

Delhi Housing Rights Task Force

PRESS RELEASE:

Delhi Housing Rights Task Force Condemns Demolitions in Delhi, Calls for State Accountability and Justice for Evicted Families

New Delhi, 14 December 2015

The Delhi Housing Rights Task Force (DHRTF)—a collective of individuals and organizations concerned with, and working to protect and promote, the human right to adequate housing in Delhi and across India—strongly condemns the recent demolition in Delhi by the Delhi Development Authority (DDA) of Belagaon (1 December),¹ and by the Railways of Shakur Basti (12 December)² in the peak of winter.

Delhi has a population of over 150,000 homeless people, only about two per cent of who are accommodated in shelters. Just in the last week, over 25 homeless people have died in the capital. It is a cruel irony that the central government is demolishing homes and rendering more people homeless despite its claims to provide ‘Housing for All.’

The Railways and DDA carried out these demolitions without due process and in violation of the Constitution of India, court judgements, and international human rights standards, including the United Nations Basic Principles and Guidelines on Development-based Evictions and Displacement. Several judgements of the High Court of Delhi, including *Sudama Singh and Ors. vs. Govt. of NCT Delhi* (10 February 2010), have ordered for due process, including adequate survey, notice, and rehabilitation to be carried out before any demolition/eviction in Delhi. People in Belagaon and Shakur Basti, however, were not even given time to remove their belongings before their homes were demolished. Affected families have been left out in the cold with no provisions for alternative housing or compensation for the loss of their homes and belongings. The state authorities have violated, *inter alia*, the human rights to adequate housing, information, security of the person and home, food, water and sanitation, health, education, work/livelihood, the right to reside and settle in any part of the territory of India, and most importantly, the right to life.

During the Shakur Basti demolition, a six-month-old baby girl was killed, while another young girl suffered serious injuries, as a result of which she has had to miss her school examinations. While the Delhi government has condemned the act of the Railways, and DDA has agreed to stall evictions during the winter, DHRTF believes that concerned officials of both agencies must be held accountable for the grave violations of human rights, and tried according to the law. This is especially important given the refusal of the Railways to accept responsibility for the death of the baby. Members of DHRTF also object to the statement made by the Minister for Railways in Parliament today that, “Such encroachments are the main source of garbage and open defecation, etc.” This reflects a very strong prejudice against the poor, marginalised, and homeless population of the city.

¹See, ‘Hundreds left out in the cold after DDA pulls down slum in Old Delhi,’ The Times of India, 13 December 2015.

²See, ‘Shakur Basti dwellers freeze in open after slum demolition,’ The Times of India, 14 December 2015.

The Delhi Housing Rights Task Force had written a letter to DDA on 1 October 2015, requesting the authority not to carry out any demolitions in Delhi. In particular, the letter stated: “Impose an immediate moratorium on all demolitions of existing settlements on all DDA land. The winter season is approaching and any further demolitions at this stage will result in thousands of people being left homeless on the streets of Delhi in the intense cold weather, exposing them to the risk of death, which is in violation of directives issued by the Supreme Court of India.”

Given the recent demolitions in Delhi, DHRTF makes the following demands to the Government of India:

1. Impose a moratorium on evictions in Delhi on all central government land (in accordance with the directive of the Delhi government).
2. Provide immediate relief, including accommodation, food, water, medical supplies, and healthcare to all evicted families.
3. Compensate the affected families for loss of their homes and belongings, and provide immediate assistance to help families rebuild their homes at the same site.
4. Provide alternative uniforms, books, and other educational material to children and ensure that they are able to resume school and appear in their examinations.
5. Give special attention to pregnant and lactating women, infants, children, older persons, persons with disabilities, and persons with illness/health concerns, Dalits, and minorities.
6. Coordinate with the Delhi government and the Delhi Urban Shelter Improvement Board (DUSIB), and provide the required support to the affected families.
7. Ensure that all officials responsible for the demolitions and loss of homes and life are investigated and tried according to due process of the law.
8. Ensure that provisions of Pradhan Mantri Awas Yojana (Housing for All by 2022) and the National Urban Livelihoods Mission – Scheme of Shelters for Urban Homeless are implemented in Delhi.
9. Make adequate budgetary provisions for low-cost housing, especially for *in situ* upgrading and construction of housing for the homeless. This should include hostels, women’s homes and shelters, family shelters, short-stay homes, rehabilitation centres, special homes for destitute and marginalised groups, which are linked to livelihoods of the urban poor.
10. Ensure reservation for Economically Weaker Sections (EWS) housing in all real estate/housing projects and develop a human rights-based law to provide affordable adequate housing for EWS and Low Income Groups.
11. Implement orders of the High Court of Delhi and Supreme Court of India.
12. Implement international law and guidelines, including the UN Basic Principles and Guidelines on Development-based Evictions and Displacement.

Members of the Delhi Housing Rights Task Force also call upon the Delhi government to take immediate steps to establish adequate shelters in the city to ensure that no homeless person dies from the cold. The government, at both the central and state level, must meet its commitment to protect the human rights of all residents and take immediate steps to provide restitution for human rights violations resulting from its acts of commission and omission.

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