



Gender-based Eviction Impact Assessment in Mansarovar Park, Delhi

A Working Paper of Findings

January 2022



Contents

I. Background	4
II. Overview of HLRN Engagement with the Gadia Lohar community	8
III. Eviction Impact Assessment Tool	11
IV. Background of the Community in Focus	12
V. Aim of the Study and Methodology	13
VI. Summary of Major Findings of the Eviction Impact Assessment	15
VII. Detailed Findings of the Eviction Impact Assessment	16
VIII. Impacts on Children	31
IX. Limitations of the Study	31
X. Recommendations.....	31
XI. Conclusion	33
Annexures	34
I. Media Coverage documenting lives of the community	34
II. Table of Gadia Lohar settlements and HLRN Interventions	36

List of Acronyms and Abbreviations

ASHA	Accredited Social Health Activist
DDA	Delhi Development Authority
DCPCR	Delhi Commission for Protection of Child Rights
DUSIB	Delhi Urban Shelter Improvement Board
EDMC	East Delhi Municipal Corporation
EvIA	Eviction Impact Assessment
FGD	Focus Group Discussion
HLRN	Housing and Land Rights Network
MLA	Member of the Legislative Assembly
NCR	National Capital Region
PDS	Public Distribution System
PWD	Public Works Department
NCR	National Capital Region
UN	United Nations

I. Background

In December 2013, officials from the East Delhi Municipal Corporation demolished 62 homes of the marginalized Gadia Lohar community in Mansarovar Park without due process, failing to provide the community with prior notice, or alternative housing. In the absence of any compensation, they rebuilt their houses and continued to live in the same area in highly inadequate conditions.

On 22 August 2017, the community witnessed a second forced eviction. The East Delhi Municipal Corporation again demolished homes of all 62 families, without due process. Affected families were not given any time to retrieve their belongings from their homes before they were bulldozed, and thus, suffered extensive losses. The reason for the eviction was also not communicated to the community members.

Since then, the community has been living in highly inadequate conditions with limited access to basic necessities. In 2019, Housing and Land Rights Network carried out an impact assessment survey in the settlement, with a focus on assessing challenges faced by women in the aftermath of an eviction.

Due to institutional challenges caused by the pandemic, the report has evolved to present an overview of highly inadequate conditions, the community continues to live in, four years after the demolition of their homes. As a working paper, it will be updated to reflect the long-term impacts of forced evictions on a marginalized community, with a particular focus on impacts on women.



The Gadia Lohar settlement at Mansarovar Park, Delhi

The Gadia Lohar community is a historically nomadic community that originated from Chittorgarh in the western Indian state of Rajasthan. Over the years, its members have settled in various states of India, including Delhi, Gujarat, Haryana, Madhya Pradesh, Maharashtra, Punjab, and Uttar Pradesh.¹ They trace their origins to Rajasthan, and can be easily recognized by their decorated carts (*gadias*) that used to serve as both home and mode of transport.

¹ See, Singh, K. S., *India's Communities A-G Anthropological Survey of India*, Oxford University Press, New Delhi, 1998. For more information, see: *Mapping the Marginalized: Delhi's Gadia Lohar Community*, Housing and Land Rights Network, New Delhi, 2019. Available at: https://www.hlrn.org.in/documents/Delhi_Gadia_Lohar.pdf

Over the years many Gadia Lohars have now switched to a more settled life. Today they are to be found in 90 settlements in and around Delhi. Because they lived in informal settlements and have never received any official recognition from the governments over the years, they live in highly inadequate housing conditions.

Housing and Land Rights Network (HLRN) has worked closely with the community for several years. In 2019 (February and March), it conducted a survey in the 58 Gadia Lohar settlements in Delhi and published a report titled, *'Mapping the Marginalized: Delhi's Gadia Lohar Community'*² which highlighted the deplorable living conditions of the community in Delhi as well as the gross violations of their rights and entitlements as citizens of India.

Multiple informal settlements of the Gadia Lohar community have suffered due to arbitrary demolition of their homes, which further increases their persistent marginalization.³ In the National Capital Region (NCR) alone, of the over 4,082 houses demolished from January to December 2020, 35 houses were that of the Gadia Lohars in Gurugram. State authorities were responsible for the destruction of not only their homes, but also of their personal possessions and livelihood items.

Persistent Threat of Eviction on the Gadia Lohar Community

On 13 December 2021, Delhi's Public Works Department (PWD) posted a notice in the Gadia Lohar basti in Azadpur for the removal of the "unauthorized encroachments" on G.T. Karnal Road. There are 33 families in the settlement who claim to have been living in the settlement for over 40 years.

The notice directed residents to clear the 'encroachments' by 21 December 2021 failing which, the construction agency would itself remove them and not be responsible for any damage caused.

On 5 January 2021, officials from the Delhi Development Authority (DDA) issued a verbal notice to 32 Gadia Lohar families living in Palam, Manglapuri asking them to vacate the settlement on their own and threatening to raze their homes to the ground.

In both these instances, HLRN, with the support of partners, was able to prevent the demolition of homes in the settlements by obtaining stay orders from the High Court of Delhi.

Despite the stay order from the High Court, on 13 of January 2021, the officials from the DDA began the construction of a wall through the settlement in Manglapuri, effectively closing the entrance to at least one hutment. On 14 January 2021, the residents were again intimidated by officials to demolish their own homes.

Thus, the Gadia Lohar residents constantly live under the fear of eviction by state authorities.

Despite Delhi's bitter cold and the threat of the Omicron variant, officials from the Public Works Department threatened to evict 33 families of the Gadia Lohar community living in Azadpur.⁴ After strategic advocacy by HLRN, including legal interventions on 24 December 2021, the High Court of Delhi issued a stay on the eviction for four weeks [(W.P. (C) 15001/2021) and CM APPL. 47333/2021]. The Delhi Commission for Protection of Child Rights (DCPCR) also took suo moto

² *Mapping the Marginalized: Delhi's Gadia Lohar Community*, Housing and Land Rights Network, New Delhi, 2019.

Available at: https://www.hlrn.org.in/documents/Delhi_Gadia_Lohar.pdf

³ Ibid

⁴ 'Delhi: Not just cold, 33 families on GT Road also battle eviction scare,' *The Times of India*, 23 December 2021.

Available at: <https://timesofindia.indiatimes.com/city/delhi/not-just-cold-33-families-on-gt-road-also-battle-eviction-scare/articleshow/88441318.cms>

cognizance of the grave threat on the community, particularly, the impacts of the forced evictions on the well-being of the children in the settlement.

DELHI COMMISSION FOR PROTECTION OF CHILD RIGHTS
GOVT. OF N.C.T. DELHI
5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI - 110006
Ph: 011-23862685, E-mail: dcpcr@hotmail.com

Ref.No. F4(222)/DCPCR/2021-22/SM/16170 Dated: 22/12/2021


WHEREAS, the Delhi Commission for Protection of Child Rights (DCPCR) has been constituted under Parliamentary law as the statutory watchdog of implementation of the rights of children in the state of Delhi.

WHEREAS, the Commission has taken suo-motu cognizance of the eviction drive by the Public Works Department of the Gadia Lohar Community in the Azadpur area.

WHEREAS, the State is bound to fulfill its constitutional obligation towards all children, especially those in need of care and protection. The Commission has little hesitation in noting that this eviction drive when there is imminent threat of Omicron spread, and dropping temperature in the winters.

WHEREAS, given the forced evictions would have a direct implication on children's health and well-being, the Commission advises the Public Works Department to issue an immediate stay on the forced evictions of Gadia Lohar community in Azadpur.

The Commission would appreciate an Action Taken Report in this regard.


(Ms. Nidhi Dwivedi)
Member, DCPCR

Principal Secretary
Public Works Department, Govt. or NCT of Delhi
PWD Secretariat, 5th Level, B Wing, Delhi Secretariat,
I.P. Estate, New Delhi - 110002

Notice issued by the DCPCR on the impending evictions in Azadpur Basti

The community's persistent invisibilization, lack of documentation, and unaddressed concerns are further compounded as Gadia Lohar settlements across the city also continue to live under the constant threat of being evicted and rendered homeless. As HLRN works with multiple Gadia Lohar families across the city to uphold and defend their right to adequate housing – this paper, which presents an overview of the direct impacts of forced evictions on urban poor communities becomes extremely significant.

About the Paper

In 2017, the Gadia Lohars⁵ living in Mansarovar Park were evicted. In 2019, given the already marginalized conditions of this community and the disproportionate impacts of the forced eviction and its aftermath on women of the community, HLRN decided to use its Eviction Impact Assessment (EvIA) Tool to document the losses – quantitative and qualitative on the human rights of women.

Additionally, to assess the specific impacts of the pandemic on the Gadia Lohar community in Delhi, HLRN conducted a rapid assessment survey in February 2021, across 40 settlements in the city, including the settlement located at Mansarovar Park.⁶ The survey reveals that the continued exclusion from state schemes and the loss of livelihoods due to the economic slowdown has led to further impoverishment of the community. In addition to living with the constant fear of eviction, all those surveyed, including women, particularly, have reported faced severe challenges in accessing their basic human rights. The paper presents the findings of the eviction impact assessment study, findings from the Rapid Assessment survey carried out in 2021, and also highlights the living conditions of the community as of December 2021 – including their access to basic services, livelihoods, education, among other necessities.

What is a Forced Eviction?

General Comment 7 adopted in 1997 by the United Nations (UN) Committee on Economic, Social and Cultural Rights (CESCR) defines forced eviction as 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.

The UN Basic Principles and Guidelines on Development-based Evictions and Displacement (2007) further expanded the definition of forced evictions to mean:

Acts and / or omissions involving the coerced or involuntary displacement of individuals, groups and communities from homes and / or lands and common property resources that were occupied or depended upon, thus eliminating or limiting the ability of an individual, group or community to reside or work in a particular dwelling, residence or location, without the provision of, and access to, appropriate forms of legal or other protection.

Forced evictions constitute a gross violation of human rights, especially of the human right to adequate housing. Despite a central government programme aimed at providing ‘Housing for All by 2022,’ forced evictions and demolitions of homes continue to occur at an alarming rate across India. In the absence of official data on evictions in the country, Delhi-based Housing and Land Rights Network (HLRN) constituted a ‘National Eviction and Displacement Observatory’ to document and monitor the incidence of evictions across rural and urban India. Primary and secondary research conducted by HLRN revealed that in the years 2017⁷ and 2018,⁸ central and state government authorities evicted over 460,000 people from their homes across the country, amounting to about 26 people being evicted every hour. The majority of those affected have not been provided resettlement or compensation by the state and have had to fend for themselves. In the capital city of Delhi, HLRN found that in 2018, state authorities demolished about 5,000 houses, rendering more than 10,095 people homeless, while

⁵ Refer to footnotes 2 and 3.

⁶ Despite Experiencing Acute Distress During the Pandemic, Delhi’s Gadia Lohar Community Continues to Face Exclusion, Press Release, Housing and Land Rights Network, New Delhi, February 2021. Available at: https://www.hlrn.org.in/documents/Press_Release_Gadia_Lohar_Delhi_February_2021.pdf

⁷ *Forced Evictions in India in 2017: An Alarming National Crisis*, Housing and Land Rights Network, New Delhi, 2018. Available at: https://www.hlrn.org.in/documents/Forced_Evictions_2017.pdf

⁸ *Forced Evictions in India in 2018: An Unabating National Crisis*, Housing and Land Rights Network, New Delhi, 2019. Available at: https://www.hlrn.org.in/documents/Forced_Evictions_2018.pdf

in 2017, they destroyed over 3,300 houses. Primary and secondary research conducted by HLRN revealed that from 2017 to 2019, central and state authorities evicted over 568,000 people from their homes across the country.⁹ As documented previously, overwhelming majority of the affected families were not provided with alternative accommodation or compensation.

Calling for a moratorium on forced evictions and demolitions during the pandemic, the former UN Special Rapporteur on Adequate Housing issued a guidance note in April 2020 where she reiterates that evictions during this pandemic are akin to a “potential death sentence.”¹⁰ The current Special Rapporteur has also reiterated the call for a moratorium on evictions, in all countries, especially during the ongoing pandemic.¹¹

Despite the critical importance of adequate housing – both as a means of prevention and recovery during the pandemic, home demolitions and forced evictions continued unabated, affecting over 54,000 people between 15 March to 31 October 2020.¹² The most recent research by HLRN also sheds light on this serious state-sanctioned action, which has rendered over 257,000 people, or 21 people homeless every hour during this deadly pandemic (from March 2020 and July 2021).¹³

II. Overview of HLRN Engagement with the Gadia Lohar community

Given the continued marginalization and human rights violations of the community, HLRN has been working with them to promote their rights to adequate housing, land, and livelihood, through multiple means. With the support of HLRN, the ‘Gadia Lohar Sangharsh Samiti, Delhi’ (Gadia Lohar Struggle Committee/GLSS) was formed and organized its first-ever conference in the city in September 2018. The conference highlighted issues of housing, identity, employment, education, and forced evictions. Subsequently, a large meeting of the community was organized in December 2018 in Delhi, where members discussed the challenges faced by them and prepared a detailed ‘Charter of Demands’ that was submitted to Delhi government officials and various central government ministries.

Despite being settled in Delhi for several decades, their settlements have not been surveyed or recognized by the Delhi Urban Shelter Improvement Board (DUSIB) and consequently, the members of the community are not eligible for resettlement or permanent housing under the Delhi Slum and JJ Rehabilitation and Relocation Policy 2015. Also, despite being considered a Nomadic Tribe as per the Draft List of Denotified Tribes, Nomadic Tribes and Semi-Nomadic Tribes of India, proposed by the National Commission for Denotified, Nomadic and Semi-Nomadic Tribes, they lack access to essential services and benefits of government schemes. The lack of security of tenure has led to several incidents of forced eviction as well as constant threats of eviction that have violated their human right to adequate housing, putting the whole community, especially women and children, at risk. Our interventions focus on research, advocacy, community mobilization, and leadership building. Through the course of the work with the community, HLRN has been able to prevent forced evictions, ensure access to entitlements and basic services, conduct rights-based training programmes to increase the awareness

⁹ *Forced Evictions in India in 2019: An Unrelenting National Crisis*, Housing and Land Rights Network, New Delhi, 2020. Available at: https://www.hlrn.org.in/documents/Forced_Evictions_2019.pdf

¹⁰ COVID-19 Guidance Note: Prohibition of evictions, Special Rapporteur on the Right to Adequate Housing, April 2020. Available at: https://www.ohchr.org/Documents/Issues/Housing/SR_housing_COVID-19_guidance_evictions.pdf

¹¹ Report of the Special Rapporteur on Adequate Housing, A/75/148, July 2020. Available at: <https://undocs.org/A/75/148>

Also see, ‘Ban evictions during COVID-19 pandemic, UN expert urges’, August 2020. Available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26170&LangID=E>

¹² Over 54,000 People in India Forcibly Evicted During the COVID-19 Pandemic (15 March to 31 October 2020), Press Release, Housing and Land Rights Network, New Delhi, November 2020. Available at: https://www.hlrn.org.in/documents/Press_Release_Evictions_COVID19_November_2020.pdf

¹³ *Forced Evictions in India in 2020: A Grave Human Rights Crisis During the Pandemic*, Housing and Land Rights Network, New Delhi, 2021. Available at: https://www.hlrn.org.in/documents/Forced_Evictions_2020.pdf

of the community, and engage in advocacy to improve children’s access to education. As of December 2021, HLRN has engaged with 1,557 families (7,970 persons) across 59 Gadia Lohar settlements in the city.¹⁴

Living Conditions of the Gadia Lohar Community at Mansarovar Park (As of December 2021)

In February 2021, a team from Housing and Land Rights Network conducted a focus group discussion with the community, as a part the Rapid Assessment survey.¹⁵ All respondents, including women, highlighted persistent challenges they face, which have been further exacerbated since the onset of the pandemic. Through the course of the year and the work done with the community, the team has conducted regular visits to the settlement to document and monitor the living conditions of the residents.



Focus Group Discussion with the community, February 2021

Access to Housing, Water, Electricity, and Sanitation

Most of the families have continued to live in the reconstructed, makeshift, semi-permanent units that they rebuilt after the demolition of their homes in 2017. In addition to not having adequate financial resources to build more permanent structures, they continue live under the constant fear of being evicted, which also prevents them from making these structures more permanent.

After water tankers stopped visiting the settlement in 2020, the families in the settlement approached authorities to ensure that the four remaining, pre-installed water taps were made functional. The water supply was then resumed; however, it remains highly erratic, and is supplied twice a day, each for a duration of two hours.

As of December 2021, electricity metres have been installed in almost all the houses in the settlement. However, the problem of highly inflated electricity bills, ranging from Rs 14,000 – Rs 20,000 still persists.

¹⁴ A table with details on the Gadia Lohar settlements and avenues of work done with the community is included in the annexure.

¹⁵ Despite Experiencing Acute Distress During the Pandemic, Delhi’s Gadia Lohar Community Continues to Face Exclusion, Press Release, Housing and Land Rights Network, New Delhi, February 2021. Available at: https://www.hlrn.org.in/documents/Press_Release_Gadia_Lohar_Delhi_February_2021.pdf

In 2020, the Delhi Urban Shelter Improvement Board installed four temporary toilets, this time with bathing facilities which are, however, still highly inadequate to meet the needs of the community. Families who have constructed temporary bathing units outside their homes continue to use them. The lack of adequate drainage facilities throughout the settlement creates serious challenges for the community, including accumulation of dirty water, thus increasing their susceptibility to water-borne diseases like dengue. They have also raised concerns about the garbage collection centre and incessant dumping of garbage in various areas across the settlement, which not only creates a constant, severe stench, but also attracts mosquitoes and other insects/small creatures.

Access to Education

The onset of the pandemic has further worsened/hampered the access to education for girls in the settlement. As also documented by HLRN in the Rapid Assessment Survey, over 40 per cent of those Gadia Lohar community members surveyed stated that they do not have smart phones for their children to access online education. This shift to online modes of education, has resulted in the exclusion of children belonging to low-resource communities, including the children of Mansarovar Park. In the settlement, even those with smartphones reported not having enough money to recharge phones and pay for internet access. For those families who could afford to pay for internet services, technical, including network issues hampered their children's access to online education. Lack of state-led interventions, including the absence of an *anganwadi* centre in the settlement also violates the human right to education of children in the settlement.

As of December 2021, of the 60 children in the settlement, only 25 of them attend school, resulting in a drop-out rate of 58.3 percent. With most of the children being first-generation learners, this high drop-out rate, compounded by the limited and gendered access to technology disproportionately impacts girl children.

Access to Food

Preliminary estimates by HLRN reveal that 40 per cent of the households in the settlement do not have ration cards, which systemically excludes them accessing any of the COVID relief measures announced by the central and state governments – as these are provided through the Public Distribution System (PDS). Since the onset of the pandemic which further drastically affected their already precarious livelihoods, families reported having to borrow money to purchase food and other essential items.

Status of Occupation/ Access to Livelihoods

Their already precarious livelihood conditions worsened during the ongoing pandemic. Multiple lockdowns, closure of markets and other avenues to obtain raw materials, all resulted in a significant decrease in the number of customers for their iron wares and implements. The loss of income also gravely affected their ability to access food and healthcare. During the FGD, HLRN also learnt that a few families have also temporarily left the settlement, and have moved to Aligarh and Noida in Uttar Pradesh, in search of better livelihood options. As of December 2021, women living in the settlement have also reported resuming going to weekly markets in Loni, Shahdara, and other areas in the city to sell their wares.

Proof of Identity/ Access to Documents

As of December 2021, only 60 per cent of the households reported having a ration card, 20 per cent of households did not have Aadhaar cards, and 10 per cent of all eligible voters in the settlement did not possess a voter card.

Since the onset of the pandemic in 2020, multiple households also reported having to mortgage family heirlooms/invaluable items made of silver and get money to buy food for their children. With the adverse impacts of pandemic induced lockdowns and recessions, they had to turn to informal sources of credit, at high rates of interest. As of December 2021, most of the families were still paying back interest payments.

III. Eviction Impact Assessment Tool

Housing and Land Rights Network has developed a human rights-based ‘Eviction Impact Assessment (EvIA) Tool’ to quantify the material and non-material losses and costs incurred as a result of forced eviction. The HLRN EvIA Tool draws its origin from the UN Basic Principles and Guidelines on Development-based Evictions and Displacement (hereafter *UN Guidelines*),¹⁶ which call for an ‘eviction impact assessment’ to be carried out before any planned eviction by state and non-state actors. The UN Guidelines specifically mention:

32. States must give priority to exploring strategies that minimize displacement. Comprehensive and holistic impact assessments should be carried out prior to the initiation of any project that could result in development-based eviction and displacement, **with a view to securing fully the human rights of all potentially affected persons, groups and communities, including their protection against forced evictions. “Eviction-impact” assessment should also include exploration of alternatives and strategies for minimizing harm** (*emphasis added*).

33. Impact assessments must take into account the differential impacts of forced evictions on women, children, and the elderly and marginalised sectors of society. All such assessments should be based on the collection of disaggregated data, such that all differential impacts can be appropriately identified and addressed.

The HLRN EvIA Tool is intended to be used to prevent evictions, and where evictions have occurred, to help advocate for just compensation and adequate rehabilitation based on international human rights law, guidelines, and principles. As has been well established and documented around the world, evictions most severely affect women, children, older persons, and marginalized and historically discriminated communities. The differential impacts on these communities also need to be assessed, understood, and recorded, with the aim of developing adequate preventive strategies and frameworks for reparation.

The EvIA Tool is based on the premise that any appraisal of forced evictions would have to include material as well as non-material costs, such as psychological and social effects of the eviction, and other indirect costs, including loss of children’s education, loss of access to adequate healthcare facilities, loss of livelihoods and access to critical resources, including water. The Tool also aims to document the disproportionate impacts of evictions and displacement on women, children, persons with disabilities, older persons, minorities, and other marginalized communities. The Tool can be used in situations before an eviction takes place (with the aim of preventing the eviction) and in the post-eviction/displacement context to analyse and assess the actual losses incurred, in order to negotiate for better compensation and rehabilitation packages, and also for restitution and long-term durable solutions. The Tool lists the various material and non-material costs/losses that should be included in the computation of the total impact of the eviction/displacement. The Tool aims to capture the

¹⁶ Presented in the report of the UN Special Rapporteur on Adequate Housing, A/HRC/4/18, February 2007. Available at: http://www2.ohchr.org/english/issues/housing/docs/guidelines_en.pdf

A *Handbook on the UN Guidelines* prepared by HLRN, which also includes the full text of the Guidelines, is available at: https://www.hlrn.org.in/documents/Handbook_UN_Guidelines.pdf

damages/costs/losses arising at any and/or all stages of the eviction/displacement process: pre-eviction, during eviction, and post-eviction.

IV. Background of the Community in Focus

The Gadia Lohar community is primarily known for its traditional livelihood of small-scale manufacturing and selling of iron tools, utensils, and other implements on their carts (known as *gadias*). In the National Capital Region of Delhi, the Gadia Lohars live in over 90 ‘informal settlements’ one of which is the settlement in Mansarovar Park.

The community living under the flyover in Mansarovar Park, one of Delhi’s largest Gadia Lohar settlements, consists of 62 families who have been living at the site since 1974, even before the flyover was constructed. Although most of the residents have been living in the area for more than 50–60 years; a few families reportedly, moved to the settlement after their houses near Shyam Lal College, Shahdara were demolished in 2007 by the East Delhi Municipal Corporation (EDMC).

Forced Eviction in Mansarovar Park

In December 2013, EDMC demolished homes of the community without due process, failing to provide the community with prior notice, consultation, or resettlement. In the absence of any compensation or alternative accommodation, members of the community were forced to rebuild their houses and live in the same area in highly inadequate conditions.

On 22 August 2017, residents of the settlement were rendered homeless for the second time. Officials from the East Delhi Municipal Corporation again demolished homes of all 62 families, without due process. Amongst those severely affected were children, older persons, and women, who have suffered adverse health impacts, including from the lack of access to adequate water and sanitation facilities.



The settlement under the flyover in Mansarovar Park, Shahdara

Even four years after the demolition and forced eviction, the Delhi government has not provided any rehabilitation or compensation for the loss of housing, belongings, livelihoods, education, and health, to the residents of Mansarovar Park. Several people have been forced to move away from their traditional occupation, children's education has been disrupted, and the economic condition of the community has further deteriorated. In the absence of resettlement, affected families have been forced to reconstruct makeshift houses at the same site and continue to live in highly precarious conditions with inadequate housing, without access to basic services, and in fear and uncertainty. Women, particularly, are suffering from the lack of secure housing, space for cooking, and adequate sanitation facilities. Living in such precarious conditions has also exposed them to increased acts of abuse and violence. The public health and economic crisis resulting from the pandemic has further increased their marginalization, especially in the light of state apathy and responses to address the same.

Court Case

Soon after the 2017 demolition, a writ petition was filed in the High Court of Delhi, with the assistance of civil society organizations, including HLRN, to seek relief for the affected families. On 1 September 2017, the court passed an interim order in the case of *Chandra Pal v. Delhi Urban Shelter Improvement Board* [W.P. (C) 7775/2017], prohibiting further demolitions in the settlement till the next date of hearing on 21 September 2017. In a subsequent hearing, on 24 January 2018, the East Delhi Municipal Corporation (EDMC) informed the court that the demolition drive was conducted jointly by the Public Works Department, the Sub-divisional Magistrate Shahdara, EDMC, and the Delhi Urban Shelter Improvement Board, with the help of the Delhi Police, and that all "encroachments" had already been demolished on 22 August 2017.

In the four-year period since proceedings were initiated, the matter has been listed before the court only eight times, and no other immediate relief has been provided even as the affected community continues to live in abject poverty with a blatant lack of essential services. In other similar matters pertaining to forced evictions (for example, in *Ajay Maken v. Union of India*¹⁷), the High Court of Delhi had previously passed orders monitoring the living conditions of the displaced persons and directing the provision of basic services, including water, food, toilets, among others. Since the onset of the COVID-19 pandemic, the Court has not heard the matter, which is further expected to delay the delivery of justice to the affected community.

V. Aim of the Study and Methodology

Given that forced evictions, including the loss of housing and inadequate resettlement, have adverse long-term impacts on women and also increase their vulnerability to gender-based violence, HLRN decided to focus this study on assessing the impacts of the loss of housing with a focus on the women of the Gadia Lohar community living in Mansarovar Park.

One of HLRN's focus areas is to promote the realization of the equal rights of women to adequate housing, land, property, and inheritance. Through its research, publications, human-rights education with various constituencies, and, advocacy at multiple levels, including with central and state government authorities, HLRN has always stressed on the need for a strong non-discrimination and substantive gender equality approach. This includes the need for gender-disaggregated data, gender statistics, and an assessment of the disproportionate effects of human rights violations, including of forced evictions and displacement, on women and girls.

In this study, HLRN used its Eviction Impact Assessment Tool to document the gender-based impacts of the forced eviction in Mansarovar Park. In particular, this study aims to highlight the specific

¹⁷ W.P. (C) 11616/2015.

impacts of the loss of housing and basic services on the women and girls of the community, four years after they experienced forced eviction.

Study Methodology

The Gadia Lohar community in Mansarovar Park consists of about 150 women, many of whom have been living in the area since their birth. As HLRN has been engaging with the community since its forced eviction in 2017 and has provided assistance for the ongoing case in the High Court of Delhi, we are aware of the severe impacts of the eviction and the difficult living conditions of women in the aftermath of the eviction.

Before finalizing the selection of the site, HLRN conducted a Focus Group Discussion (FGD) with all members of the community to understand better their challenges and also to assess their willingness to participate in an Eviction Impact Assessment. The HLRN team explained the EvIA Tool to the community as well as expectations from the study, in order to gauge their interest and commitment. After the community expressed its willingness to participate in the study, HLRN organized a second FGD at the site only with the women, to explain the process to them as well as to determine the essential elements of the study questionnaire. After both FGDs, HLRN developed a detailed questionnaire. By including questions on issues related to safety, security, and violence, the questionnaire aims to document the specific impacts of the forced eviction on women. The questionnaire was then tested on three women to evaluate the duration of the survey and also to assess whether any vital issues had been omitted. The final questionnaire was then developed and consisted of two parts: Part A was on household loss, with a devoted section on impacts on women and Part B focused on the impacts of the forced evictions on loss of livelihoods, housing, and other amenities.

The survey team consisted of HLRN members as well as several women from Delhi's Gadia Lohar community but living in other sites, not the site under study. In order to prepare the team for the Eviction Impact Assessment, HLRN organized a training session for the entire survey team.

In two rounds spread over a few weeks, families from 58 of the 62 houses (94 per cent) in the community were surveyed through door-to-door household surveys as well as additional group discussions. Given the traditional roles of community members, the women preferred that questions related to household monetary loss were discussed with the men in each family. Each survey was thus administered separately to the men and women of each household, which also increased the time taken to fill each form.



Focus Group Discussion with women of the community (June 2019)

The questionnaire contained specific questions related to pre-eviction and post-eviction expenditure and loss related to household items, personal belongings, vital documents, food consumption, public utilities, and access to healthcare, education, transportation, and livelihoods.



Discussion with community members explaining the EvIA, its goals, and methodology (September 2019)

VI. Summary of Major Findings of the Eviction Impact Assessment

- After the eviction, the average monthly income of affected families reduced by 14.6 per cent, from Rs 12,775 to Rs 10,880, largely because of the adverse impact of the eviction on livelihoods.
- Since the eviction, 27 children (14 girls and 13 boys), or about 39 per cent of children of school-going age, dropped-out of school because of financial losses incurred by their families in the aftermath of the eviction.
- In the absence of any compensation or resettlement, families had to rebuild their own homes at the same site. Each family spent an average amount of Rs 20,000 to reconstruct their houses, which took them about 10–15 days to rebuild.
- Since the eviction, each family's average monthly expenditure on healthcare increased by 88 per cent (Rs 18,600 to Rs 35,050), with expenses on private healthcare services almost doubling, from Rs 51,000 in the pre-eviction period to Rs 134,000 in the post-eviction period. The average expenditure on treatment of chronic illnesses, including thyroid-related problems, brain fever, liver infection, and jaundice, amongst other reported illnesses, increased by 490 per cent (from Rs 6,613 a month to Rs 45,663). This was also partly because affected persons were rendered homeless during the monsoon season, which increased their vulnerability to diseases such as malaria, typhoid, dengue, and cholera. Families have also reported multiple out of pocket expenditures on medical treatments of extended family members, prior and post the eviction which has also contributed to this significant increase.
- The average monthly expenditure on essential daily food items, reportedly, increased by 28 per cent, from Rs 4,368 to Rs 5,603. This increase is also compounded by the rate of food inflation in India.
- Violence against women has been documented before, during, and after the eviction, with women reporting an increase in incidents of violence in the post-eviction period.



Living conditions at the settlement in Mansarovar Park, Shahdara

VII. Detailed Findings of the Eviction Impact Assessment

The following section presents, in detail, the findings of the Eviction Impact Assessment study conducted with the community. It builds on indicators included in the questionnaire, including pre and post-eviction expenditure on, and access to basic services, housing, healthcare, education, work, and food. It also includes information on the loss of personal household items as well as of invaluable items. As the study focuses on assessing the gendered short and long-term impacts on women, the section also elucidates changes in the perception of women on their safety and security prior to and post the eviction.

All of the aforementioned indicators have been included to provide an overview of the extensive losses incurred by urban poor communities in the aftermath of arbitrary forced evictions.

1. Access to Basic Services

Water

Almost all members of the community emphasized the challenges faced by them from inadequate supply of water. The entire settlement has only four public taps located at different points. Apart from being insufficient for the entire settlement's needs, these taps are situated in precarious places, including in front of community toilets, close to garbage mounds, and very close to roads, making access difficult.



One of the four water taps in the settlement

Prior to the forced eviction in 2017, there were 7 water taps in the settlement, which the families depended on for cooking, cleaning, and other needs. These taps, were however, destroyed during the demolition drive. After directions from the Government of Delhi, the Delhi Jal Board used to send a water tanker to the settlement once every day.

Women are faced with the burden of filling water containers and buckets for their households. On average, each household reported using about 10–20 buckets/containers of water a day, for all purposes, which has not changed significantly after the eviction. The monthly expenditure on water, however, has decreased since the eviction, as families were earlier purchasing water which they have stopped, on account of the water tankers visiting the settlement. After the tankers stopped visiting the settlement, families who are unable to get the water, are forced to purchase water, resulting in severe additional economic strain.

Electricity

Prior to the demolition drive in 2017, almost all families in the settlement had government-sanctioned electricity meters in their homes. The community depends heavily on electricity to carry out its traditional livelihood, which involves making small iron implements and tools. During the demolition drive, EDMC officials disconnected electricity meters and connections, following which families have been forced to make temporary arrangements to tap electricity from the main service wires, to light at least one bulb per household at night. The loss of electricity has thus resulted in a sharp drop in the average monthly expenditure incurred on electricity. Despite the electricity meters being disconnected, some families, however, reported receiving inflated electricity bills. Satish, for instance, mentioned that he is still repaying the high bill he received from the electricity supply provider. Only after much persuasion, did the officials agree to accept the payment in instalments.

Women reported serious concerns related to safety and security, including for children and adolescent girls, in the absence of adequate street lighting and adequate lighting of common areas. This has also resulted in a reported increase in thefts in the settlement, including of batteries of electric rickshaws and clothes, amongst other items.

Sanitation

Prior to their forced eviction in 2017, members of the community used public toilets located near the Mansarovar Park Metro station, which charged two rupees per person, per use, placing a huge economic burden on families. Women, especially, recounted the challenges faced due to their inability

to use the toilets more than once a day. It was only after the demolition of houses that the state government installed free temporary toilets in the settlement. The toilets, however, did not have bathing facilities.



Temporary community toilets installed by the government in the settlement after the 2017 eviction

After the eviction, despite the facility of free toilets in the settlement, a few women expressed concerns over the lack of cleanliness. They opted to use the paid public toilets situated across the railway tracks, even though the current per-use charge of five rupees presented economic challenges and limited their use to once a day. Furthermore, the distance from the settlement and related security concerns, prevented them from accessing the paid toilets at night.



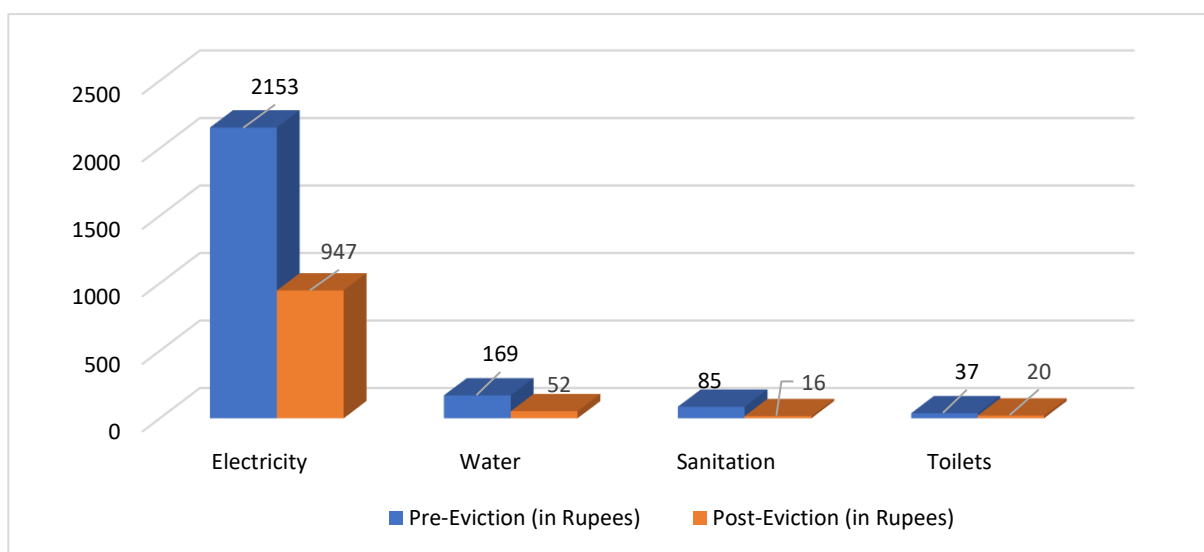
Makeshift bathing areas set up by a few families in the settlement

Before the demolition, some families had constructed temporary bathing units just outside their homes. These were also destroyed during the demolition process in 2017. Since the eviction, only a few families have been able to recreate makeshift bathing arrangements. The majority of families, however, bathe in the open. This has led to the serious situation of most women having to bathe with their clothes on, every day. Several women expressed concerns about feeling unsafe about having to bathe, dress, and change their clothes in the open. Many of them thus resort to bathing in the dark and with their clothes on. This poses several risks to their health, personal hygiene, as well as to their safety and security. Women who use the temporary bathing arrangements also drew attention to the lack of proper sewage facilities in the settlement, which has not only led to several health problems but also raises questions about the glaring lack of sanitation facilities.

While most of the surveyed women reported feeling safe using the temporary toilets situated within the settlement, two women reported being harassed by strangers/passers-by near the toilets. The lack of adequate lighting made it more challenging to use the facilities in the dark.

Average Monthly Expenditure on Public Utilities

Public Utilities	Before Eviction (in Rupees)	After Eviction (in Rupees)
Water	170	52
Sanitation	85	16
Electricity	2,153	947
Toilets	37	20



2. Impact on the Human Right to Adequate Housing

The forced eviction and resultant loss of housing rendered all families in the settlement homeless. In the immediate aftermath of the demolition, families continued to live at the same site under the flyover in grossly inadequate conditions. As the demolition occurred during the monsoon season, they were exposed to rain and also to several seasonal diseases, including vector-borne diseases. Most families immediately had to purchase tarpaulin sheets, to create some form of shelter for themselves and their families.

Hansraj and Sita, who have been living at the site for 42 years, spoke about how in the absence of relief and rehabilitation, they were forced to live out in the open, exposed to the rain, for almost a month. During this time, they also had to cook food for their family in unsanitary conditions.

The EvIA study reveals that the total value of housing lost by the community is Rs 2,053,000, which amounts to an average loss per family of about Rs 36,000. Given the differential nature of housing, the loss varies per family.

Nature and Value of Original Housing: Before Demolition

Type of House	Owned	Rented	Cost of Construction (in Rupees)
Permanent	36	0	1,691,000
Temporary	7	1	34,000
Semi-permanent	14	0	328,000
TOTAL	57	1	2,053,000

In the absence of any resettlement or compensation provided by the government, affected families had to raise their own funds and reconstruct their homes themselves. Given the financial losses resulting from the eviction, access to finance was limited. The HLRN study reveals that at least 30 families have reconstructed their homes using various materials, including plywood sheets, tin roofs, cardboard, and tarpaulin. These houses, reportedly, took affected families between 10 and 15 days to rebuild with their own labour. Housing structures in the community consists largely of makeshift or semi-permanent structures, and thus is far from adequate, thereby exposing the residents to a range of health issues. Community members, apart from not having the financial resources to rebuild better housing, were also afraid to invest in housing because of the continued fear of eviction.



Temporary dwelling units made of wood and cloth

In order to reconstruct their houses, families reported having to borrow money and also mortgage pieces of jewellery. Given their low earnings and inability to maintain required balances for bank accounts, they do not have access to formal credit and financial resources. Thus, affected persons had to resort to borrowing money from money-lenders and other informal sources of credit, at high rates of interest. Each family has spent an average amount of Rs 20,000 on housing reconstruction.

Sunita, a widow, who lives with her children and aged parents, was forced to mortgage close to two *tolas* (an ancient unit/measure of weight)¹⁸ and 250 grams of silver to get Rs 60,000 for the reconstruction of her house and for other immediate expenses.

¹⁸ One tola is equivalent to 10 grams.



Temporary housing reconstructed by evicted families at the same site

3. Impact on the Human Right to Health and Access to Healthcare

The forced eviction resulted in severe violations of the right to health of the community, including during the eviction process, in the immediate aftermath, and in the long-term. A few families also reported major expenditure on healthcare prior to the eviction, which resulted in additional challenges after the demolition of their homes. **Geeta, for instance, shares how an injury she incurred when she was pregnant had to be treated at a private hospital at a cost of Rs 40,000.**

The HLRN study found that 14 people, reportedly, suffered injuries during the demolition drive, including head and leg injuries and stress-induced respiratory conditions. The average expenditure per affected family to treat these injuries was reported to be about Rs 7,330. Eight women who were pregnant at the time of the forced eviction were also significantly affected from the stress and trauma caused by the sudden loss of their homes without any prior intimation.

Satish and Sunita, a couple who have been living in the settlement for 15 years, shared their traumatic experience of the demolition process, during which their daughter sustained a severe head injury. The family had to pay Rs 15,000 for her treatment at a private hospital. Sunita also received a glass-related injury on her foot when she went into her home to retrieve their belongings, the treatment of which cost her Rs 5,000.

Rajkumar, who stays with his family in the settlement, also incurred a leg injury during the course of the demolition, which could not be treated immediately due to the paucity of funds. It was only after two years that the family was able to afford adequate medical care. The injury has greatly impeded his ability to work and also to seek new employment.

In the immediate aftermath of the eviction, the loss of housing without resettlement rendered the entire community, including children, women, and older persons homeless. Until they could reconstruct their homes, families had to live in the open, under plastic sheets, and exposed to the elements and vectors, including mosquitoes and rats. This directly increased their vulnerability, especially of children and older persons, to diseases such as dengue, cholera, malaria, chikungunya, fever, and diarrhoea. The lack of access to adequate food after the eviction further compounded their health problems, resulting in lower immunity and a higher rate of contraction of infectious diseases.

Six families reported women and children contracting illnesses such as dengue and cholera, in the immediate aftermath of the eviction, as they were living in the open until they could reconstruct temporary dwelling units. Ten families also reported members contracting malaria, chikungunya, and fever. The average expenditure incurred by each family to treat these diseases was reported to be about Rs 4,125.

Nirmala, who has been living in the settlement for 20 years, recounts how, in the absence of adequate housing and means to provide for the family while their homes were being reconstructed, both her daughters contracted dengue and suffered greatly.

The psychological trauma from the forced eviction led to early stress-induced labour for three women, one of whom had to be admitted to a private hospital after being denied admission in the government hospital. Her family had to borrow money to pay the hospital bills of Rs 50,000 after the birth of her twin children.

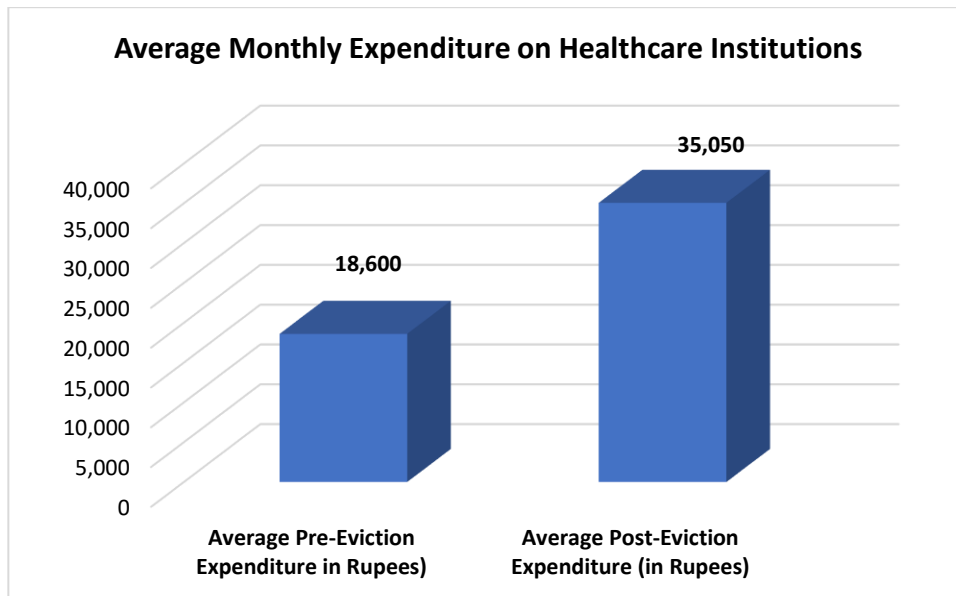


Expenditure on Healthcare after the Eviction

This study reveals that average monthly household expenditure on healthcare has increased by 88 per cent (Rs 18,600 to Rs 35,050) in the immediate two-year period since the eviction, with expenditure on private healthcare providers almost doubling, from Rs 51,000 to Rs 134,000.¹⁹ The average expenditure on treatment of chronic illnesses, including thyroid, brain fever, liver infection, and jaundice amongst other reported illnesses, increased by a colossal amount of 590 per cent (from an average monthly expenditure of Rs 6,613 to Rs 45,663).²⁰ The loss of housing has greatly increased the vulnerability of evicted families to a range of ailments.

¹⁹ Families living in the settlement surveyed also reported large out-of-pocket expenditures for medical treatments of extended family members, prior to and after the forced eviction, which is also reflected in the figures reported.

²⁰ Ibid.



Discussions with affected women revealed a common thread of dissatisfaction with services provided in government hospitals, including Guru Teg Bahadur Hospital, which is the closest government hospital to the settlement. They reported high levels of mistrust and low levels of service delivery in public health institutions. Most of them attributed this to their low socio-economic status.

The absence of adequate facilities and support in government hospitals has forced community members to rely more on private healthcare providers, which they can ill afford.

Veena, who moved into the settlement about 10 years ago, recounted how she was denied treatment at a government hospital for her baby, which forced her to visit a private clinic. She had to incur an expenditure of Rs 7,000–8,000 for the requisite scans, tests, and medicines.

Women living in the settlement also reported that though they do not access services of the *anganwaadi* (government-run crèche) located near the settlement, the Accredited Social Health Activist (ASHA) worker visits the settlement once in six months to provide vaccinations for children.

This study found an acute lack of information and awareness amongst women and other community members on government schemes and available entitlements related to health, housing, and other welfare measures.



Bathing unit constructed by a family in the settlement

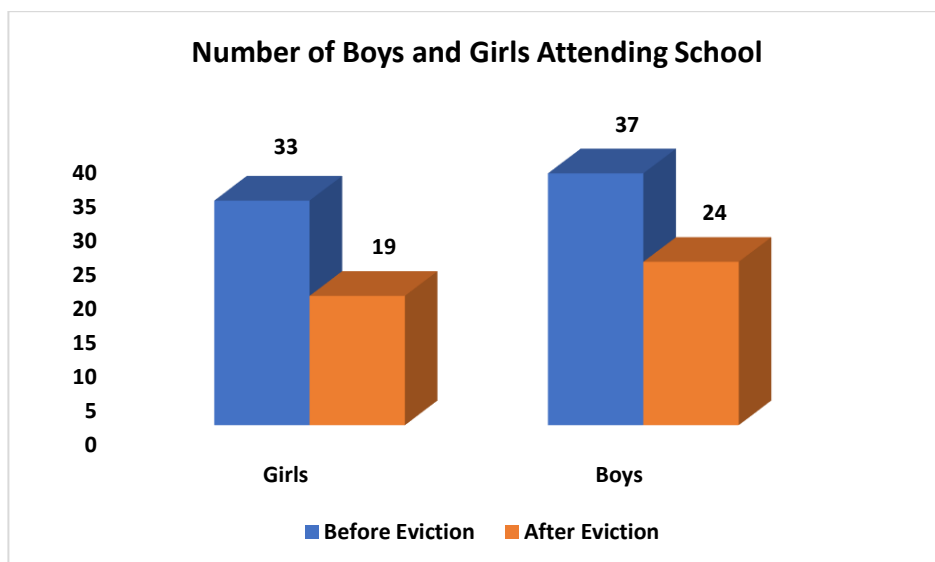
4. Impact on the Human Right to Education

The HLRN study reveals that although a few families, despite being under severe economic duress, chose to send their children to private schools, while the majority of children living in the settlement attended public schools. A large number of boys study at the Government Boys' Senior Secondary School 2. Located at the Delhi Development Authority market, the school is at a distance of two kilometres from the settlement.

During the demolition process, children lost books, uniforms, shoes, and valuable documents such as school report cards. Most children in the settlement did not attend school for almost two months after the eviction because of the inadequate living conditions, uncertainty, insecurity, and impending fear of another eviction. As a result, many of them missed their annual examinations.

School Drop-outs After the Eviction

In the post-eviction period, 27 children (14 girls and 13 boys), or about 39 per cent of school-going children in the settlement, dropped-out of school because of the financial losses incurred by their families as a result of the forced eviction. Financial distress resulted in girls dropping out from school and managing house work, as both parents started working after the eviction, in order to supplement the family income. Although none of the respondents were able to name the government school for girls, its distance from the settlement was one of the reasons contributing to a lower rate of school attendance among girls in the community, especially adolescent girls. The daily commute to the girls' school also placed a financial burden on parents, with a one-way rickshaw fare costing up to Rs 20 per child.



During the time of the HLRN survey (November 2019), more than two years after the forced eviction, many families reported that their adolescent children, most of them girls, had been forced to drop out of school. For instance, Rajkumar’s two teenaged daughters, aged 15 and 17, did not anticipate that their temporary absence from school to help rebuild their homes after the demolition would continue indefinitely.

As in previous studies conducted by HLRN, this survey also reinforces the disproportionate impacts of forced evictions on the girl child. In addition to the burden of taking care of younger siblings, girls often drop out of school in order to help supplement their family income or to reduce the increased financial burden on families in the aftermath of the eviction.

For instance, Sanjana, who has been living in the settlement for more than 10 years, reported that she had to stop going to school to take of the household chores, as her mother also started going to the marketplace to contribute to the reduced family income. Her younger siblings missed their school examinations, as they could not attend classes for over two months after the eviction because they lost their books, school uniforms, shoes, and school bags. When faced with the choice of educating either girls or boys, most families prefer to educate their sons.



A young girl in the settlement prepares lunch for her family

5. Impact on the Human Right to Work

Almost all families reported that in addition to the loss of their homes, they also experienced extensive loss of work-related implements, including raw iron and tools. Almost all families reported an average loss of at least 90 kilogrammes of raw iron, in addition to losing valuable implements, including hammers, some of which were family heirlooms and are not replaceable. This further impeded their ability to work.

After the eviction, affected families reported an estimate reduction in their monthly household income of 14.6 per cent, from an average of Rs 12,775 a month to about Rs 10,880. In at least 31 of the 58 families interviewed, some members reported losing their livelihoods because of the forced eviction.

Primary earning members in most of the surveyed families were not able to work for almost 44 days after the demolition of their houses, as they were busy with reconstructing their homes, procuring new tools and implements, and arranging finances for both. Since the 2017 eviction, a few families reported that women, who were earlier not working outside their homes, have been forced to enter the labour market to contribute to the drastically reduced family income. Since then, they assist by accompanying men to market places in order to sell their iron wares.

Hansaraj, who also practices the community's tradition occupation of making iron-based implements, reported that it took over two years for his family income to reach the pre-eviction level of income that he earned.

In the absence of the required capital to procure raw material, a few families reported moving to other avenues of employment. For instance, Sunny, a second-generation resident of the settlement, recounted that despite having been trained to continue the family's iron work, he instead chose to borrow Rs 30,000 to buy an electric-rickshaw and ferry passengers for a living.



Iron utensils and implements made by the community being sold in front of their houses

As reported by other residents of Gadia Lohar settlements across Delhi, who also witnessed multiple incidents of forced eviction and home demolitions over the years, the residents of Mansarovar Park also reported extensive destruction and loss of livelihood tools during the demolition drive. The heavy investment required to repurchase their implements and restart their traditional iron-based work, has resulted in patterns of shift towards other professions, especially among the younger generation. The lower rate of return and reduced income from pursuing their traditional occupation has also contributed

to several youth shifting to service-oriented occupations such as driving auto rickshaws and e-rickshaws and working in clubs/small hotels.

6. Women's Safety and Security

One of the main aims of this study is to assess and document the disproportionate impacts of the forced eviction on women of the settlement. The questionnaire, thus, had an exclusive section devoted to issues of safety and security of women.

Of the 58 women interviewed for this study, 19 women reported facing incidents of violence, including physical violence (5), verbal abuse (7), sexual violence (4), and other forms of violence (3) before the demolition of their homes. During the eviction process, 31 women reported suffering various forms of violence: physical (11), verbal (12), sexual (4), and other violence (4).

Acts of violence against women have continued even after the eviction, as reported by 29 women of the settlement. Of these 29 incidents, 9 incidents related to physical violence, 11 to verbal abuse, 4 to sexual abuse and 5 incidents related to other forms of harassment/violence.

Vajhi Devi, a woman interviewed by the HLRN team, mentioned that the location of the settlement under a busy flyover, subjects the women to incidents of verbal abuse from men passers-by.

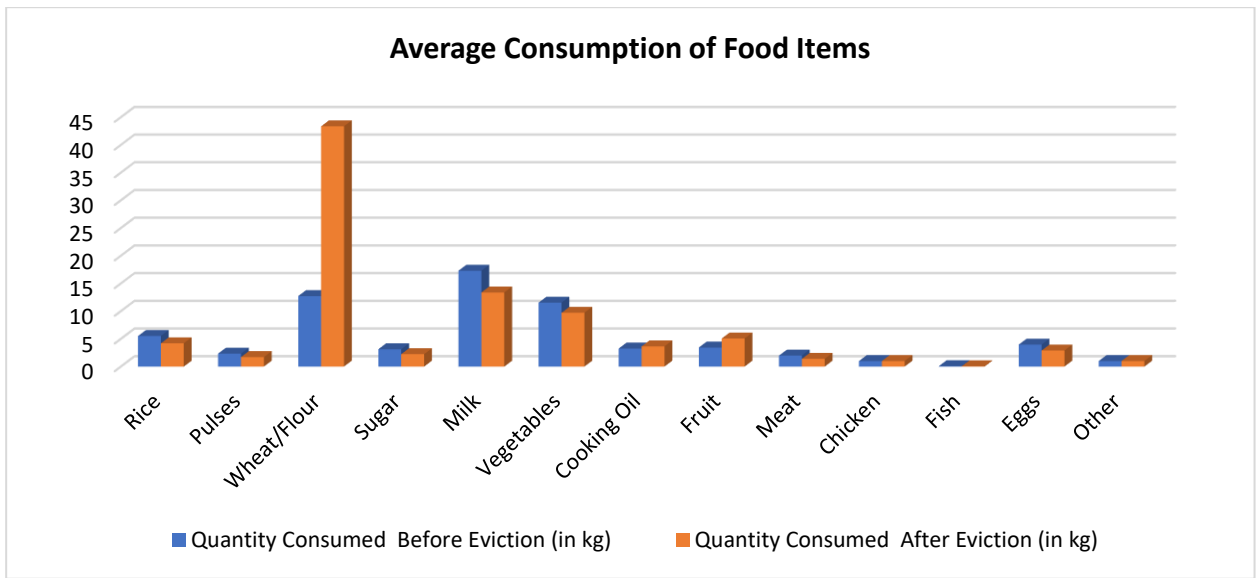
Young girls living in the settlement have also reported feeling unsafe due to incidents of sexual harassment. Despite the rising frequency of such incidents, only five women reported filing complaints with the police or other government authorities, including Members of Legislative Assembly (MLA). Of the five complaints filed by the women, action reportedly, was taken only in two of the cases where government officials were involved.

Seema, who has been living in the settlement for over 16 years, also reported a complaint of being sexually abused by a policeman before and during the eviction.

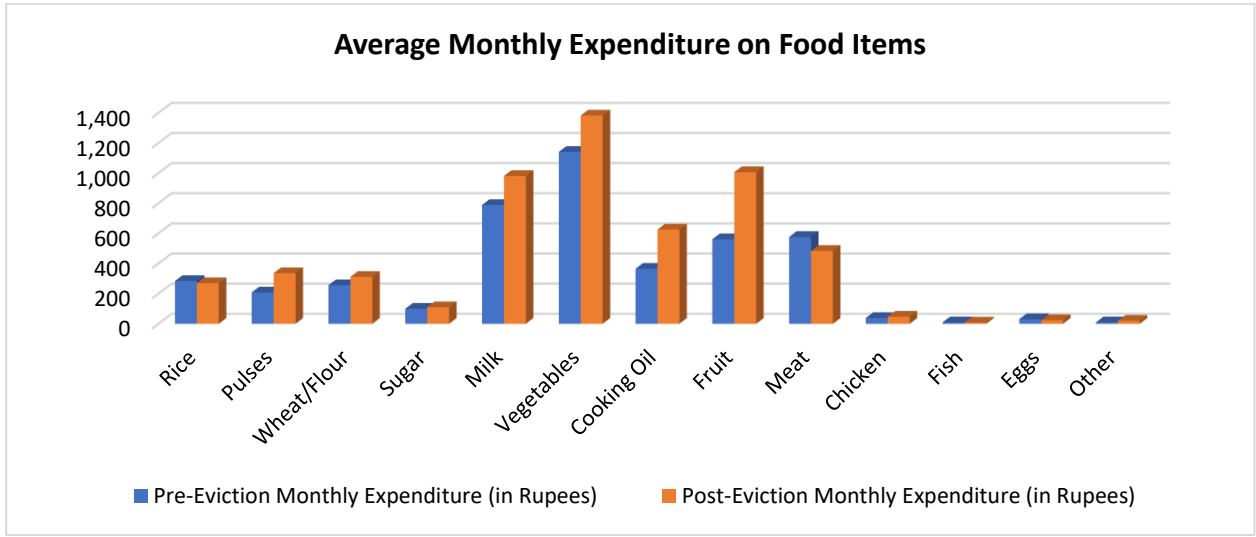
Though a police post is located close to the settlement, it is unoccupied most of the time, hence rendering its purpose ineffective. An assessment of the responses of women reveals high levels of mistrust with government functionaries mainly due to repeated incidents of forced eviction/demolition of homes, the lack of access to justice, and the unresponsiveness of local officials to complaints.

7. Impact on the Right to Food

Assessments of the data collected reveal some changes in food consumption patterns. This was more marked in the immediate aftermath of the eviction, when families lost stored food belongings, housing, and livelihoods. Many of them could not work for over a month after the eviction and lost income, resulting in reduced consumption of food, which could also have led to lower rates of nutrition in the community, especially among women and girls. Over two years after the eviction, consumption trends were less clear and more difficult to attribute directly to the forced eviction. Also, many women could not clearly recount their consumption before the eviction, given the long lapse of time, making comparison more difficult. What is apparent is that consumption of some more expensive food items, such as meat and eggs, had declined.



All surveyed families reported a marked increase in their monthly expenditure on food since the eviction. The average monthly food expenditure rose by 28 per cent in the post-eviction period, from Rs 4,368 to Rs 5,603 per family. This includes expenditure on food items such as pulses, vegetables, wheat, and cooking oil. However, since the study was conducted over two years after the forced eviction, increased food expenditure is also attributable to some element of inflation.



The lack of storage space as well as the community’s lack of access to the Public Distribution System, which provides subsidized food grains to families living before the poverty line in India, most of the affected families reported having to buy essential food items in small quantities on a daily basis. Several families had not been able to access the PDS system due to low rates of biometric authentication required for identification documents. The trend of daily food purchase had also continued after the demolition. A few families also attributed this to the fear of an impending eviction and also to the presence of rats and other pests in the settlement, on account of the unsanitary living conditions and lack of secure housing.

8. Loss of Household/Personal Items

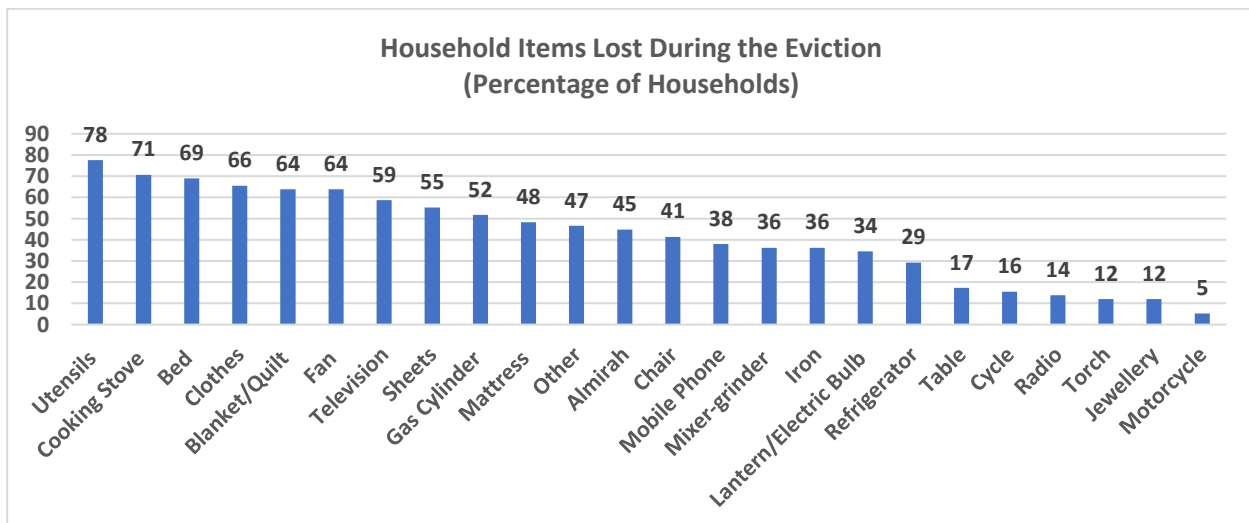
The Eviction Impact Assessment reveals an average household loss of at least Rs 124,000. This includes loss of essential cooking items, furniture, mobile phones, jewellery, fans, lights, clothes, bedding, and bicycles.

Around 17 families lost expensive electrical equipment, including fridges, while 34 families reported that their television sets were damaged during the demolition process. In the aftermath of the eviction, all affected families were forced to borrow money from informal sources, at high rates of interest, to purchase basic cooking implements, food grains, and utensils.



Chandrapal, who lives in the settlement with his three sons and their families, suffered from the loss of several expensive items worth up to Rs 12,000 as his family was preparing for the wedding of their daughter when the demolition took place.

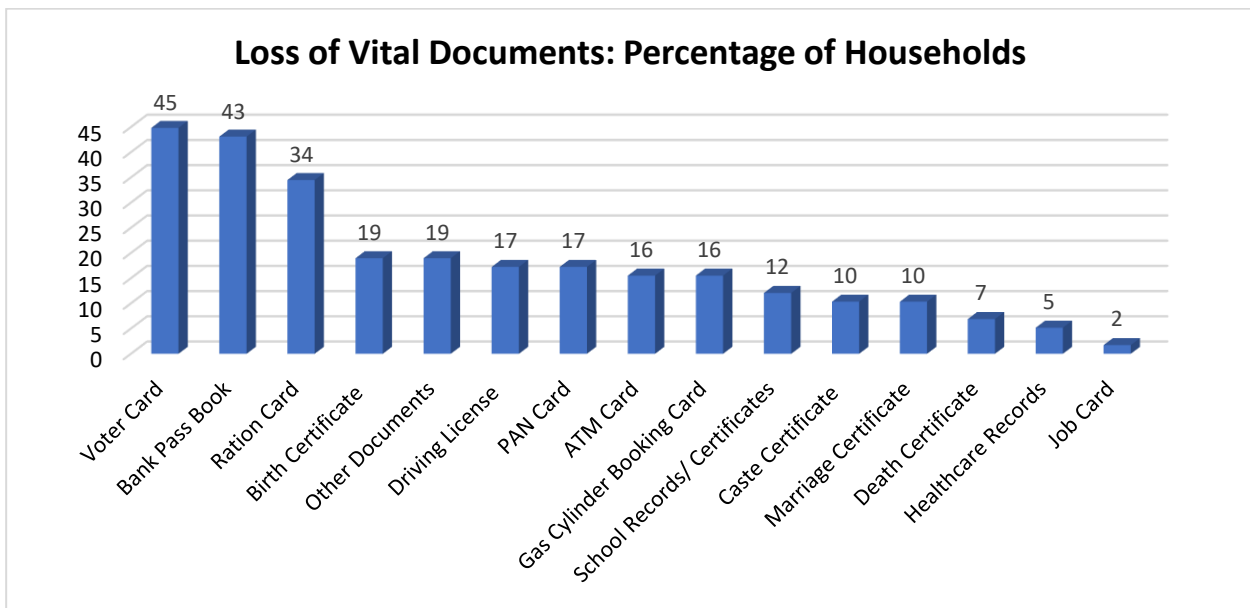
A few families reported having gas cylinders for cooking prior to the demolition of their houses, but in the aftermath, most of them were not able to replace them and, thus, were forced to cook in the open using wood, which not only causes serious health concerns for the women, but also continues to place additional financial burden on families.



9. Loss of Vital Documents

The demolition process also resulted in the destruction and loss of important documents such as voter cards, ration cards, bank documents, medical records, children’s certificates, driving licenses, birth certificates, and other vital documents. The monetary value of this loss cannot be computed. While some of the documents can be replaced, others cannot, and the loss has resulted in extensive distress and inconvenience for the affected families. The cost of replacing these documents is also high, many

families reported having to make multiple visits to government offices to obtain alternate copies of these vital documents.



10. Expenditure on Intoxicants

As a part of the impact assessment study, expenditure on intoxicants, including alcohol and tobacco was also assessed. After the forced eviction, five families reported a 4.5 per cent increase in the expenditure on alcohol, while from an average of Rs 10,000 a month to Rs 10,450 a month. Of those families who reported an increase in expenditure on alcohol, the reason for the same was attributed due to increase in stress levels. The loss of livelihoods, cost of reconstruction of houses, and the subsequent increased expenditure on basic amenities caused additional stress for affected families. They also reported an increase in the consumption of tobacco and hookah.

11. Loss of Invaluable Items

Despite being a historically nomadic community, most of the families reported possessing several antique heirlooms, including silver items, hookah instruments and pipes. These are considered to be remnants of their rich ancestry and most of the families were able to save these items prior to the demolition drive. Apart from these items, families surveyed also reported the loss of other invaluable items during the demolition. Sharmila, for instance, reported that she lost the video of her wedding ceremony due to the sudden demolition of her home, the value of which cannot be compounded in material terms.

12. Access to Finance / Impacts of Incurring Debts

As reported earlier, due to the sudden demolition of their homes, and given their low earnings, most of the families had to borrow money from informal sources of credit at very high rates of interest. During the time of the survey in November 2019, a few families reported that they were still paying the principal and interest payments borrowed by mortgaging jewellery and heirlooms.

VIII. Impacts on Children

The sudden demolition of homes has had an adverse and long-term impact on many children, as they have developed several fears, including of the police, and also fear leaving their homes. The psychological trauma experienced by children has resulted in mental health issues that are not addressed.

As reported above, the forced eviction has had adverse impacts on the education of children and also resulted in their having to drop out of school and work at home in order to support their families.

The location of the settlement under a flyover and close to railway tracks makes it unsafe for children. In the absence of adequate lighting and safe spaces to play, most children are forced to play on the road, which increases their vulnerability to accidents.



IX. Limitations of the Study

1. Since the study and the eviction impact assessment survey was conducted almost two years after the demolition was undertaken, many respondents, especially older persons, reported difficulty in recollecting the details regarding the household/personal items lost and the purchase price of items. The actual losses reported, therefore, could be higher or lower than the true figure.
2. The assessment of consumption and expenditure patterns documented in the study do not account for the general rate of inflation in the economy.
3. While the paper highlights several specific impacts of forced evictions on women, not all nuanced aspects of the gendered impacts of forced evictions have been captured.

X. Recommendations

This Eviction Impact Assessment study carried out in the Gadia Lohar community of Mansarovar Park highlights multiple human rights violations and extensive losses suffered by families, especially women. In order to help the affected community gain access to justice and restitution of their human rights, HLRN proposes the following recommendations to the state and central governments:

I. Recommendations related to Housing and Rehabilitation/Provision of Alternative Housing

1. Provide immediate compensation and adequate rehabilitation for all 62 households that witnessed demolition of their homes in 2017.
2. Ensure priority access to affordable and adequate housing for the evicted community, within three kilometres of their original residence, so as not to disrupt their livelihoods. Ensure adequate space for livelihood activities, in order to enable them to carry out their traditional occupations. Provide access to housing finance for the community, if required.
3. Develop a comprehensive housing policy/law aimed at providing durable solutions along a 'housing continuum.' Comply with and include provisions of the UN Basic Principles and Guidelines on Development-based Evictions and Displacement; the UN Guiding Principles on Security of Tenure for the Urban Poor; and, General Comments 4, 7, and 15 of the UN Committee on Economic, Social and Cultural Rights, among other relevant guidelines and standards in state policies and laws.
4. Comply with India's international reporting guidelines to UN human rights mechanisms and also implement recommendations of Special Procedures, Treaty Bodies, and the Human Rights Council, including through the Universal Periodic Review.
5. Investigate the forced eviction and take necessary action against officials responsible for causing physical harm, violence, and destruction of personal property of residents.
6. Impose a national moratorium on forced evictions of the urban and rural poor.
7. Ensure that international law is upheld and that UN guidelines are adhered to in all state policies.

II. Recommendations related to Access to Government Welfare Schemes/Entitlements

8. Ensure the provision of basic services, including adequate water, electricity, and sanitation facilities for the community. Free and adequate toilets and bathrooms must be constructed on a priority basis. Link members of the community with government schemes such as the Swachh Bharat Urban Mission to ensure the provision of 'Individual Household Latrines.'
9. Enable access to institutionalized healthcare services for the community. Provide health insurance. Also ensure access to central government health schemes, including Ayushman Bharat.
10. Assist affected families to replace vital documents lost during the demolition.
11. Create safe spaces for children to play. Prioritize their access to the Integrated Child Development Services scheme.

III. Recommendations related to Safety, Security, and to Uphold the Rights of Women and Children

12. Improve security for women in the settlement and facilitate their ability to register complaints.
13. Ensure access to justice, especially for women, including free legal aid. Promote human rights education and training related to gender laws and policies, and information on avenues for women to seek redress.
14. Ensure that the affected community can access the Public Distribution System. Provide ration cards for families to enable them to benefit from subsidized food grains.
15. Conduct training sessions for the police in order to sensitize them to the needs and concerns of low-income communities, especially women and children.
16. Ensure that all COVID recovery measures, including relief measures have specific provisions to address the nuanced vulnerabilities of the community.

When asked about their expectations from the government, women of the community stressed the need for safe spaces to play for their children; adequate, safe, and secure sanitation and bathing facilities; separate spaces for cooking; and access to social protection measures. Kela, a widow aged 75, shared her aspiration for a “**permanent house with a wall and a door.**”

XI. Conclusion

This working paper highlights the grave and long-lasting human rights violations of a forced eviction and the resultant loss of housing on affected persons, especially women. Given the current global COVID-19 crisis, the need for adequate housing is even more exigent. Communities living without adequate housing, such as the families in Mansarovar Park, are at heightened risk during such pandemics and lack the ability to implement lockdowns, practice distancing, and engage in frequent hand washing, as they do not have secure homes, adequate space, and access to basic services such as water. It is, thus, an important time for the government to take these recommendations seriously and to work towards immediately ensuring the restitution of human rights, including through the provision of adequate housing.

Surveyors:

Kiran, Pinky, Komal, Tanya, Pooja, Sonam, Shabnam, Kavita, Satpal, and Prem.
Shanta Devi, Suman Rai, Mansoor Khan, Ashok Pandey, Suraj Sanap, Rimsha Hamza, Jigyasa Mukherjee, and Anagha Jaipal

Data Entry and Analysis:

Mohit Jain

Paper Prepared by:

Anagha Jaipal and Shivani Chaudhry (with inputs from Ashok Pandey, Suman Rai, and Aishwarya Ayushmaan)

Editor:

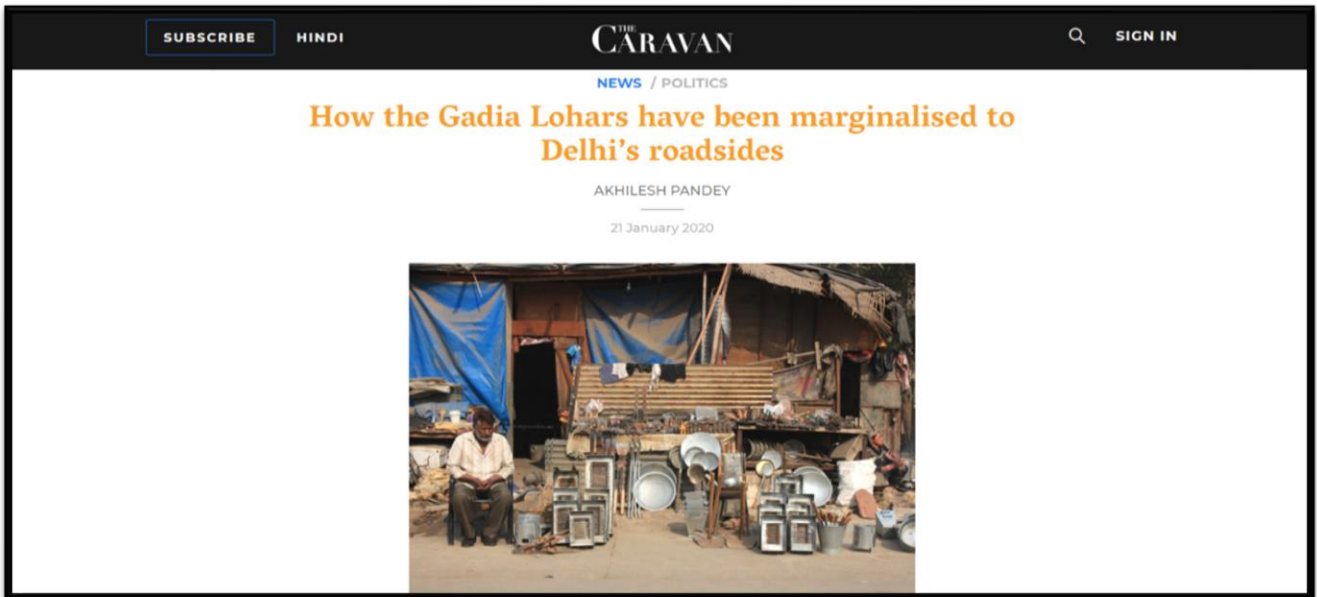
Enakshi Ganguly

New Delhi, January 2022

Annexures

I. Media Coverage documenting lives of the community

1)



[The Caravan, January 2020](#)

2)



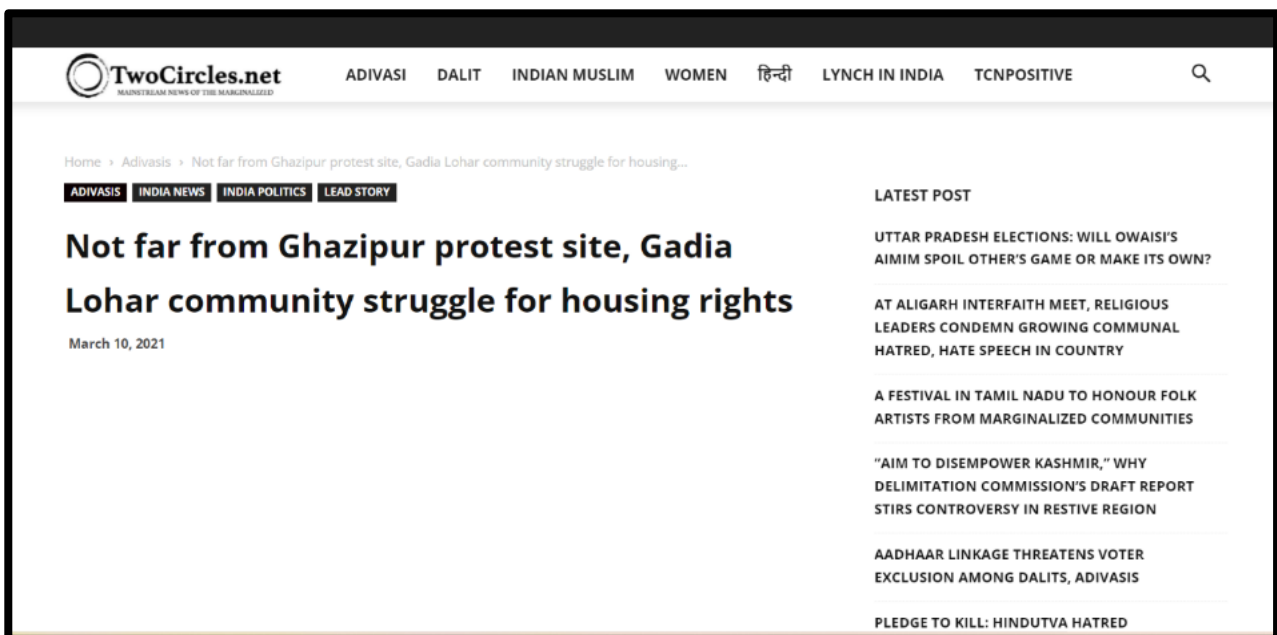
[The Scroll, February 2020](#)

3)



[The Indian Express, February 2020](#)

4)



[Two Circles, March 2021](#)

II. Table of Gadia Lohar settlements and HLRN Interventions

	Name of the Basti/settlement	Number of families	Number of people	HLRN Interventions/Activities
1.	Geeta Colony	23	120	<ul style="list-style-type: none"> • Group Formation/Community Mobilization • Training Programme to increase awareness amongst the community on their human rights • Advocacy to ensure access to amenities and documentation like voter cards, Aadhar cards, Ration cards • Advocacy to prevent forced evictions • Interventions to streamline children's access to education
2.	Indra Camp Kalyanpuri	50	250	
3.	Kishanganj (Near Old Rohtak Road)	40	200	
4.	Nand Nagari Block B-3	25	120	
5.	Azadpur (Near Lal Bagh Masjid)	40	225	
6.	Kakrola Village	30	150	
7.	Sanjay Basti Timarpur	35	175	
8.	Nirman Vihar	25	125	
9.	Dhakka Village	35	175	<ul style="list-style-type: none"> • Intervened to get a stay order from the High Court of Delhi against the forced eviction of the settlement and monitoring the case.
10.	Prem Nagar (Okhla Mor)	60	300	<ul style="list-style-type: none"> • Group Formation/Community Mobilization • Training Programme to increase awareness amongst the community on their human rights • Advocacy to ensure access to amenities and documentation like voter cards, Aadhar cards, Ration cards • Advocacy to prevent forced evictions • Interventions to streamline children's access to education
11.	Janakpuri Block B2	10	50	
12.	Sunder Nagari Block – N	50	250	
13.	Mongolpuri Block – J	30	150	
14.	Dabri Mor	05	25	
15.	Uttam Nagar	20	100	
16.	Punjabi Bagh Club Road	15	75	
17.	Rampura	40	200	
18.	Mayapuri (Near Janak Market)	70	350	
19.	Shalimar Bagh (Near Railway Crossing)	10	50	
20.	Garhi Mor (Near Durga Temple)	10	50	
21.	Kotla Mubarakpur	25	125	
22.	Azadpur Bus Terminal	40	200	
23.	G.T Karnal Road Azadpur	33	165	<ul style="list-style-type: none"> • Intervened to get a stay order from the High Court of Delhi against the forced eviction of the

				settlement and monitoring the case.
24.	Sarai Rohilla	55	275	<ul style="list-style-type: none"> Intervened to get a stay order from the High Court of Delhi against the forced eviction of the settlement and monitoring the case
25.	Prem Nagar Kotla	10	50	<ul style="list-style-type: none"> Group Formation/Community Mobilization Training Programme to increase awareness amongst the community on their human rights Advocacy to ensure access to amenities and documentation like voter cards, Aadhar cards, Ration cards Advocacy to prevent forced evictions Interventions to streamline children's access to education
26.	Lal Gumbad Basti Panschil Park	04	25	<ul style="list-style-type: none"> Group Formation/Community Mobilization Training Programme to increase awareness amongst the community on their human rights Advocacy to ensure access to amenities and documentation like voter cards, Aadhar cards, Ration cards Advocacy to prevent forced evictions Interventions to streamline children's access to education
27.	Patparganj Village	35	175	
28.	Pitampura	30	150	
29.	RK Puram Hanuman Camp Sector-3	05	25	
30.	Hauz Rani	07	35	
31.	Bawana (Near Suraj Camp)	40	200	
32.	Khayala JJ Colony	25	125	<ul style="list-style-type: none"> Intervened to get a stay order from the High Court of Delhi against the forced eviction of the settlement and monitoring the case
33.	Haidarpur	15	75	<ul style="list-style-type: none"> Group Formation/Community Mobilization Training Programme to increase awareness amongst the community on their human rights Advocacy to ensure access to amenities and documentation like voter cards, Aadhar cards, Ration cards Advocacy to prevent forced evictions
34.	Seemapuri	25	125	
35.	Saiyad Gaon – Nagloi	05	25	
36.	Manglapuri Palam Colony	40	200	
37.	Palam Extention Dwarka Sector -7	20	100	
38.	Adarsh Gali Palam	18	90	

39.	Budh Vihar	15	75	<ul style="list-style-type: none"> Interventions to streamline children's access to education
40.	Sagar Pur	10	50	
41.	Gokalpur Village	52	260	
42.	Kundali – Near Ambedkar Park	20	100	
43.	Azadpur Nani Wala Bagh	60	300	
44.	Nangaly Dairy	40	200	
45.	Mangolpuri – Patthar Market	30	150	
46.	Mansarovar Park	70	350	<ul style="list-style-type: none"> Intervened to get a stay order from the High Court of Delhi against the forced eviction of the settlement and monitoring the case
47.	Narayana Village	25	125	<ul style="list-style-type: none"> Group Formation/Community Mobilization Training Programme to increase awareness amongst the community on their human rights Advocacy to ensure access to amenities and documentation like voter cards, Aadhar cards, Ration cards Advocacy to prevent forced evictions Interventions to streamline children's access to education
48.	Kirit Nagar Lakkad Market	05	25	
49.	Rajapuri Dwarka	25	125	
50.	Wazirpur Village, Ashok Vihar	25	125	<ul style="list-style-type: none"> Intervened to get a stay order from the High Court of Delhi against the forced eviction of the settlement and monitoring the case.
51.	Rohini Sector 24	05	25	<ul style="list-style-type: none"> Advocacy with the Delhi government
52.	Chirag Delhi	20	100	<ul style="list-style-type: none"> Intervened to get a stay order from the High Court of Delhi against the forced eviction of the settlement and monitoring the case.
53.	Badli – Sanjay Gandhi Transport Nagar	05	125	<ul style="list-style-type: none"> Group Formation/Community Mobilization Training Programme to increase awareness amongst the community on their human rights
54.	Badli – Industrial Area	05	25	
55.	Shahbad Dairy	10	50	

56.	Nangloi – Nazargarh Road Shivram Park	10	50	<ul style="list-style-type: none"> • Advocacy to ensure access to amenities and documentation like voter cards, Aadhar cards, Ration cards • Advocacy to prevent forced evictions • Interventions to streamline children’s access to education
57.	Moti Nagar	50	250	
58.	Badarpur	10	50	
59.	Meethapur	10	50	
Total		1,557	7,790	

Housing and Land Rights Network India (HLRN)—based in New Delhi—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 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 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.



X-54, Second Floor
Green Park Main
New Delhi – 110016
India
+91-11-4054-1680
contact@hln.org.in
www.hln.org.in
@HLRN_India