Resettlement and Inadequate Resettlement

Out of the total 324 instances of forced evictions recorded in 2023 and 2022, information on resettlement is available only for 122 instances. Among these, the state offered some form of resettlement or alternative housing in only 25 of the affected sites (20.5 per cent of total instances); partial resettlement in seven sites (1.6 per cent of total instances); and monetary compensation in only seven sites (5.7 per cent of total instances). This implies that, in 72 per cent of instances of eviction in 2023 and 2022, where information is available, the state failed to resettle or rehabilitate affected persons.

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 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... [emphasis added].

As mentioned above, the vast majority of individuals evicted in both 2023 and 2022 have not been resettled by the state. In all instances of forced evictions in 2023, where information is available, government authorities provided some form of resettlement or compensation in only 18 per cent of instances. For instance, affected families living in Tamil Nadu, who were evicted for road-widening projects, and disaster management initiatives were shifted to various resettlement sites, including Ammankulam, Perumbakkam, and Ukaadam. However, as documented extensively by HLRN³² and the Information and Resource Centre for Deprived Urban Communities (IRCDUC), due to the lack of adoption of community-centric approaches, the process of resettlement has pushed communities to further marginalization.³³ In 2022, 42 per cent of affected individuals received some form of rehabilitation by the state. These include persons affected by – the removal of “illegal colonies”, (Chandigarh) and on the basis of a court order (C W.P. No 1445/2011) the destruction of “encroachments” after a plea was filed by a Residents Welfare Association (Chandigarh and Delhi), removal of “encroachments” following court orders (Tamil Nadu), road widening/construction projects (Andhra Pradesh, Punjab, and Tamil Nadu), and restoration of monuments (Maharashtra) among other reasons.

The continued exclusion from housing by local governments using the flawed notions of ‘eligibility criteria’ and ‘illegality’ contributes to a rise in homelessness and an increase in the number of people being forced into insecure and inadequate living conditions across India.

Given the abysmally low rate of resettlement across India, including over the last six 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 large-scale 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, and a large percentage of evicted persons have been rendered homeless. In all scenarios, people experience human rights violations and increased marginalization and impoverishment.

Specifically, in Delhi, with the continued lack of coordination between governments, overlapping implementation of housing schemes for the poor, and the recent trend of courts directing affected families to be shifted to government-run homeless shelters, thousands of evicted families have been pushed into further marginalization and impoverishment. Even after orders from the High Court of Delhi to resettle people affected by evictions, they have not been rehabilitated. In many cases, families have paid for alternative housing after taking personal loans at high interest rates. While the authorities cite lack of coordination between the central and state governments and overlapping implementation of schemes as the reason for this, the evicted families in Delhi are forced to languish in inadequate living conditions, waiting for alternative housing. For example, in Kidwai Nagar, around 400 affected persons have been waiting for the allotment of alternative flats since 2017 despite the directions from the High Court of Delhi in Mathura Prasad v. South Delhi Municipal Corporation [W.P.(C) 3430/2017]. Similarly, in Gol Market, around 80 families who were evicted more than a decade ago in 2010 have been waiting for rehabilitation despite the High Court directing the same.

5. Lack of Due Process and Violation of Multiple Human Rights

The Basic Principles and Guidelines on Development-based Evictions and Displacement, provide clear operational guidelines to be followed before, during, and after evictions. However, in almost all incidents of forced evictions across the country in 2023 and 2022, state authorities did not follow due process requirements. This includes incidents of evictions without adequate notice, demolitions in inclement weather, before and during school examinations, and with the use of disproportionate force. Consequently, the processes followed before, during, and after evictions 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.

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...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. Forced eviction of jhuggi dwellers, unannounced, in co-ordination with the other agencies, and without compliance with the above steps, would be contrary to the law explained in the above decisions.

~ *Ajay Maken v. Union of India*, [W.P. (C) 11616/2015], High Court of Delhi

For instance, in Pragati Maidan, bulldozers reached the site reportedly, at 5 a.m. in the morning on 1 June 2023, leaving the affected persons, including women, children, and older persons, no time to collect their belongings and make alternative arrangements. In several sites, such as Priyanka Gandhi Camp, Tughlakabad, and Nanakpura, the rubble left after the demolition was collected during and immediately after the eviction, and families were prevented from salvaging the remnants of their home for reconstruction. The use of disproportionate force was also reported in sites like Mehrauli, and Tughlakabad, where people were prevented from congregating or leaving their homes.

“Hum karib pachaas saal se Rama Pir No Tekro mein reh rahe the. Jabki sarkar ne humein chhe hazaar rupaye kiraya dene ka vaada kiya tha, par is area mai dus hazaar se kam mein bhaade ka ghar milna namumkin hai. Humko ye bhi nahi pata tha ki jab humein sarkaar punarwas ke baad ghar degi tab woh uske paise legi ya nahi. Humein chinta hoti hai ki agar maang le to kya karenge.”

(We had been living in Rama Pir No Tekro for almost 50 years. The government promised to pay Rs. 6,000 per month for rent. But finding a house for less than Rs. 10,000 in this area is impossible. We also don't know if we will have to pay for the house received after rehabilitation. We worried about what we will do if they ask for money.)

~ **A person from the settlement at Rama Pir No Tekro, Ahmedabad under an in-situ rehabilitation project**



Partially demolished homes in Rama Pir No Tekro, *Credits: Rahethan Adhikar Manch, Gujarat*



Apartments under construction on the site of demolished houses in Rama Pir No Tekro, *Credits: Rahethan Adhikar Manch, Gujarat*

6. Evictions Due to Court Orders

In 2023, court orders and tribunal decisions resulted in at least 13 incidents of forced eviction, displacing over 259,845 individuals across India. This means that at least 50 per cent of those evicted in 2023 lost their homes due to the enforcement of court orders. In 2022, 26 instances affecting 33,360 individuals, roughly 15 per cent of those affected, were attributable to court orders.

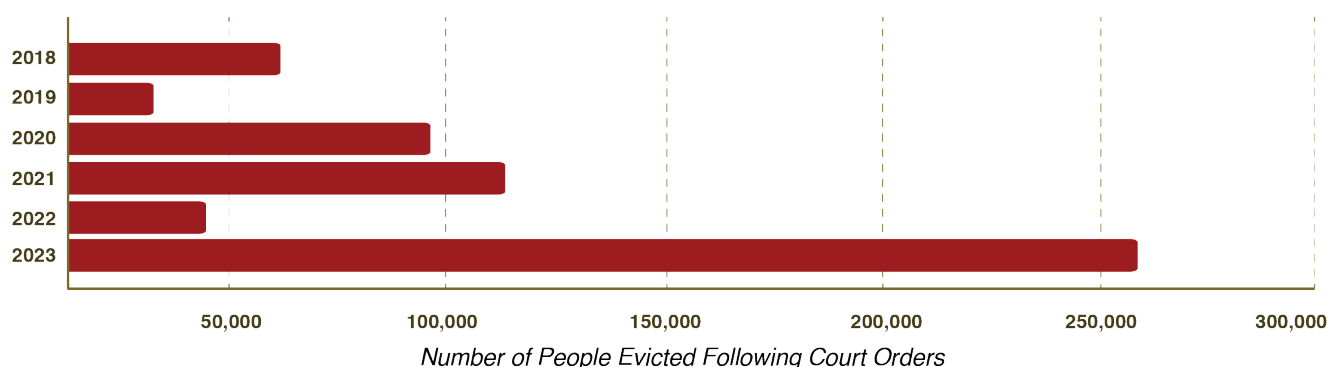
In January 2022, 2,546 ‘hutments’ were demolished by the Western Railways Authority amidst heavy police deployment in Apna Nagar, Makdum Nagar, Milindnagar, Narsinh Mandir, and Panchsheel Nagar in Surat, Gujarat. The demolition was undertaken following the Supreme Court of India’s order in favour of the Indian Railways to ‘forcefully remove’ the ‘encroachments.’ The Court directed local authorities to record details of the persons affected to analyse their eligibility for alternate accommodation, and ordered Western Railway, local government, and the state government to jointly pay a sum of Rs 2,000 per month per demolished structure for “six months from the date of demolition of their structure.” In July 2022, however, the Court refused to give more time to eligible applicants to pay instalments for rehabilitation under PMAY and reprimanded Railway authorities for delay in clearing ‘encroachments’ along the Surat-Udhna to Jalgaon Railway line. The Court stated that, “Whatever has been done is already an indulgence shown to all these persons. They were rank trespassers occupying Railway property.”

Following an order of the Madras High Court, the Chennai Corporation and the Tamil Nadu Urban Habitat Development Board (TNUHDB) removed ‘encroachments’ amidst ‘police protection’ from land belonging to the civic body in June 2022.

Additionally, as highlighted in the previous edition of this report, people affected by forced evictions are facing increasing challenges in accessing justice, including due to the courts hesitancy to provide protection and relief. For instance, the High Court of Delhi [W.P.(C) 9625/2022] refused to intervene to prevent the demolition of 100 homes of low-income families in Gyaspur, despite the residents, reportedly, having proof of residence in the area for decades. The court stated that the settlement was not included in the Delhi Urban Shelter Improvement Board’s (DUSIB) list of identified bastis (settlements). In June 2023, the High Court of Delhi refused to grant a stay on the demolition of 100 houses by the Public Works Department (PWD) in the informal settlement at Pragati Maidan, citing that it is not included in the Delhi Urban Shelter Improvement Board’s (DUSIB) list of notified settlements. No rehabilitation was provided to the evicted people, but the Court permitted one week’s time to the affected persons to shift to the Delhi government’s shelter for homeless persons at Geeta Colony. While homeless shelters serve as an emergency refuge for people without housing, they are not adequate for families with belongings and do not equate to adequate rehabilitation. Similarly, the High Court of Delhi did not provide relief to the residents of Tughlakabad, owing to the fact that the settlement was not part of DUSIB’s list of notified slums, resulting in the demolition of homes in April and May 2023. A similar trend was also exhibited in other cases of demolitions in 2022 and 2023, for example, in *Vaishali (Minor) (Through Next Friend Mrs. Sita Devi) v. Union of India* [L.P.A 271/2022], and *Shakarapur Slum Union v. DDA* [W.P.(C) 6779/2021]. By limiting the requirement of due process and rehabilitation only for residents of listed settlements, the court ignored the vast number of settlements in Delhi that are yet to be surveyed.

In the past, the Indian courts have constructively interpreted the law to provide relief in cases of housing rights violations, despite the absence of a statute. The Supreme Court of India and several state High Courts have consistently affirmed the right to housing/shelter as an inherent component of the fundamental right to life through numerous judgments³⁴. The landmark judgments in *Sudama Singh v. Government of Delhi* (2010) and *Ajay Maken v. Union of India* (2019), place the duty on state authorities to conduct a survey and provide rehabilitation before carrying out any forcible act of eviction. However, recent court orders related to evictions, particularly in Delhi, have deviated from these precedents.

Graph 8: People Affected by Evictions Following Court Orders: 2018 to 2023

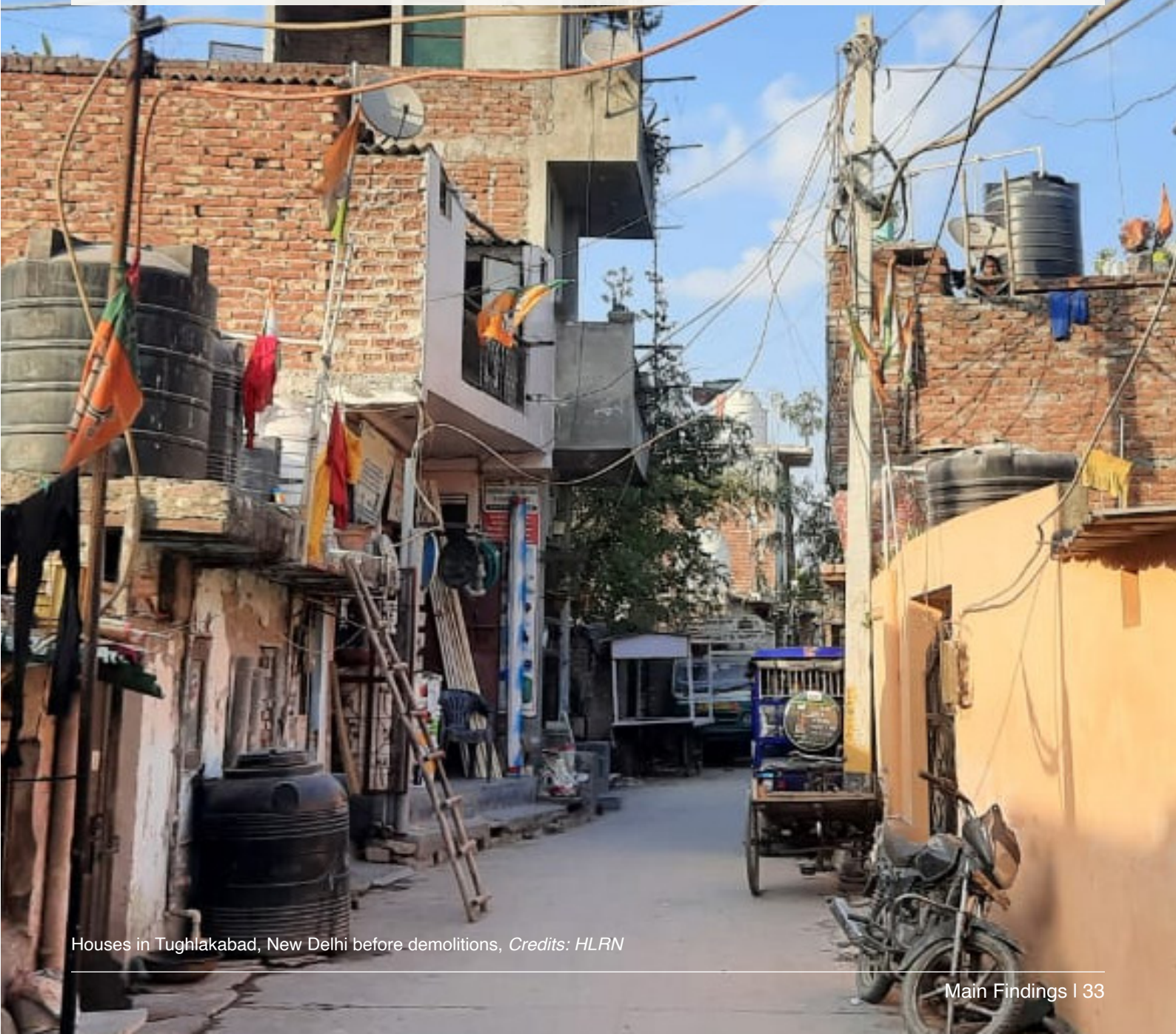


Large Scale Demolitions in Tughlakabad, Delhi

On 11 January 2023, families residing in and around Tughlakabad Fort in New Delhi received eviction notices from the Archaeological Survey of India (ASI).³⁵ As the agency responsible for preserving historical sites, the ASI deemed these settlements as 'illegal encroachments', under the Ancient Monuments and Archaeological Sites and Remains Act 1958 (AMASR Act). Following a directive from the High Court of Delhi, on 24 April 2023, the ASI was mandated to remove encroachments within four weeks. Subsequently, on 30 April and 1 May, amidst heavy rains and in the presence of the Delhi Police and officers from Central Reserve Police Force³⁶ over 1,000 houses were demolished in Bengali Basti in Chhuriya Mohalla, rendering over 2.5 lakh people homeless.³⁷ Despite claims from the Municipal Corporation of Delhi and the Delhi Police, residents maintain that they received no prior communication from the ASI regarding the demolition until 11 January 2023 when notices were affixed to their doors. Notably, these notices did not specify a demolition date.^{38,39} Affected persons also reported that the demolitions were carried out in the morning, when most of the residents had left for work, and that the mobile networks in the area were jammed to prevent information about the eviction from being shared.

"We are going on a hunger strike to prevent them from demolishing our homes suddenly. No one listens to the poor. The military (sic) is coming, saying they are doing their duty; the police are coming, saying they are doing their duty; the MCD is coming, saying they are doing their duty.... there is no one to listen to us. How can we voice our concerns? The female police officers keep pushing us aside, and now they are demolishing our homes right before our eyes. We are helpless, tears are welling up in our eyes, but we cannot cry. They keep saying it is illegal... Well, the whole of Delhi is illegal... they did not even give us a notice..."

~ Conversations with affected persons from Tughlakabad⁴⁰



Houses in Tughlakabad, New Delhi before demolitions, Credits: HLRN

7. Extensive Threat of Eviction and Displacement

In addition to the reported instances of forced evictions in 2023 and 2022, we have also documented information on several imminent threats of forced eviction and dispossession across the country. Around 17 million (1.7 crore) people in India currently live under the threat of eviction and displacement (*see Annexure 3 for details*). The actual number could be much higher, as there is no official data on people facing eviction threats in the country. Based on preliminary information, the reasons for potential displacement can approximately be categorized as ‘encroachments’/‘slum’ clearance/‘city-beautification’ (37.9 per cent of documented instances), infrastructure projects (27.6 per cent), forest protection (19.7 per cent), disaster management (3.8 per cent), implementation of court orders; and, tourism development, among other reasons (11 per cent).

Some of the prominent threats of evictions include inter alia the following:

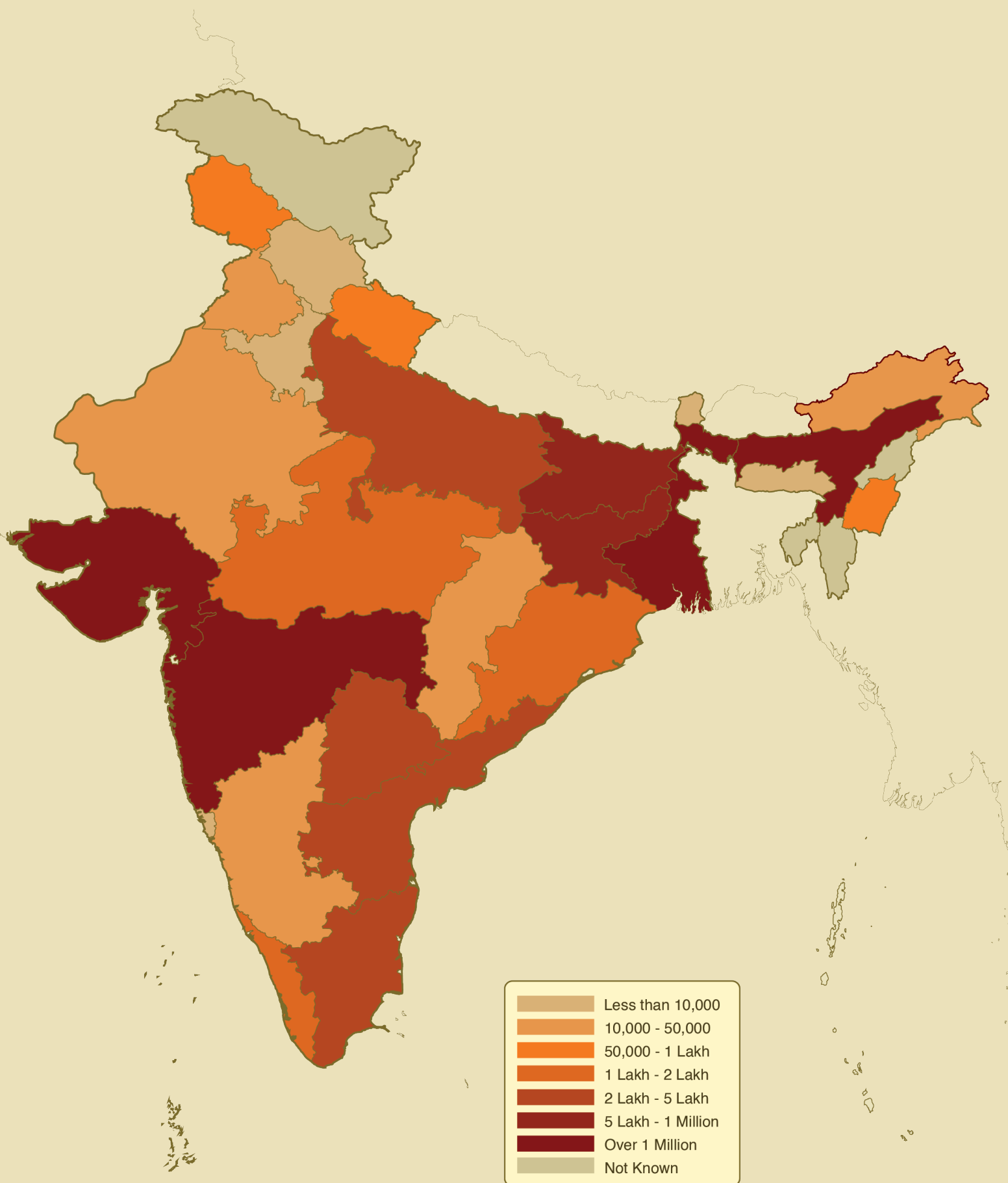
- Around 65,000 families in Mumbai’s Dharavi, live under the threat of being displaced due to the planned redevelopment project;⁴¹
- At least 1,446 families will be evicted as a part of ongoing efforts for the expansion of the Gaggal Airport, in Kangra, Himachal Pradesh⁴²;
- Atleast 5,000 people in Narmada district, Gujarat continue to live under the threat of being displaced from their ancestral lands, for the implementation of various projects to boost tourism in the region, including for the construction of an airport around the Statue of Unity;⁴³
- Over 20,000 families living in 11 districts, including Kasargoad and Thiruvananthapuram, in Kerala, could be evicted for the 540-kilometre ‘Thiruvananthapuram–Kasargod Semi High-Speed Rail’ or ‘Silver Line’ project.⁴⁴

At least 65,000 families in Mumbai’s Dharavi at the Risk of Displacement

Commonly known as ‘Asia’s largest slum’⁴⁵, Dharavi is located in the financial capital of the country — Mumbai and is spread over 260 hectares. It is home to at least 65,000 families and is a hub of small-scale industries, including leather and pottery units⁴⁶. In 2022, plans to ‘redevelop’ the settlement were initiated by the state government of Maharashtra. Several grave concerns, including the fixed eligibility criteria, increased Floor Space Index (FSI) in the proposed new dwelling units, and impacts on livelihoods have taken centre stage in protests against the project. Reportedly, residents on the ground floor, must have documents proving their residency in the area before the year 2000⁴⁷ and those occupying the upper stories (a common occurrence in informal settlements) would be rendered ‘ineligible’ for alternative housing. A higher FSI also implies heavy density which could give rise to unhygienic conditions while putting immense strain on local services and infrastructure. Equally pressing is the challenge of accommodating people’s livelihoods within the looming high-rise structures — an issue that needs to be addressed by the stakeholders involved in the project.⁴⁸

In February 2019, the Supreme Court of India [W.P. (C) 109/2008] ordered the eviction of over 1 million households whose claims to tenure had been rejected under The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006. Recognising that the order could affect a large number of tribal and other forest-dwelling families, in a subsequent order, the Court ordered a temporary halt on the evictions and directed the state governments to file their responses. However, until the case is disposed and the Court issues its final orders, the threat of eviction still persists over the families.

Map 5: State-wise Threat of Eviction in India



8. Loss of Housing from Fires

Multiple cases of fire in low-income 'informal' settlements were reported from different parts of India in 2022 and 2023. These fires resulted in the widespread destruction of houses, damage of personal goods, and in a few cases deaths.

According to HLRN, at least **4,106 houses** belonging to low-income families were destroyed by fire accidents in both 2022 and 2023, leaving over **20,159 persons** without shelter. This includes the destruction of over 1,464 houses, which affected roughly 7,027 individuals in 2023; and particularly alarming is the figure for 2022, where 2,642 houses belonging to low-income persons were damaged, thus directly impacting around 13,132 persons. This data only reflects incidents known to HLRN. The actual number could be much higher as many incidents of fire are not reported.

In 2023, fire incidents were reported in Delhi, Himachal Pradesh, Madhya Pradesh, Maharashtra, Manipur, and Punjab. The preceding year, 2022, saw similar tragedies in Assam, Chandigarh, Delhi, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Nagaland, Telangana, and Uttar Pradesh.

The causes behind these fires in low-income settlements vary, ranging from cylinder blasts to short circuits. However, in most cases, the exact reasons remain unidentified. Due to limited investigations into such incidents, conclusive evidence is often lacking. This raises concerns that fires may serve as an indirect method of displacing the poor from their homes and lands.

In November 2023, in Punjab's Kapurthala city, a devastating fire destroyed approximately 150 to 200 "illegal slums", constructed near the Rail Coach Factory on land owned by the Indian Railways.⁴⁹ The fire rapidly spread across an area of over 1.5 kilometers, engulfing numerous dwellings and affecting hundreds of persons. Residents of the same settlement were previously rendered homeless in 2021, after their houses were gutted down due to a massive fire outbreak.⁵⁰

In December 2022, in West Bengal, around 150 individuals found themselves homeless after their houses situated along the railway track in North 24-Parganas, were engulfed in flames. These residents had been residing in the densely populated area known as 'rail bustee'.⁵¹ In the same month, in Delhi's Bhalswa Village, around 35 houses in Harijan Basti were reduced to ashes in a fire incident.⁵²



Destroyed houses at Shakur Basti, New Delhi November 2023, Credits: HLRN



Tughlakabad, New Delhi, Credits: HLRN

IV. Recommendations

Housing and Land Rights Network strongly condemns all acts of forced evictions, demolition of homes, displacement, and forced relocation of the urban and rural poor taking place across India. Historically it has been found that it is the already poor and marginalised who stand to lose their homes and lands for 'development and growth'. Given the severity and magnitude of this crisis and the fact that these incidents have resulted in gross human rights violations, in contravention of laws, policies, and schemes, we 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.

- 1.** 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.⁵³
- 2.** Recognize and list all informal settlements as legitimate clusters of housing to remove connotations of 'illegality' and 'encroachment', that adversely affects the residents and results in forced evictions. Informal settlements (jhuggis) provide refuge to millions of people who lack access to adequate housing options, compounded by housing shortage, lack of livelihood, and unaffordability.
- 3.** Strictly ensure that demolitions are not used by state authorities against communities as a means of meting out summary justice or punishment. The practice of 'punitive demolition' disproportionately targets low-income communities who are already marginalized and violates all due process norms and established national and international human rights laws and standards.
- 4.** Follow due process and ensure that the free, prior, and informed consent of all affected persons is taken before any eviction/ relocation/redevelopment/in situ upgrading project is finalized.
- 5.** Urgently provide alternative accommodation to all evicted families who have been waiting for rehabilitation for several years. Ensure that the implementation of government schemes, including the Affordable Rental Housing Complex (ARHC), does not disrupt existing plans to rehabilitate those affected by forced evictions in Delhi.
- 6.** Implement progressive court judgments upholding the human right to adequate housing. It is important to note that while all state governments immediately implement court orders calling for evictions, the same is not the case when it comes to providing rehabilitation. This has been a consistent finding in HLRN's research on forced evictions since 2015.
- 7.** Adopt a protocol based on the UN Basic Principles and Guidelines on Development-based Evictions and Displacement⁵⁴, to ensure that relocation/eviction only takes place for 'exceptional circumstances' and complies with due process requirements and protects human rights of affected persons.
- 8.** Carry out human rights-based 'eviction impact assessments,'⁵⁵ consistent with national and international guidelines, 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.
- 9.** Recognize and uphold the human right to adequate housing,⁵⁶ as guaranteed in international law⁵⁷ and affirmed by orders of the Supreme Court of India and state High Courts. 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 persons, 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'⁵⁸ developed by the UN Special Rapporteur on the Right to Adequate Housing should be incorporated into state housing policies and implemented.

- 10.** 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.
- 11.** 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.
- 12.** 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.
- 13.** 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,⁵⁹ the UN Guiding Principles on Security of Tenure for the Urban Poor,⁶⁰ and the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas.⁶¹
- 14.** 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.

V. Conclusion

The findings of this report unequivocally demonstrate the magnitude of the issue of forced evictions in India, and the resultant human rights violations. Housing and Land Rights Network urges state authorities, at all levels, to address this crisis and prevent the short and long-term ramifications of persistently displacing the poor. We hope that the state will assume its responsibility to protect the most vulnerable and marginalized, and establish a moratorium on all evictions, for any reason whatsoever.

Endnotes

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3. Estimate by HLRN based on an extrapolation of Census of India 2011 data. Census 2011 recorded that over 17 per cent of the urban population or almost 14 million households live in inadequate settlements without access to basic services. Census 2011 also revealed that 36 per cent of households in such settlements do not have basic facilities of electricity, tap water, and sanitation within house premises.
4. A 'mega city' is a large urban agglomeration with a population of over 10 million, as per Census of India 2011
5. A 'million plus urban agglomeration'/city has a population of 1 million or above, as per Census 2011.
6. 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, promotion, and realization of the human rights to adequate housing and land, which involve gaining a safe and secure place for all individuals, groups, and communities—especially the most marginalized—to live in peace and dignity. Housing and Land Rights Network aims to achieve its goals through advocacy, research, human rights education and monitoring, and standard-setting— at the 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.

This report, titled, ‘**Forced Evictions in India: 2022 & 2023**’, – the sixth in the series of reports on evictions in India – presents findings, research, and analysis on the scale, nature, and magnitude of forced evictions across the country in 2022 and 2023. It documents important trends on the demolitions of homes, rehabilitation, impacts on marginalized communities, and makes important recommendations to address this issue.

Housing and Land Rights Network hopes that this report will generate awareness on this grave crisis 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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