

Strategies to Combat Forced Evictions

Kolkata Workshop Report



**National Forum for Housing Rights, India
Combat Law Publications Pvt. Ltd.**

This report has been prepared by National Forum for Housing Rights in collaboration with Human Rights Law Network, New Delhi. A national housing rights workshop was held in Kolkata in November 2003. The participants who joined this workshop were from - Chennai Slum Dwellers Rights Movement (Chennai); Pennurinaidiyakkam (Coimbatore); Human Rights Law Network, Hazard Centre, Ashray Adhikar Abhiyan, Action Aid (New Delhi); CPIATRI, Action Aid (Hyderabad); Human Rights Law Network, MASUM, APIL, Kolkata NGO Forum, CISRS, Hawkers Sangram Samiti, Uched Birodhi Jukta Moncha (Kolkata); Laxmi, Ankur, Vigyan Foundation (Lucknow); Chattishgarh Voluntary Health Association (Raipur); People's Research Society (Bhopal); Jan Vikas Kendra, Juggi Basti Sangharsh Manch & Deenbandhu (Indore)

Published by:

Combat Law Publications Pvt. Ltd., for National Forum for Housing Rights, India

Website: www.indiarights.org, www.nfhr.org

Report is available at:

National Forum for Housing Rights,
National Secretariat,
C/o Deenbandhu,
3, Usha Nagar Main,
Annapurna Road,
Indore - 452009
(Madhya Pradesh), INDIA
Phone: 91 731 2788884, 2788340

Human Rights Law Network (HRLN),
65, Masjid Road,
Jungpura,
Near D.A.V. School,
New Delhi-110014
INDIA
Phone: 91 11 24319855, 24319856

Price: Rs. 80/-

Any written matter that is published in the report can be used freely with credits to the Combat Law and the author. In case of publication please write to us at the above mentioned address. The opinions expressed in the articles are those of the authors.

NFHR wishes to express sincere gratitude to Oxfam GB, Centre On Housing Rights and Evictions (COHRE) and Human Rights Law Network for its financial support in organising the Kolkata National Housing Rights Workshop.



Participants at the Kolkata National Housing Rights workshop held on November 2003 at Nitika Don Bosco campus. This workshop was organized by National Forum for Housing Rights in collaboration with Human Rights Law Network and Centre On Housing Rights and Evictions. National Forum is a national network of independent organizations in India on housing rights. The forum actively campaigns against the practice of forced evictions and advocates the provision of residential land to the working class population in urban centres.



CONTENTS

Introduction	2
Executive Summary	3
Strategies Evolved	4
Places Visited for Field Survey	5
Group Discussion & Presentations	6
Presentation of Strategies	10
Formulating Strategies	15
Profile of Kolkata City	17
Solidarity Appeal Letters	19
Beliaghata Eviction on Human Rights Day	23
Action Plan	24
Memorandum on Bellilious Park	27
Kolkata's Homelessness - <i>Rajesh Jaiswal</i>	29
UN Instruments on Housing Rights - <i>Depika Sherchan</i>	30
Kolkata Environmental Improvement Project - <i>Asian Development Bank Report</i>	31
Is Legal Intervention the only Solution? - <i>Dr. K. Shanmugavelayutham</i>	35
Optimizing Media Support - <i>Ishwar Singh Dost</i>	40
Alliance Building Strategies - <i>Danu Roy</i>	42
Participants' List	43

Published by Combat Law Publications Pvt. Ltd., for National Forum for Housing Rights, India

Introduction

A three-days National Workshop on Housing Rights was held in Kolkata city on the 1st, 2nd and 3rd of November 2003, at Nitika Don Basco. National Forum is a network of independent organizations. The Forum advocates and consolidates solidarity for the provision of residential land to urban poor in cities and campaigns against the practice of forced evictions. The principle objective of NFHR is to strengthen local struggle organizations/groups for consolidating solidarity on the provision of residential land to urban poor in urban cities.

Earlier two national workshops were held in Indore and Chennai on May 2002 and January 2003. These workshops were a step ahead in process initiated in January 2000, by India Centre for Human Rights and Law, Mumbai on the housing rights front. Consultations were held earlier at Mumbai, Ahmedabad, Panchagani, Chennai, Hyderabad, Kolkata, Buwaneshwar and Indore.

Outcome of Indore Workshop

- A Forum of Independent organization was formed at this workshop.
- NFHR had held an informal meeting in Chennai, Hyderabad, Kolkata, New Delhi and Bhopal for introducing the forum and discussing the future course of action and network in different cities.
- Released the first edition 'Eviction Watch Report', of seven cities in partnership with independent organizations.
- A list of resource persons and organizations that are working on housing rights front for interaction, mutual learning, exchange and networking among the Forum.

Outcome of Chennai Workshop

- Workshop called for an immediate moratorium on forced evictions all over the country till the draft national housing/slum policy is officially finalized. The participants also prepared and released Chennai Declaration at the workshop.
- One day was unanimously decided - the first Monday of October, World Habitat Day will be observed as housing rights day to mobilize campaign all over the country.

Why workshop in Kolkata?

One of the reasons for selecting Kolkata-city for holding a national workshop was to consolidate solidarity and support among the local groups for formulating a collective strategy against homelessness and forced evictions. Kolkata is the fourth largest metro-city. Facing acute housing crisis, since September 2001, Kolkata has witnessed large-scale evictions first at Tolly's Nala, Beliaghat and at Bellilious Park. Around 11,000 families are also threatened of eviction at Tollygunge-Panchannagram, Keorapukar, Begore, Manikhali and Churial in the city.

Executive Summary

National Housing Rights Workshop in Kolkata was organized in terms of group discussions, presentations and strategy building sessions. The workshop was another step towards strengthening the alliances on housing rights at the national level, initiated in the year 2000. The focus of the meeting was on "developing new strategies to combat forced evictions".

The meeting was attended by housing rights groups from all over the country as well as a representative from Center On Housing Rights and Evictions (COHRE). Keeping in mind the gravity of the housing crises and impending evictions in Kolkata, the workshop was not only a platform for exchanging notes on strategies adopted in different part of the nation, but also consultations were made to coordinate and build a national level campaign on the housing issues.

Before the workshop a field visit was also organized at major eviction sites to interact with the community and study the conditions of habitat. On the last day an action plan was formulated, the strategy building exercise also saw participants discussing and debating on urban housing and land issues for a workable suggestion, it was followed by a round of intense discussions with academicians, activists, lawyers, architects and grassroots workers exploring the various facets of the strategies.

Objectives of the Workshop

- To plan positive, concrete and new strategies for combating forced evictions in India.
- To plan pro-active, workable and innovative strategies for increasing the availability of land for housing the poor within the city.
- To discuss the process of pro-poor interventions in Master Plans of Hyderabad, Lucknow and Indore.
- To develop plan of action to strengthen housing rights campaign.

Meeting Process

- Participants were invited to submit a brief written report on housing rights scenario of their respected cities, the presentation papers has been incorporated in the final report.
- Each participant spoke for 10 minutes on their housing campaign and later 20 minutes slot was kept for question and answers . Also those participants who haven't given presentations in earlier workshops were given priority.
- Groups were formed to discuss innovative strategies for promoting housing rights campaign and critically reviewed what works and what doesn't were discussed.
- At the final round of discussions participants' prepared long-mid and short-term strategies for demanding access to land for urban poor housing and to combat against forced evictions.

Strategies Evolved

Strategies	Particulars
A. Sensitization	Youth should be made aware of the problems relating to urban poor Organize Community lunch/dinner for the media persons by slum community
B. People & Group Initiative	Joining anti-communalism, anti-globalization and dalit movements Mass movement Include women and dalit groups Every section of the society should be involved Plans must include the affected community's participation Mobilize the community people to strengthen local leadership NGO representatives should monitor evictions, homeless situations in the city Peoples charter on Housing rights Urban land reforms Secure livelihood-economic reforms Political reforms
C. Resource Mobilization	To contribute funds for the campaign from friends and associates Focus of resources at the metropolitan level
D. Information Sharing	All organizations should exchange mid-term reports of their work, which would strengthen the campaign and enhance coordination Networking and Coordination within the city among NGOs Create e-groups To combat the problem of Homelessness in all cities in India along with the eviction problems
E. Capacity Building & Research	Website on housing & eviction Budget analysis and indirect tax We should develop our knowledge
F. Protests, Demonstration, Campaign	Protest in front of the offices of Electronic media on the issues of slum dwellers Right to the city Plan inovative & non - violent protests Develop cadre of activists who will join the campaign in different parts of the country Strengthen the anti-globalization movement
G. Legal Campaign	File regular petitions to NHRC
H. Empowerment of Poor	Access to financial institutions for urban poor Ration card, voter list, birth and death certificate and also enroll the children in the school are must for the slum dwellers and pavement dwellers Find options to the urban poor for access to housing and available land in the city
I. Communication & Media Campaign	Prepare a central list of sensitive journalists Enhancing the quality of the movement's magazines with the help of literary and sensitive media persons
J. Research on Government Policies and Programs	Policies and programs of the govt. like Vambey, Indira Vikas Yojana should be reviewed Putting pressure on the govt. to publish reports on the action they have initiated for the habitat program - Housing for all by 2010, Slumless cities by 2010 Poor are paying more in the informal market
K. Workshops & Conventions	Organize conventions of all the community groups, NGOs, and activist groups at city level
L. Urban Habitat Art Exhibitions	Display urban poor habitat in the form of art exhibits at prominent places in each city
M. Pre Election Campaign	Integrate Housing Reforms in all party manifestos for general election

First Day

Places Visited for Field Survey

On the first day the workshop began with a brief introductory session of participants. After this Rajeev George gave a brief background of the places to be visited in the city: sites that are threatened of evictions and sites, which have been evicted. The purpose of this field visit was to interact with the community members and study the ground reality of housing situation in Kolkata city.

At around 11.00 am seventy participants left for the field visit from Nikita Don Basco. The group visited Bagbazar, Gheria, Tolly Nalla and Bellilious Park. At Tolly Nalla participants held a solidarity meeting and shared lunch with the affected community at the community kitchen, which is running since September 2001 subsequent to the evictions.

During the field visit participants had a unique opportunity to interact with the families who had received eviction orders from the West Bengal State Government and also victims of police brutality of previous eviction drives in the city.

Community lunch

The land mark feature of the trip was a visit to the community kitchen at Tolly Nala which was set up by the evicted victims for free meals to families who had been made shelter less through evictions aimed at beautifying the city. The meals were cooked by volunteers and symbolized the silent yet effective protest against the civic authorities for destroying homes and livelihoods of the poor in the city.

Ratoola Kundu from HRLN New Delhi shared a few words on how the poor are being displaced through large-scale forced eviction in Kolkata as well as in other cities. Later Leena from Hazard Center, Mohammed Ashaq from CHATRI and Shaktiman Ghosh expressed their solidarity with the affected community at Tolly Nala.

After the lunch the participants also visited victims of Bellilious Park evictions in Howrah. At this site around 7000 dalit scavengers were evicted without any rehabilitation. These families

were staying since last 200 years. Most of the scavengers worked for the Howrah Municipal Corporation. After interacting with the community they told the participants that there are private developers who have purchased this land at throwaway price and in the garb of park they had instigated the judicial mechanism for evicting these dwellers.

The victims also said, that this land would eventually serve the interest of land mafia and the developer lobby. Later the participants held a solidarity meeting at the site in which more than four hundred people had gathered.

In this meeting the community leaders members their testimony of how brutal the evictions had taken place. Mr Malvia, Mr Kurity Roy, and Indu Prakash were the prominent persons who addressed the meeting followed by a song from the cultural team of Indore.

Public meeting

After the field visit a public meeting was organized at Loreto Day School, Sealdah by National Forum in collaboration with HRLN Kolkata and Uched Birodhi Jukta Mancha. Number of eminent social activists from the city attended the public meeting: Justice D.K. Basu, Justice R.K.Sachar; Tushar Talukdar, ex IPS officer of Kolkata, Dunu Roy, Hazard Centre, Delhi and Shaktiman Ghosh, Hawkars Sangram Committee spoke on the occasion. All the speakers stressed the appalling state of affairs in Kolkata with respect to the plight of the displaced victims and the urgent need for adequate housing for urban poor inhabitants.

Juggi Basti Sangarsh Morch from Indore staged a street play 'Satta ka Kehl' depicting the nuances of the urban housing scenario and the politics over urban land that leads to the impoverishment of the vulnerable sections of the urban working class. The street play was performed by slum dwellers, who regularly confront eviction threats and are active members of housing rights campaign in Indore city.

Second day Group Discussion & Presentations

On the second day the session started with a brief introduction. Followed by Rajeev who gave an account of the vision, mission and objectives of the housing rights workshop.

The workshop began with a group discussion. Mr Indu Prakash from Action Aid coordinated in forming groups on city bases. The group discussed to evolve new strategies to combat forced evictions and presented housing scenario of their city. After the discussion the group leaders presented their points before the workshop participants. The participants were divided into five groups: Kolkata, Hyderabad, Chennai, Lucknow and Indore-city. The group discussion went on for forty-five minutes.

Kolkata Team:

On behalf of Kolkata group Ratoola Kundu, Rabial Mailk, Gautam Sen and Shaktiman Ghosh put fourth the points before the participants:

Ratoola Kundu, Human Rights Law Network, New Delhi

Ratoola pointed that during the discussion the group focused on the failures as well as suggested new strategies.

The group strongly felt that the policies of local authorities are becoming increasingly anti-poor especially most of the urban development projects sanctioned are affecting the livelihood and habitation of urban poor. Not only were these projects being built on land, which was once occupied by poor inhabitants they are now used for commercial purposes. These elite project violate existing development control regulations and Master Plan provisions resulting into large scale forced eviction and displacements in the name of city beautification.

Shaktiman Ghosh, Hawker Sangram Committee

Mr Shaktiman recalls the successful campaign of hawkers during their struggle in the 80s. But the situation became worst after 1996 Operation Sunshine drive; Tolly Nala in 2001 and Baliaghata evictions on 10th December 2002 human rights day. He said on the pretext of improving the drainage/sewerage of the canals - ADB projects are indirectly displacing thousands of families in the city. *Ucched Birodhi Jukta Moncha* was the first organization that has initiated in starting community kitchen running since September 2001.

Rabial Mallick, Kolkata NGO Forum

Mr Mallick explained the apathy of West Bengal state government towards urban poor housing situation and stressed the urgent need of active participation by intellectual citizens of the city. He pointed that the globalization has encouraged housing projects as an investment commodity. Mr Mallick also noted that the squatters in the city are not included in the census list though some of them hold ration cards and voting rights.

Gautam Sen, Ucched

Birodhi Jukta Moncha

Mr Gautam Sen expressed his concern that NGO's have little role on housing rights issues. Also there is absolutely no information about state government's plans and the projects, which are undertaken. West Bengal state government has no policy to rehabilitate those who are evicted, though we are advocating for a comprehensive housing policy for urban poor inhabitants, he said.

Mr Sen argued that during and before the eviction



*Ratoola Kundu
Human Rights Law Network, New Delhi*



the government had issued misleading statements to create confusion among the public. For example before the Tolly Nalla eviction the officials promised that all the inhabitants would be rehabilitated leaving 20 feet space from the canal. But after the eviction they were not allowed to rehabilitate at the canal side. Instead the KMC is planning to use the canal side place for commercial use. Mr Sen said, it's very difficult to negotiate with the authorities unless we do not furnish facts by collecting authentic documentations from the evicted families like ration cards, name in voters list and other residential proofs.

Strategies:

- The group members stressed the importance that citizens in the city must have the right to information on all development projects, which affects the livelihood and habitat of urban poor.
- 15% to 25% EWS housing projects must be made mandatory for the poor sections in the city.
- The information must be made public of the ongoing or proposed projects; and complete statistics should be prepared of how many families would be possibly threatened of evictions and plan of action for their rehabilitation at the alternative site.
- The group felt the urgent need to prepare a basic development document for housing the urban poor in the city.
- It was also important that pressures should be made on external funding agencies to resettle / rehabilitate evicted victims.



Mr. Ashfaq, CHATRI, Hyderabad

spoke of their collective efforts against anti-poor policies of the Andhra state government, which has made thousands homeless in the city. The group strongly believed in empowering the urban poor slum dwellers and their ability to protest against planned evictions in the city.

He recalls that in Hyderabad, they once held a unique demonstration before the High Court and Charminar Square with the support of women groups who came with stoves and kitchen items and started cooking to convey the message before the media and local authorities that they should be immediately provided with alternative place to start their living.

Mr Ashfaq said, the Andhra state government is intending to displace nine villages covering an area of 5000 acres for constructing International Airport at Shamshabad. This issue was raised several times in the state assembly. Although the farmers have demanded rupees five lakhs for an acre as compensation, but the state government has agreed to pay rupees four lakh. Mr Ashfaq said, but there are thousands of landless laborers whose livelihood have been directly affected, after these farming lands are acquired many of them will become homeless in coming months.

Strategies:

- The group strongly felt the need to unity and aware the slum community about housing and tenure rights.
- Sensitize the media on how eviction is a criminal act against humanity and access of land should be made available to all sections of the society, including the poor and homeless sections.
- Advocacy groups must be formed to make government realize their responsibility on housing and land rights issues.
- The plight of women and children must be prioritized while campaigning on housing and forced evictions.

Hyderabad Team:

Mr Mohamed Ashfaq, CHATRI

Mr Mohamed Ashfaq represented the Hyderabad group. He is co-convenor for Campaign for Housing And Tenural Rights India, CHATRI; a Hyderabad based grass root organization. He

Lucknow Team:
Mrs Rajlaxmi Kakkar & Srivastava, Laxmi

Mrs Rajlaxmi Kakkar and Mridual Srivastava from *Laxmi Women and Child Welfare Organization*, represented the Lucknow team. Mrs Rajlaxmi described the housing situation of Lucknow. She said the city is growing fast, occupying nearly 600 slum settlements. Most of them are placed at prime location of Lucknow. The trends indicate that if adequate land and basic amenity services are not provided then the city will turn into another Bombay or Calcutta. Presently the organization '*Laxmi*' is working in thirteen slums, the vision of the organization is to prepare for the coming future challenges in terms of urban housing and sustainability. The organization has established dialogue between NGOs and other stakeholders. Mr Mridual Srivastava said, in Lucknow a workshop on Master Plan for pro-poor intervention was initiated for housing the city's poor, also the Urban Local Bodies are also taking part in some of the community development programs in the city.

Strategies:

- The group felt the urgent need to empower the community, so that in times of forced evictions the community leaders directly negotiate with the local authorities.
- Establishing network with NGOs is important to combat forced eviction.
- To prevent evictions or for an alternative rehabilitation the group stressed to facilitate in establishing dialogue between the local authorities and the affected community.

Chennai Team:
Mrs Shyamala, Pennurimai Iyakkam

Shyamala pointed out that in Tamil Nadu housing of slum-dwellers is intrinsically connected with their livelihood and both are inseparable. As most of them belong to unorganized sectors they are residing in slums.

There economic dependence is based on the middle class; government or industrial workers and remaining are home-based workers.

She said, that the growth of the city solely depends on the services provided by the urban poor. Without them a city can't grow. So there is problem of implementing pro-poor policies both by the central as well as the state, which makes the development of the city at the cost of neglecting rural areas. She justified, that is why the migration is taking place. If there is no growth in rural area there will be superficial growth only in the cities in term of industrialization and building educational institutions. She said, that there will be continues influx of rural population into the city and slumming of city can never be stopped

unless there is a simultaneous growth of rural areas. According to the latest census 2001 in Tamil Nadu, out of 30 districts 28 have slum population.

Shyamala recalls that in Chennai the process of forced evictions began since 1980. That too for beautification of cities. One of the successful campaigns in Chennai was when fisher community came together in large number with media support and Supreme

Court also gave Judgment in favor of their habitation and livelihood.

She argued that under LPG and T.N. government's open policy for privatization large-scale evictions have displaced thousands of families under projects: commercial complexes, cleaning water ways of canals and beautification of Marine Beach for building Hotels; Recreation (ice-cream) parlors in collaboration with Malaysians Government.

The state has acquired 50 acres of land for building new Secretariat Complex and building educational institutions.



Smt. Rajlaxmi Kakkar, LAXMI, Lucknow

Constraints:

The Chennai group discussed the following constraints during their campaign:

- The group felt that the slum community are divided and isolated politically
- The urban poor community is ignorant of their rights especially on housing, tenure and basic services
- They also experienced that largely vested interest groups are operating in the slum areas.
- The group also realized that the media has developed anti-slum stand and has ignored to assimilate the core-housing problems.



Mrs. Shyamala, Pennurimai Ivakkam, Coimbatore

also played a vital role in advocacy and research to prepare a pro-poor objections and suggestion with the support from CBOs and civil society groups in the city.

At the first stage all slum settlements and relocation sites were identified and traced in the satellite images. The organization monitors the city's development plans closely to find whether the habitations of urban poor settlements are being affected or there is any inevitable threat of forced evictions in the coming future. Before any threat of eviction City's Master Plan land use is verified to located whether the settlement comes under residential land purpose or if not

what are the options available at the nearest relocation sites under the Plan. This process has minimized the threat of multiple evictions in the city.

Interventions:

- Incorporated pro-poor objections and suggestions in the proposed Master Plan of Indore.
- Network among slum communities in Indore to aware poor inhabitants on tenure and housing rights.
- Campaigned during the time of assembly elections to aware urban poor voters to demand their right to housing, tenure security and basic services.
- Facilitated the slum community and local authorities to directly negotiate for livelihood and tenural security.

Indore Team:**Rajeev George, Deenbandhu**

Rajeev gave a brief introduction about the housing rights campaign activities of Indore-city. He said, Deenbandhu in collaboration with *Jhuggi Basti Sangarsh Morch* has campaigned extensively to prevent forced eviction in Indore city and in case of inevitable evictions we have bargained with the authorities for a suitable alternative within the legal frame work of the city's Master Plan.

Rajeev used satellite images and maps of slum localities in his presentation, demarcated in Geographical Information System software. He explained, "This process was possible only through the support and active participation from the local community".

On the proposed Master Plan of Indore the group



Rajeev George, Deenbandhu, Indore

Post Lunch Session Presentations on Campaign Strategies

The presentations of group discussion were over before the lunchtime. In the afternoon session there were special guests invited at the workshop to present their views on urban land and strategies on preventing forced evictions:

Presentation by Dunu Roy on Delhi Master

Mr Dunu Roy is the key founder of *Hazard Center*, Delhi. He has played a vital role in forming *Sajha Manch*, which is an alliance of about 40 organizations in the capital that works on pro-poor issues. He said, Delhi has 14 million inhabitants; out of this 10 million are residing in slums, resettled colonies and illegal colonies. A large number of the population lives on



Dunu Roy, Hazard Centre

pavements. These sections are not only being evicted from their homes, but they are also being dragged out from their workplace and even their identity as citizens are

stripped off.

He said, apart from hutments hawkers are also been targeted in Delhi city. The negative perception especially in judiciary and section of media is that slum dwellers are anti-social elements.

Mr Dunu recalls, that in 1996 "*Janwadi Adhikar Manch*" was formed when Supreme Court judgment was passed in which 168 industries were ordered to close. Around 5000 workers and their families were directly affected due to the closure. As per the Master Plan all polluting industries were proposed to shut down or asked to shift.

Although Delhi Master Plans have provided adequate land for housing in the last forty years, however, there have been no efforts by the authorities and concerned agencies to actually

acquire and develop the land for housing. Thus the poor had no choice but to encroach vacant private or public land for their shelter.

Mr Dunu also noted that, Delhi's complex bureaucracy and power tussle between the center and state administration makes the life of urban poor more miserable. The inhabitants find difficult to even approach for their shelter and grievances. Media is also hostile in reporting to the cause of urban poor housing crisis.

He also felt that denial of housing to the urban poor inhabitants is a deliberate attempt on part of the state. In Delhi courts judicial orders also contravenes the fundamental rights of the poor. Also there is no strong political will by national and regional parties to intervene on behalf of the urban poor inhabitants.

Pointing out the failures he said, there is a lack of information about existing development projects, availability of statistics on housing shortage and coordination among NGOs at grass root level. He suggested that, unless the slum dwellers are aware of their rights and are empowered to seek their basic rights, little progress could be made.

Dunu's main strategic interventions during the years was through building networking alliance with various organizations, so that these groups who not only address housing issues are united on common grounds and several pro-poor issues can be linked together for shaping a larger movement.

Presentation by Leena, Hazard Center, New Delhi

Leena lawyer by profession spoke on judiciary's role towards evictions and housing crisis in Delhi. She stressed to evolve an immediate alternative solution as official machineries are working against the interest of the urban poor. Hazard Center's main focus is on policy advocacy. Presently the capital is witnessing large-scale evictions under the legal sanctions of the courts.

She argued that the courts are giving verdicts in the name of cleanliness and are indirectly supporting elite projects at the cost of displacing

thousands of families. Supreme Court and Delhi High Court are striving hard for cleaning Delhi at the cost of displacing poor families.

She recalls, a few years ago some industrialists filed a petition to evict the hutments nearby the



Leena, Hazard Centre

factory in which factory workers resided. The Delhi High Court remarked that, there is a resettlement policy in Delhi and it is

government's responsibility to resettle the evictees, if they are so evicted! The court also stated that, the purpose of resettlement policy is to prevent encroachers to occupy public or private lands!

Leena elaborated that on 29 November 2002, the court ordered to review the rehabilitation policy, as the government was (unable to stop encroachments) for so many years. The court agreed that there are large slum settlements in Delhi and in the current rate it will take hundreds of years to resettle. Contrarily in another order the court dismissed the petitions, which was filed by slum representatives. The petition was rejected on the ground that priority must be given to the rich residents of DDA colonies rather than to slum dwellers.

On 27th September 2002, the court went to the extend recommending the Resident Welfare Associations to put pressure to the government for evicting hutments near their neighborhood colonies. As this news flashed on the front pages, people strongly reacted and held rallies and demonstrations before the chief minister's office. Later the state government had to file a special leave petition stating that the High Court was interfering into the working of the government because of which the state is unable to perform its functions. The Supreme Court then had to issue an interim stay on 27th November 2002 orders. When Hazard Center showed the interim order to the Slum Department authorities, surprisingly they were unaware of any such development.

Leena argued, though Delhi is the capital city the developmental work within slums and resettled colonies are minimal, contrary the authorities

here are systematically razing urban poor houses even without any proper rehabilitation options.

To counter the volatile housing situation in Delhi, she said, "Sajha Manch has released an 'Alternative Housing Policy'. The report includes all the facts presented by the government and also through conducting independent surveys. This document reveals that the access to residential land haven't been utilized for urban poor habitation, thus poor are forced to live on pavements and blighted settlements".

On alternative solutions she said, we are working with other civil society groups to advocate for *insitu* land reforms. Our demand is that slums should be developed within the existing place or in case of larger public interest if evictions are inevitable than they must be at least resettled within one-kilometer radius on residential land with adequate basic amenity services.

Presentation by Indu Prakash, Action Aid India

Mr. Indu Prakash Singh from Action Aid India gave an impressive presentation on the state of widespread homelessness all over the country and especially in major cities. It was a thought provoking presentation in which certain concrete measures were discussed to alleviate the miseries of the homeless persons. However, a major point of criticism and controversy was raised on the definition of homelessness and its difference or similarity with the concept of squatters.

According to some, homelessness should not be treated as a category in itself, even squatters were by definition are homeless people. Mr Prakash however,



Induprakash, Action Aid India

clarified that it was only in the light of the fact that no one had ventured or address into the problem of city's homeless people in terms of their immediate shelter needs, and their medical needs, as these sections have no legal identity. Inevitably this issue has to be closely addressed keeping in mind the problems homeless population is currently facing.

Presentation by Ishwar Singh Dost

One of the unique presentations at the workshop was on the use of media to combat forced evictions given by Mr Ishwar Singh Dost, a journalist working with NDTV. While giving a general background on the media and the ways in which it can act as a powerful instrument of change, Mr Singh also elaborate the methods via which the media could be influenced to project and perform our objectives of sensitizing the masses on the injustice and inhuman actions related to forced evictions.



Ishwar Singh Dost, Journalist

He agreed that a greater role has to be played by the mainstream as well as alternative media to bring to the knowledge of everyone the plight of the

urban poor; also specific and concrete attempts must be made to disseminate meaningful data and statistics and dispel wrongful notions of the poor slum dwellers manufactured and perpetuated by the authorities.

Mr Singh gave relevant tips to how to effectively use the media. In the first step, prepare a list of journalists and media persons who working with, or are having prior experience in the sector. And those media persons, who are sensitive to the causes of the poor, must be disseminated the information. He said, relations must be cultivated with municipal authorities, the police, local leaders, slum dwellers groups, and NGOs to get in depth information and statistics. Also regular features must be carried out in leading dailies. Regular press conferences should be organized when mass evictions occur in the any cities and community persons who are the victims of forced evictions must be given the chance to speak out before the press.

He advised that, TV discussion programmes and talk shows on slum demolitions, urban development projects, achievements by the slum dwellers and the pathetic situation within the slums can generate public outrage and sympathy rather than scorn and suspicion on the poor sections. He even suggested that media sensitization camp must be carried out on land

and housing issues to ensure an improved and meaningful coverage of the events. The use of alternative media, exhibitions with shock value and disseminating information through songs, street plays etc. is also very important not only to create awareness but also hold authorities accountable for committing forced eviction crimes.

Presentation by Professor Shanmugavelayutham

Dr K. Shanmugavelayutham professor of Loyala College 'Social Work Department' and co-ordinator of Chennai Slum Dwellers Rights' Movement, spoke on the legal interventions to combat forced evictions, but according to the facts available, he said there have been no significant progress on this contentious issue.

He argued, "although evictions are a directly violation of human rights, but still large-scale evictions are executed for beautification and other development projects in all major cities". Professor justified that, in some landmark judgments the Supreme Court has elaborated in length on the right to housing under Article 21 of the Constitution, but unfortunately in recent cases, the Courts have entirely failed to give due recognition on right to housing.



Dr. Shanmugavelayutham, CSDRM

He recalls that in the past, evictions use to be peaceful. The authorities had a humane approach to at least protect their belongings. But now, evictions are executed in a most brutal manner. Bulldozers and tractors are used, houses are set on fire and even women and children have been killed in the process. All the life earned money and possessions are destroyed in seconds and if people dare to resist against local authorities they are arrested under false cases.

He remarked, "in most evictions no alternative accommodation were provided nor any compensation rendered to the evictees". Giving example of Chennai he said, at Buckingham Canal 2,300 families were brutally vacated, the

state operation was like a military exercise against peaceful civilian population, as though they belong to some terrorists groups.

Professor concluded, "as evictions are the greatest threat to slum dwellers, it means loss of house, loss of livelihood and loss of interdependence to community lifestyle". He strongly advocated that mobilizing mass civil disobedience movement is a necessary step to prevent forced evictions and relying only on legal interventions can be a setback for the campaign.

Presentations by Abhijit Datt from (MASUM)

Manav Adhikar Suraksha Manch (MASUM) is a grass root struggle organization at Bellilious Park in Howrah. Howrah is the twin city of Kolkata metropolis. Mr Abhijit Datt an advocate in Kolkata High Court presented a ten minutes report on Bellilious Park evictions. The presentation was made through slide pictures. Bellilious Park is located at a prime location just



Abhijit Datt, MASUM

10 minutes drive from Howrah station.

On 2nd February 2003 morning around 7000 scavengers community were brutally evicted from

Bellilious Park, these inhabitants families were living here for more than one hundred years at this site.

Majority of dalit community are employees of Howrah Municipal Corporation, they wake up early morning to clean up the lavatories. Mr Abhijit showed the picture of how the scavenger community worked in the early morning hours, collecting the filth on their head in large buckets.

Presently, these dalit communities are living near one of the dumping grounds. Some have taken shelter at roadsides and railway tracks without sanitation, electricity or even drinking water. After this brutal incidence eight persons, including children, died failing to resist the adversity and large number of young ones are affected by illiteracy and malnutrition.

He said, a memorandum was prepared by civil

society organizations on Bellilious Park incidence. Before this a fact-finding team was constituted for investigation. According to sources large number of armed police force, and 500 Rapid Action Forces and police personnel were deployed on 2nd February 2003. Three bulldozers were used to demolish concrete structure, jhupris, school building, temples and statues. Ambulances, fire brigade teams were also present at the eviction site.

Mr Abhijit said, administration never bothered to investigate the legal status of the evicted persons. Although the same municipal authority had constructed two-storied quarters for the scavenger community. Also in the Municipal records reveal that there are large numbers of employees working at the Municipal Corporation and are the residents of the park, these scavenger families are residing here since more than 100 years.

He argued that, number of residents not only had ration cards in their names but also election I-cards, birth and death certificates and service records etc. All showed the address as proof of their legal permanent residence. Even some residents had contested elections from here.

It is surprising to note that though the West Bengal state who profess to be a pro-poor left regime had not even bothered to rehabilitate them even the inhabitants were not given adequate chance to place their grievances before the state or local authorities.

Presentation by Rajesh Jaiswal

Mr Rajesh Jaiswal from Association for People's Initiatives for Liberation (APIL), gave a twenty minutes presentation on city's growing homeless trends and problems they face in the streets of Kolkata. APIL is presently conducting an extensive research on homelessness in the city.

In his presentation he said, there are large number of destitute women, men and children living in open sky, some have made temporary shelter of plastic sheets and many of them take shelter in railway



Rajesh Jaiswal, APIL

station, under bridges, flyovers footpaths and open verandas.

He observed that the homeless populations are steadily increasing in the city. These sections have been pushed out of the rural economy, as there is no occupation left in the farming sector and their working skills have become redundant for urban economic setting.

Jaiswal said, thirty percent of the homeless belong from rural Bengal and remaining seventy percent have migrated from neighboring states. Also number of families has become homeless due to forced evictions including families, single women and widows, disable persons and mental challenged persons.

Statistics of homeless population

There are an over 60,000 homeless living since 20 to 40 years in the city

Out of 64% adult population - (41% are male and 23% are female)

Out of 36% are children (45% are girls and 55% are boys)

5.6% are disabled (mental, physical & other impairments)

Around 70% people are migrants from different states; remaining 30% belong from rural Bengal

Over 90% of the homeless do not have BPL cards and voters I-card

Single women constitute 26% of the total homeless population

For drinking water they use public taps (at a distance 1 to 2 kilometer)

For using public toilet they pay Rs. 2/- per person in a day

Jaiswal pointed that the homeless families livelihood is dependent on rickshaw pulling, casual laborers, daily wageworkers, domestic workers and rag picking etc. Majority of them go begging when they are unable to earn. There is no state policy for homeless children so that they get admission in government schools. While going to work they keep their belongings under the supervision of shopkeepers or one of the family members stay looks after their possessions. In the night hours there are also reports of police harassment.

He said, major challenges is to socially unite the

homeless families and individuals. There is also no much support from the middle class. Unfortunately, there is also no political will to address this issue.

Jaiswal suggested that civil society groups should work together to tackle homeless problems. For immediate short term, night shelter should be opened especially for women and children. The attitude of the city police should be to protect the homeless against anti-social elements and they must have the right for voting, BPL cards and be given tenure for shelter.

Presentation by Depika from COHRE

Depika from the Australia unit from the Centre of Housing Rights and Evictions gave suitable examples of how developing countries have fought against forced evictions resulting from urban development projects.

While highlighting the fact that urban development often contradicted the goals of urban poverty alleviation, she pointed out that several developing nations have adopted UN Resolutions and instruments to counteract forced evictions planned by the State or other civic authorities.

In countries like Vietnam and Brazil, the shelter needs of the urban poor had featured widely in the planning process and forced evictions were minimized due to prior planning and stakeholder consultations with affected people.



In Vietnam Depika Sherchan, COHRE, Asia Pacific there even

existed a workable resettlement and rehabilitation policy for the urban poor. Pakistan also has a strong people's campaign to stop forced evictions, which acts as a pressure group on the development authorities.

Depika's presentation was accepted with a pinch of salt amongst the various groups present as often it was felt that international standards and policies did not reflect the ground realities and problems in relation to the crises of urban land and habitat issues.

Third day Formulating Strategies

On the last day of the workshop discussions were held and efforts made to build strategies for combating forced evictions based on the review of the past and existing strategies. Greater focus was thus given to integrate at local, regional and also at the national level. It was acknowledged that a strong campaign or people's movement must have the support of the media. Therefore attention was given to strategies that would build up media relations with journalists who have knowledge on housing issues and are sensitive to anti eviction cause. Information gathering was another key strategy along with its regular dissemination and participants insisted that communication channels be set up internally to aid for exchange and dissemination.

The group suggested that they must build strategies to demand that development projects be monitored by the people to ensure that all displaced persons received resettlement and rehabilitation.

Policy and advocacy building were the two areas that required special attention. More PILs were necessary to demand actions for housing shortage especially to accommodate the urban poor, and bring to task those who violate master plans were illustrated as a means to make the urban development authorities aware that people are now aware of their rights to shelter and the poor also have a legitimate right to reside in the city.

The group also entered a new plan of activism by suggesting that they adopt the strategy of building pressure groups to demand that projects funded by external funding agents be monitored by the people to ensure that all displaced persons received resettlement and rehabilitation as planned and as promised by the agencies and that the local and state governments must develop a comprehensive resettlement and rehabilitation policy for the urban poor in particular.

Action Plan:

Although the focus was on immediate and short-term course of action, the debate and discussion also focused on the mid-term and long-term

strategies that were necessary to adopt for ensuring that the momentum of the movements is not lost.

For, the **short term**, actions such as strengthening local ties, preparing media and resource persons list, preparing IEC material, setting up internal communication channels and an eviction list serve. Also preparation for the WSF housing rights meeting was put on the top of the agenda.

For the **intermediate** points of action, regular dissemination of data and reports was called for. Emphasis was given to organize seminars, workshops at the local and regional level; to discuss and appraise the national housing policy, the Housing Bill, and to appraise and evaluate the progress of the Housing For

ALL by 2010 goal adopted by the UN Habitat.

For the **long term**, building relationships and contacts with international housing rights and pressure groups, empowerment of the masses of slum dwellers and squatters through innovative and cultural means and engaging dialogue with the Government on this matter through marches, rallies, protest, PILs, and through open letters formed the core of the long term action plan and to improve access to land for housing the urban poor.

Outcomes:

Overall, the outcomes of the workshop were quite wide ranging. The workshop provided opportunity to interact with each other from learning as well as failures and explored to strike new strategies and alliance building. A number of the grassroots slum leaders took the lead in presentations, consultations and discussions. It also facilitated in building network for a long-term impact on the progress and success of housing rights movement in India.

At the local level the workshop was also

instrumental in consolidating solidarity and support on the plight of evicted slum dwellers in Kolkata city. Following the workshop, some of the Kolkata groups were able to insist on meeting with the Mayor to discuss the issue of resettlement of evicted slum dwellers and squatters. The legal outcome of the meeting was to file a special leave petition to demand the rehabilitation and resettlement of scavengers' community from Howrah who had been evicted from their homes without notice.

The Forum had released a joint open letter to the West Bengal Chief Minister appealing to stop

forced evictions and to protect the poor and vulnerable sections especially the inhabitants living in Bagbazar, however it was sad to note that the state brutally evicted the community two months after the workshop.

Forum is also initiating to incorporate pro-poor interventions within the Master Plan framework by forming networks of local groups who are keen in incorporating pro-poor provisions in the City Master Plan. Presently these interventions have already been made in four major cities: Indore, Hyderabad, Lucknow and Raipur.

Open Letter to Chief Minister of West Bengal

To,
Mr. Buddhadev Bhattacharya
Chief Minister,
Govt. of West Bengal, Kolkata-1

Date: 4th Nov, 2003

Sir,

The national workshop on "New Strategies to Combat Forced Evictions" was held at *Nitika, Don Bosco*, from 1st to 3rd November 2003 organized by *National Forum for Housing Rights, India and Human Rights Law Network, Kolkata*. 112 delegates from *New Delhi, Hyderabad, Chennai, Coimbatore, Trichy, Madurai, Indore, Jaipur, Raipur, Bhopal, Sagar, Narsingpur, Lucknow, and West Bengal* attended the workshop.

The participants had the opportunity to visit *Tolly Nalla, Beliaghata and Bellilious Park* where forced evictions had been taken place in the past. As the delegates visited *Bagbazar* and interacted with the community the residents informed that they are also under threat of immediate forced eviction and that too without any alternative accommodation. We were shocked to find that the *West Bengal Government* is not providing any alternative land or accommodation to those who are being evicted, as against the policies of other states in India including, *Madhya Pradesh, Uttar Pradesh, Rajasthan, New Delhi, Tamil Nadu, and Andhra Pradesh*.

It is sad to state that the *West Bengal* is the only state in India, which has adopted this inhuman policy. We are deeply concerned about this state of affair and would sincerely appeal for your urgent intervention in this matter and stop this criminal act of making children, women, elderly and physically incapacitated persons homeless.

We fear that *Bagbazar* eviction will add more than 3000 people homeless who are already oppressed and marginalized in Kolkata. We sincerely feel that the *Chief Minister of West Bengal, Buddhadev Bhattacharya* will immediately act on our appeal and stop the criminal act of making people homeless in this city.

Forced eviction without alternative resettlement is a crime against humanity and a gross human rights violation.

Our demands before the West Bengal Chief Minister are:

- That no act of forced eviction must be executed at *Bagbazar*, near *Galif street*, where a population of 3000 people, including 700 women and 1000 children will directly become homeless.
- That all evictees of *Tolly Nalla, Beliaghata and Bellilious Park* must immediately be rehabilitated.
- That a dialogue should be held between the authorities and the affected families including the civil society groups to find adequate resettlement acceptable to the affected families.
- That the *West Bengal* state must come out with stated official policy on rehabilitation as practiced in other states in India.

Sincerely,

Rajeev George

Profile of Kolkata City

Kolkata (formally was known as Calcutta) is the capital city of West Bengal state. Population of Kolkata is 4.58 million. Slum population in the city is 1.49 million. City has the highest density with population of 24760 per square kilometers (<http://www.censusindia.net>). The area of the city covers 185 square kilometers. West Bengal is also the most densely populated state in the country with 904 persons living per square kilometer.

City Profile

In early 1911, the city introduced the 'Improvement Trust Act', after Mumbai. The proliferation of local bodies is one of the features of Kolkata. The city has two municipal corporations, 32 municipalities and 37 urban entities. Besides these, there are: Calcutta-Howrah Improvement Trust, West Bengal Development Corporation, Joint Water and Sewerage Board, Calcutta Port Authority, West Bengal Electricity Board, Transport Authority, University, State Housing Board, Indian Railways and numerous micro and meso-level agencies have their own spheres of activity in the same geographical entity with very little coordination.

Geographically, Kolkata is bound on its north, northeast, east, and partly south by a network of canals, natural as well as artificial, that once formed part of an unique inland navigation network. The city's sewerage system was based on the use of this natural drainage basin and the waters of the Hoogly river were brought in through these canals to flush the waste water into inland fisheries which naturally treated it. This natural drainage system has been disrupted due to a variety of reasons not the least being the planned urban development of these water bodies leading to all kinds of problems. One upshot of this has been the collapse of the navigation system due to the silting of the canals

and the development of slums along their banks. During the 1960s, the working class community started settling beside the canal banks under the most unhygienic and hazardous conditions. At present the largest concentration of informal settlements in Kolkata are residing along these Canals. The northern stretch of the Beliaghata-Circular Canal is the most densely occupied.

Kolkata witnessed one of the most brutal forced evictions by the local and state authorities on the one hand and on the other the demonstration of tough public resistance from the working class community in the last five years. Though the Left Front government is ruling the state for over 20 years, it has been instrumental in perpetrating one of the worst housing abuses and has failed to provide adequate housing within

Kolkata witnessed one of the most brutal evictions by the local & state authorities on the one hand and on the other the demonstration of tough public resistance from the working class community.

the legal framework.

A sizeable number of the city's population are living in slums, pavements, besides railway tracks, bridges and canals. Habitable land has not yet been made available to these working class people at an affordable price within the legal framework. The inquiry team found one of the highest displacements from the Calcutta Metropolitan region. Though these working class inhabitants had ration cards and names in the voters' lists. These sections constitute a stable vote bank of political parties and yet they are under the threat of multiple forced evictions. There are at present second and third generation of local inhabitants who face a constant threat of evictions.

Evictions by the local and state authorities have been dealt with in a most ad-hoc and inhuman manner in the city. Ever since the multi-lateral institution funded projects started investing in heavy infrastructure through state agencies, the local inhabitants have been largely affected and housing rights abuse has become state's arbitrary



practice.

Last year when the 'People's Commission on Eviction and Displacement' inquiry was held on 22nd September 2002. One of the evictees had directly questioned "why the burnt of development is borne to them only when such development benefits doesn't reach to the displaced urban poor inhabitants".

Highlights of Tolly Nala Evictions

Women

Women were physically abused and beaten up, police entered their rooms and threw away cooking vessels. Women who served as maids lost their jobs. Their privacy was lost and were forced to sleep in open, as a result many went emotionally disturbed.

Children

Nearly 1500 children became homeless. School going children could not appear for exams. Many slept hungry without food. Faced physically and mentally abuse. Two children attempted suicide.

Loss of livelihood

Auto drivers, helpers, construction labourers, hawkers, shop keepers, petty businessmen and domestic workers lost their jobs.

Economic loss incurred

Destroyed and damaged electricity, water and telephone connections. Approximate monetary loss is estimated to be near rupees ten million.

Family life disrupted

Many families were separated. Family members stayed in different localities. Old became sick due to lack of shelter and food.

Operation Sunshine - A Drive against Hawkers

'Operation Sunshine' was executed by the state government in 1996 aimed at removing the hawkers from the footpaths and along some of the major thoroughfares of the city of Kolkata. It was one of the demands from the multilateral banks and companies that they would only fund infrastructure development if the roads were cleared from hawkers and informal markets. But these hawkers were primarily surviving through these parallel and informal sector markets. They

had through decades of perseverance built this economy through affordable and subsidised prizes in the retail market.

The first operation of eviction took place in December 1996 from the footpaths of Hatibagan in the north of the city. 1834 stalls were demolished followed by 3500 to 4000 stalls razed from the southern parts of the city. In the year 2000, a similar operation of eviction was followed at Gariahat, Kalighat and Lake Market.

An organization of hawkers called Hawkers Sangram Committee (HSC) reported that within two to three months the number of stalls evicted were 50,000-60,000. HSC alleged that after these evictions about 100 hawkers died eventually due to starvation. According to the HSC this was in complete violation of the judgment delivered by Justice Bhagwati Prasad Benerjee relating to prior notification and necessary rehabilitation.

Only a minor segment of the hawkers were offered alternative sites at a very unseemly site in Galiff Street, isolated from the market area, in an unhealthy habitat. Later all the 800 hawkers abandoned this site, because it was an economically unviable alternative.

West Bengal Corridor Development Project

The West Bengal Corridor Development Project is aimed at constructing national and state highways that would link the state with other eastern Indian states including Bangladesh, Bhutan, and Nepal.

A loan of US \$ 210 million has been approved on the 11th December 2001 and the project is slated to be completed by June 2006. The project is funded by the Asian Development Bank and the state government. Both of them are boasting that this project will improve the standards of 19 million people, over a third of them from the very poor sections who are expected to directly benefit from the project.

When a study was conducted to find out how many people would be displaced when the project is implemented it was found that 10,000 roadside shops would be evicted. 1300 residential structures would be razed. 4000 employees would lose jobs. 5000 community structures would be affected and 37 hectares of agricultural land would be acquired by the project. However, the state government has no plans to rehabilitate families who are living in informal housing structures.

Excerpts from Eviction Watch India report, January 2003

Rehabilitation of evictees

Solidarity Appeal Letters

National Forum for Housing Rights, India had launched an email campaign worldwide to inform national and international human rights activists and organizations to put pressure on the West Bengal Government to rehabilitate evictees of Kolkata.

Solidarity Appeal Letter

22nd September 2001

Observing the second eviction anniversary

Demand: Rehabilitate Kolkata Evictees

Request: Read, Act and Forward to as many people as you can...

Appeal: Forced eviction without any alternative is a gross human rights violation under national and international laws. Kolkata is the only city in India, which evicts their city inhabitants without providing any alternative rehabilitation. No families have been rehabilitated after carrying brutal evictions by the authorities in the distant or recent past.

If you believe strongly, that forced eviction is a crime against humanity and no family or individual should be evicted or made homeless without any alternative provisions, then extend your solidarity support email campaign by doing the following:

- A. Write a strong letter to West Bengal authorities appealing to immediately rehabilitate Kolkata evictees with subject line "Rehabilitate Kolkata Evictees"
- B. Anyone you think might be able to make a timely intervention please forward this e-mail to the concerned person immediately.
- C. Suggest your idea for giving justice to Kolkata evictees and send it to us urgently.

In solidarity

Rajeev John George

National Forum for Housing Rights, India

An Appeal to Rehabilitate Kolkata Evictees

Uchchedh Birodhi Sangrama Committee had commemorated the second anniversary of Tolly Nalla evictions in Kolkata-city. On 22nd September 2001 around 1400 households were brutally evicted from the southern skirts of the canal side in Kolkata. Inevitably, the maverick West Bengal government till date has not taken any action to rehabilitate even a single family. Though the *Left Front* claims to be pro-poor regime, piously committed for the cause of the poor sections. But contrarily, since last two years large number of poor inhabitants have been rendered homeless and pushed into pavements through forced eviction drives without any relocation alternative. The

Kolkata is the only city in India, which evicts their city inhabitants without providing any alternative rehabilitation.

modus operandi of forced eviction operation by *Kolkata Municipal Corporation* is not only notorious, but also shocking. There are many more evictions to be carried out in the same manner in the near future.

For the Tolly Nalla struggle, *Uchchedh Birodhi Sangrama* had played a leading role in consolidating solidarity to the victims through running community kitchen where around 200 people have their daily meals since last two years. These community leaders have formed a committee for demanding rehabilitation named - "Tolly Nalla Punar Vasani Samabhai Sammitti". The *Sammitti* members has also prepared I-cards for families to remind Kolkata authorities that they were once removed from their homes, but they still have not received any alternative relocation and are determined and united for their just cause.

Major evictions in Kolkata:
21st September 2001

1400 families displaced at Tolly Nala, Rapid Action Force were used to remove the inhabitants

who were residing since last 40 years;

10th December 2002

On *International Human Rights Day* 4000 households at *Beliaghata* were demolished and more than 200 houses were burned down before executing the operation;

2nd February 2003

From *Bellilious park* around 700 dalit Scavenger families were mercilessly uprooted without any prior notice and without any rehabilitation programme. Most of the inhabitants were working at *Howrah Municipal Corporation*. HMC had rehabilitated these scavenger communities in the park land used as dumping ground hundred years ago by constructing quarters.

Modus operandi of evictions:

- *Tolly Nalla* evictions were carried out during monsoons.
- No alternative accommodations or sites are made available to evicted victims.
- Large scale complains were reported that state machinery were engaged in arson and looting of household belongings during the operation.
- Displaced families were even denied to collect their belongings before demolition drive.
- For operation *Black commandos* were deployed against peaceful civilians.
- Local urban authorities intend to use these lands for commercial exploitation.

According to the preliminary finding by *Association for Peoples Initiatives for Liberation (APIL)* a local civil rights group the number of homeless in streets have increased sharply. Out of the total homeless around 18% are those who had been added as homeless on the streets of *Kolkata* are victims of forced evictions without relocation in the past two years.

Last year *People's Commission on Eviction and Displacement* held an independent inquiry which was headed by *Justice Rajindar Sachar*, former Chief Justice of the *Delhi High Court* on 21st and 22nd September 2002. The *Commission* found that not a single family were rehabilitated, the panel

members were shocked to find the evicted victims were staying on railway platforms, pavements and under-bridges in inhuman conditions.

Appeal for action:

We earnestly appeal to the national, international human rights bodies and financial institutions to put pressure on *West Bengal* government for providing rehabilitation to *Tolly Nalla, Beliaghata and Bellilious Park* evicted families.

The *West Bengal* state should abide by international and national laws which makes mandatory to any evictees for an alternative provision. Such policies and provisions are consistently practiced in all other states in India. Example: *Mumbai, New Delhi, Chennai, Hyderabad, Indore* and *Ahemdabad* provides alternative relocation to the victims immediately if they are evicted.

On the second anniversary of *Tolly Nalla* evictions we would appeal to all civil rights groups and concerned citizens for extending their solidarity through posting mass protest letters to *West Bengal* authorities for their immediate rehabilitation.

Uchchedh Birodhi Sangrama had played a leading role in consolidating solidarity to the victims through running community kitchen since last two years.

Our demands:

- That no more evictions must be carried out in *Kolkata-city* without resettling all evicted families...
- That all evictees of *Tolly Nalla, Beliaghata and Bellilious Park* must be given rehabilitation immediately...
- That a dialogue should be held between *Kolkata ULB* and the affected families including the support of civil society groups to find adequate solutions acceptable to the affected families...
- That all international lending agencies like *Asian Development Bank (ADB)* and the *World Bank* must seize all loans till the *West Bengal* government provides adequate rehabilitation to all the victims...
- That the *West Bengal* state must come out with stated official policy on rehabilitation as practice in other states in India...

We appeal to all civil society and human rights

groups to incorporate the above demands in the solidarity appeal letter to:

Budhadev Bhattacharya
Chief Minister, Govt. of West Bengal.

Ashoke Bhattacharya
Minister In-charge of Urban Affairs & Urban Development

Amalendu Roy
Minister In charge of Irrigation & Water Ways

Subrata Mukherjee
Mayor, Kolkata Municipal Corporation

The Chairman,
The National Human Rights Commission, New Delhi

Protest letters from organizations and activists

Sanjay Sangvai
Narmada Bachao Andolan...

The Narmada Bachao Andolan strongly condemns the action of forcibly evicting about 1400 hawkers and other labourers from Tolly Gunj on part of the Government of West Bengal. It is doubly reprehensible as it comes from the supposedly Left Front government of the state, against the proletariat in the state.

We are aware that the West Bengal government too has been playing the tune of the multinational companies and the multilateral aid agencies, when all the Left and friendly organizations will be celebrating and strengthening the struggle against the multinational capital and the corporate in the incoming convention of the *World Social Forum (WSF)*, in Mumbai in January, 2004.

We demand that the state government must put an end to its anti-proletariate and anti-poor policies of forcible eviction.

We demand that no one should be displaced from his home, hearth and the economic means of production without providing for alternative to these things or more than that.

We hope that the state government and the Left Front leaders would see that the justice is done.

Maya Valecha
Inquillabi Communist Sangathana, Vadodara...

To,
Budhadev Bhattacharya
Chief Minister,

Dear Sir,
Sub: Protest against Forced Evictions and Demand for Rehabilitation of people of TollyNalla, Beliaghata, Belillious Park in Kolkata.

It is with great anguish that we have to hear such atrocities perpetrated by those who still call themselves communists. As a communist we feel it shameful and want an end to all such crimes against humanity. Apart from the fact that India is signatory to Declarations of Right to Housing conference by UN (Both 1976 and 1996), Marxist

Principles teach us that everybody has equal rights on the Natural as well as human-made wealth of this world. This earth belongs to all of us and nobody has the right to evict anybody.

Your party is going to be the indirect participant of WSF where a slogan of 'Another World is Possible'. What sort of another world we are trying to make?

We demand immediate relocation of all the evicted persons.

Hoping to shake a communist conscience,

Maya Valecha
Inquillabi Communist Sangathana, Vadodara...

To,
The President of India

Dear Sir,
Sub: Protest against Forced Evictions and Demand for Rehabilitation of people of TollyNalla, Beliaghata, Belillious Park at Kolkata.

We protest the forced evictions anywhere in India. They are on the rise of late in all parts of India. We particularly draw your attention to the plight of people of TollyNalla, Beliaghata, Belillious Park of Kolkata. India is signatory to Declarations of Right to Housing conference by UN (Both 1976 and 1996) where people's right to housing with basic facilities and Government's responsibility to provide the same are accepted.

We demand immediate relocation of all the

Narmada Bachao Andolan strongly condemns the action and demands that the West Bengal state government must put an end to its anti-proletariate and anti-poor policies of forcible eviction.



evicted persons and direction to all state governments publicly to remind them our commitment to UN Declarations. Hoping a quick action from your office.

Maya Valecha

Inquillabi Communist Sangathana, Vadodara...

Dear Rajeev,

It is good to hear that unity of the evicted people is maintained and the fight is on. I had heard from a contact in Kolkata that it is all over as the victims are scattered now.

In Baroda we are facing the same problem and whatever relocation used to be done in past is no more the practice of the day. I'll send you the report of an eviction that took place here. Victims are scattered and in spite of a first somewhat favorable judgement by High Court they are so demoralized that they are not ready to fight. The evictions here are small scale and scattered both in time and area wise. When I was in Surat @ plague time we could get with agitation but now BJP govt with renewed power by other means is acting with heavy hand.

We had our publication 'Nirantar Kranti' devoted to this issue totally but it is in Gujarati.

Marina Lewis, Mumbai ...

To,

Mr Vajpayee,
Prime Minister of India

Dear Prime Minister,

I write to express my strong disagreement with the practice of the West Bengal government of evicting people such as the Tolly Nalla people of Kolkata city, especially without providing any alternative accommodation.

I understand that serious concerns have also been raised about the violent methods of eviction, and the access evicted people have had to date to their possessions. These actions clearly signify breaches of international law, as well as national law to which India, as you will know, is a signatory. Clearly the development of a humane policy by the West Bengal Government, in consultation with the affected 'evictees', is the

minimum response required. All people you are responsible for evicting must also be rehabilitated immediately. The international community composed of interested and alarmed citizens such as myself waits to hear of your actions taken in response to our concern to support a humane outcome on behalf of the your disrespected citizens of West Bengal who have been evicted by their own government.

Ken Fernades

Center on Housing Rights and Evictions (COHRE), Australia...

India has ratified the following international human rights treaties and by forcibly evicting people they are violating human rights law. The West Bengal state government is also violating the Indian constitution Art 39 (a) and (f). Tolly Nalla evictions is a gross violation of human rights. It is the state government's duty to rehabilitate, and also compensate them for their

losses. If it was a rich person's house which was demolished, then the person would have taken the government to court and demanded for his/her losses. Why not poor people demand for compensation? I wonder if the groups in Kolkata have made cost analysis of people's losses. It may be worthwhile exercise.

Ms. Sama

Katmandu, Nepal ...

Sad to hear that people are still facing forced eviction problem in India. I am curious to know what type of alternative the affected families desire? I think when we negotiate with the government it is important to have few alternatives in hand. I have already send an appeal letter to immediately rehabilitate Tolly Nalla evictees.

Hanako

Tokyo, Japan ...

I forwarded your letter to Mr. Hosaka and Fr. Peter Shimokawa and I added the introduction of you and the essence of your letter. I wrote it in Japanese so that you couldn't read it. I am sorry. Pls take care always.

If it was a rich person's house which was demolished, then the person would have taken the government to court and demanded for his/her losses writes Ken Fernades from COHRE

The 10th December Carnage Beliaghata Eviction on Human Rights Day

On 10th December 2002 when the world was observing International Human Rights Day the West Bengal Government was brutally evicting 4000 families. Beliaghata eviction will be remembered as 10th December carnage. This incidence will be marked as a monumental mistake in the history of West Bengal. Till date none of the 4,000 families have been provided any alternative accommodation.

In early eighties it was the same Left-Front government in West Bengal that had provided alternative site to the same inhabitants at the Beliaghata canal side. The dispossessed residents have their names in the electoral roles and ration cards as proof of residence.

This was a joint operation executed by Kolkata Municipal Corporation, Kolkata Metropolitan Development Authority and the State Irrigation Department. The state administration and the opposition both were involved in this barbaric act. These elite projects have been supported by Asian Development Bank, which has made thousands homeless in the city.

Days before eviction. Rapid Action Force were marching each day armed with sophisticated weapons threatening the inhabitants to leave the locality. On 10th December heavy police force with bulldozers arrived. First the residents specifically women resisted the eviction, but as they were busy arguing against eviction with the authorities a mysterious fire broke out within the locality, the residents believe that this was the handy work of authorities so that all their belongings are gutted down and they would need less efforts to crush the belongings through bulldozers.

The eviction operation began at 8 a.m. on

Tuesday, 10th December 2002. It was reported that hours before the evictions a cart puller, Dulal Das, 48, had committed suicide. Sima Das, a nine year old girl, told The Statesman reporter, "Government people came and threatened me that they would shoot us if we won't leave the house". After the entire operation was over Beliaghata canal resembled a crematorium ground on Human Rights Day".

Excerpts from the Kolkata newspapers:

The Statesmen, Kolkata, 11th Dec 2002

Sima Das a nine-year-old girl child lost her father seven months before the Beliaghata eviction that had taken place in Kolkata-city. Their mother left the home days after her father died. Sima was living alone with her four younger sisters and a two-year-old brother at Beliaghata Canal side. Sima's elder

sister was working as domestic help and the house owner would rarely allow her to visit their sisters' home...

Just a day before the eviction at Beliaghata Canal, Sima gave her account to The Statesmen reporter, "Government people came with a coupon, they took my thumb impression and threatened me that they would shoot us if we won't leave the house".

There were around 4000 families who had rendered homeless and undergone similar pain, anguish and separated from family members after the Beliaghata eviction. These inhabitants were residing along two-kilometer stretch starting from Orange Sura down to Ghaznavi Bridge.

The Telegraph, Kolkata, 12th Dec 2002

"Our own political masters have cheated us, they've exploited us for decades as assured vote bank. We had cast false votes, threatened voters

(Continued in page 26)



One of the victim injured during eviction on Human Rights Day



ACTION PLAN

Strategy	Particulars	Re
A. Sensitization	Prepare visual materials for sensitising the community	Local Group
	Form theatre/cultural groups at national/local level	Local Group
	Involvement of intellectuals and sensitisation of middle class	Local Group
B. People & Group Initiative	Prepare an alternative Plan	Local Group
	Draft Peoples charter on Housing rights	Local Group
	Housing groups initiative at WSF	Local Group
	To strengthen this forum	CC
C. Resource Mobilization	National Secretariat Indore office will print a receipt book for the contribution of funds for the national housing campaign	
	Local groups in cities to prepare a list of resource persons.	
D. Information Sharing	Circulate and exchange quarterly report on housing right activities (successes as well as failures) via e-mail or post	
	Organize city and regional meetings and conventions of the community groups through NGOs	
	Formation of e-groups to discuss on housing rights struggle	National Secretariat
E. Capacity Building & Research	Preliminary research on homelessness and documentation of evictions in the city	Local Group
	Study of development projects and its impending effect on urban poor displacement	Local Group
	Advocacy and lobbying with infrastructure development project funding agencies who are directly/indirectly responsible for displacement of urban poor.	Local Group
	Mapping of the sites of urban poor habitation and evictions, rehabilitation sites	Local Group
F. Protests, Demonstration, Campaign	Critical review of NSP	Local Group
	Protest resolution against eviction in Kolkata	National Secretariat
	Chakka jam	Local Group
	Post card campaign	all groups - will make a
	Preparation of slogans on housing rights and using badges	Local Group
	On World Habitat day (October 1st week Monday) organise a Human Chain day for housing right solidarity	Local Group
G. Legal Campaign	File regular petitions to NHRC	HRLN
H. Empowerment of Poor	Formation of Self Help Group and cooperative society to secure tenure rights for financial assistance to urban poor community	Local Group
	Facilitate in procuring Ration card, voter list, birth and death certificate and enrolment of the children in the school to establish residential proof for urban poor settlements	Local Group
	Intervention in Master Plan to have access for housing the urban poor and EWS land already available within the provisions of city plan.	Local Group available a Indore and Delhi
I. Communication & Media Campaign	Publish pamphlet, booklets on Housing and livelihood rights	CC
	Share these information to local struggle groups	Local Group
	News-letter	CC
J. Research on Government Policies and Programmes	Review and activate the Impending Housing bill which was placed in the parliament	Prof. Shan
K. Workshops & Conventions	Statewise regional workshop to train housing right cadre	Local Group
	Prepare a syllabus on housing rights training programme	CC
	Convention programmes of all the community groups, NGOs, and activist groups	Local Group
L. Urban Habitat Art Exhibitions	Display urban poor habitat in the form of art exhibits at prominent places in each city	Local art at
M. Pre-election Campaign	Election manifestos and resolutions against eviction	CC + Local

(Continued from page 23)

with guns and bombs and forced them to vote in their favor and also sustained injuries in return, but when the residents at Beliaghata needed them most, the political leaders 've deserted us". - An angry Communist Party worker at Beliaghata canal.

The Times of India, 11th Dec 2002

Hours before the demolition a cart-puller Dulal Das (48), committed suicide. His wife Lakshmi said, he ended his life because he couldn't bear the tension to find a suitable shelter, for his nine-member family.

The 48 year-old, Das was struggling and was "shattered" by the threat of eviction. Before committing suicide he told his wife, "we had no place to go after our home is dismantled".

Before the eviction for last few days Das was hunting for accommodation but couldn't find any. His wife was sleepless whole night, when she woke up at 5 am on Monday morning, she found him hanging from the ceiling. Dulal Das had voter identity card and ration card as residence proof.

The Statesmen, Kolkata, 11th Dec 2002

Deepa De a domestic servant was living in a small room of 6 by 8 feet room at Beliaghata canal. A day before the eviction drive Deepa brought all her belongings through the help of her three children. She thought to spend some days at the opposite nearby footpath. But next day morning armed policemen rudely removed her. The mother with her three children was even deprived from living at footpath after facing brutal eviction from Beliaghata canal.

The Statesmen, Kolkata, 11th Dec 2002

Urmila Chowrasia, three children were preparing for final exams. These children were unable to go for classes as they were served notice to vacate their homes. Nearly 80 per cent of children at Beliaghata canal side use to attend schools.

The Statesmen, Kolkata, 11th Dec 2002

A day before the eviction Sona Das, a cart puller complained, those who have house or land already at places like Sundarbans or Canning had already shifted, but our family will be rendered homeless?

The Telegraph, Kolkata, 12th Dec 2002

When nearly 200 women and children blocked the bulldozers near the western bank of the Beliaghata canal. A widow of three children

Manwara Bidi cried, "You'll 've to crush me and my children before smashing my house, where'll I stay from tomorrow?"

The Times of India, 10th Dec 2002

"I 've no clue where would I go with my infant kids in this cold winter night", Mira Devi, mother of two children in tears.

The Times of India, 9th Dec 2002

Minati Ranjit's husband was a TB patient who couldn't go for work. Her two children were suffering from thalassaemia. Where would we go...?

The Telegraph, Kolkata, 12th Dec 2002

Ravi and Prafulla, drivers of the two bulldozers, saluted each other by extending the giant mechanical arms towards one another, signifying their job well done, in front of 25,000 homeless victims who were silently watching from both sides of the canal while there homes were razed to the ground. The eviction operation which started on 10th December ended on 11th December 2002 at 1.25 p.m.

Mayor of Kolkatta, Subrata Mukherjee

"This is undoubtedly an achievement. This place was a breeding ground of all sorts of diseases and crime. Kolkata Municipal Corporation KMC will take up a beautification drive along the evicted stretch of the canal."

Response to Belighata evictions

To

The President of India, New Delhi

Respected Sir,

As an Australian citizen of Indian decent I am ashamed and appalled that a country that gave the world Gandhi and a strong spiritual and human rights culture that was noted for its tolerance, compassion and inclusivity should allow such cruelty to people that are not rich and powerful. The details of which I am enclosing with this email. I have not included your names because I do not wish to make personal attacks on you as individual persons. I am appealing to your office that has the power and influence to act and remedy this tragic situation. A truly civilised nation is how it treats her most marginalised people. Here are the details of the situation in Kolkata. I am also sending photos and also what the Press in India has stated.

"Poverty is a form of violence" Gandhi

Yours Sincerely,

Basil N Varghese, Australia

2nd February 2003, eviction

Memorandum on Bellilious Park

We, the undersigned organisations, work in different fields of the society among the downtrodden people. On 2nd February 2003, thousands of people were forcibly and illegally evicted from a piece of land at Bellilious Park, 129, Bellilious Road, Howrah by the administration. We have enquired and investigated the matter and our fact finding teams 've found substantial evidence of brutality and gross violation of human rights.

The fact finding team found that on 2nd February 2003 at morning hours, a large number of people, almost 700 families, were forcibly evicted from Bellilious Park, Howrah with active participation of huge armed police force, Rapid Action Force consisting of near about 500 personnel. Two/three Bulldozers were employed to demolish hundreds of brick built houses, jhupris, structures, school building, temples, statues and thousands of people were rendered homeless in a day. Ambulances, fire brigade teams were present at your instance to secure smooth eviction.

The background of the incident is (in short) that an organisation namely Howrah Ganatantrik Nagarik Samity filed a writ petition in Calcutta High Court in the year 1987 on the issue of pollution in the park, popularly known as Bellilious Park. Under an order dated passed by the Division Bench of High Court, Calcutta the Municipal authority was directed to remove the trespassers. Under the garb of the said order thousands of people, the permanent residents who were in legal possession, were evicted by force on 2nd February 2003 by the administration without giving proper rehabilitation or even any proper notice and opportunity to the residents of the said area which is more than 100 Bighas of land in the holding no. 129, Bellilious Road within

police station Bantra, District Howrah, West Bengal. Surprisingly the residents were evicted but neither the Judiciary nor the administration nor the Howrah Municipal Corporation (HMC) nor police administration gave the residents any opportunity of being heard before the eviction drive.

The administration never cared to make any scrutiny or investigate to find out the legal status of the persons/families evicted.



Concrete houses bulldozed at Bellilious Park

The fact as disclosed that thousands of sweepers / scavengers, coming from Dalit community, were employed at Howrah Municipality hundreds years ago and they were not allowed to take any rented accommodation in the localities of upper-caste people in the town area as they belonged to Sweeper/ Dalit community, the untouchables. The sweepers used to carry night soil on their heads. The municipal authority itself had constructed a two-storied quarter in the part of the said park. The Municipal records itself reveal that a large number of employees of the Municipal Corporation are residents of the park and had been residing there for more than 100 years. It is equally true in respect of other government employees of Railways, Nationalised Banks, Public Sectors etc. Number of residents produced not only ration cards in their names but also Election Commissioner's identity cards, birth and death certificates, service records etc. all showing the address of the Park, 129, Bellilious Park, Howrah as proof of their legal permanent possession and residence. Even some residents contested elections from this address. The residents claimed that all together 7000 people resided there.

It is learnt that the municipality has a

development and beautification scheme and it has engaged a private all-famed developer for exploiting the park for commercial purposes. Already there are number of shopping complexes which have not been affected by the drive of eviction. It proves that you acted in the interest of rich and influential persons and the evicted people were ignored.

The people were evicted suddenly without any rehabilitation scheme and there is no plan of any authority for alternative accommodation for the evicted people who were permanently in legal occupation.

All the evicted people belong to dalit community. We observed that gross illegality has been inflicted upon the residents of the park as they were evicted without any prior notice and such act on your part has manifested a great defeat of principle of natural justice and democratic practice and process. The evicted people got no opportunity to place their case before any authority. It is an accepted position of law of the land that the persons in settled possession can not be evicted without due course of law. The right to life of the citizens of the park, as guaranteed under Article 21 of Indian Constitution has been nakedly violated by you and in order to secure complete vacant possession of the park, you misinterpreted the term 'Trespasser' as mentioned in the High Court and evicted all persons and virtually the administration ransacked and looted the wealth of the victims. Round about 6000/7000 people were affected by your grossly illegal act.

We observed that the evicted people with the families are living under horrendous situations at Belgachia garbage dumping ground, on open streets under scorching heat of sun without shelter and drinking water, in absence of minimum sanitary system. The evicted people are forced to live under inhuman condition due to your illegal actions. The ensuing rainy season will further aggravate the already deteriorating conditions and there is every possibility of braking out of epidemics. Already four persons have succumbed to death under inhuman condition.

This memorandum is prepared by Kolkata's civil society organizations on Bellilious Park forced evictions in which around 7,000 scavengers community were made homeless. The West Bengal government and Howrah Municipal Corporation had forcibly evicted them on 2nd February 2003. The contact address is Howrah Dalit Forum, 82/10, Nara Singha Dutta Road, Howrah 711101.

We further observed that the Municipal Corporation has sworn an incorrect affidavit before the High Court, Calcutta by declaring that all residents of the park were 'encroachers'. There was a two- storied building in the park, which was a Municipal staff quarter. Such statement of the Corporation before the Court was ablatant lie and falsehood.

We observed that civil and police administrations were fully aware of this fact still they assisted the Municipal authority with its full strength and support to secure eviction of innocent, poor, backward caste people from the park with mollified intention.

We demand immediate and proper rehabilitation of the displaced persons/families of Bellilious Park, Howrah at the same site forthwith with adequate compensations to the affected families

for the illegal acts of eviction committed on your part for violation of not only the Fundamental Rights of Indian Constitution but also the provisions of International Covenants of United Nations and Human Rights.

We shall be constrained to take the matter to any forum both in National and International panel and also in higher legal platform and intensify our agitational programme if you fail to act as desired being stooge of the interested quarter.

Yours truly,

- Howrah Dalit Forum
- Akhil Bharatiya Anusuchit Jati Jubajan Samaj, W.B. State Committee
- Yuba Janahit Jana Sakti Shangha. Howrah Jatiya Shangha
- Khurut Harijan Kalyan Samity. Shelter for Homeless National Forum, Calcutta
- Bastibashi Samanya Samity, Khidirpur, Calcutta
- Gardenrich Slum Development, Calcutta
- The Dalit Association, Howrah
- Ambedkar Jagrity Sangha, Howrah
- Manabadhikar Suraksha Mancha (MASUM)
- Kolkata NGO Forum for Street & Working Children

Civil society organizations have gathered documentay evidence on Bellilious Park where scavenger community were residing for the last hundred years.

Presentation by Rajesh Jaiswal Kolkata's Homelessness

Homeless persons are defined as destitute men, women, boys and girls who live on the streets: open sky, plastic sheets, railway station, under bridges & flyovers, footpaths/verandas of the shops and living in illegal settlements besides canals.

In a recent survey conducted by Rajesh Jaiswal, chief functionary of Association for People's Initiatives for Liberation (APIL) has indicated that there are over sixty thousand homeless people living in Kolkata for over twenty to forty years.

Highlights of the Presentation

Eviction

- Tolly Naulla Eviction - Metro Rail project - 22nd - 25th Sept. 2001.
- Eviction in lake Garden area - December 2001.
- Eviction around Sealdah railway station - December 2001
- Purulia district town - August 2001.
- Murshidabad district, Behrampore - December 2002.
- Beliaghata 10th December 2002
- Belilious Park in Howrah 2002.

Who are Homeless?

- Migrants from different part of the country and Rural Bengal 70:30 ratio
- Single Women (widowed, deserted, trafficked, disabled etc.)
- Disabled population (majority with mental illness)
- Families that have been facing continued evictions & have landed up on the streets.

A picture about the status of Homeless people in kolkata

- Over 60000 homeless people live in the city of Kolkata for over 20 to 40 years.
- 64% are Adult population (41% male, 23% female)
- 36% are children (45% Girls, 55% Boys)
- 5.6 % are disabled (mental , physical & other

impairments)

- About 70% people are migrants from different states, remaining 30% are from Rural Bengal.
- Over 90% do not have ration card or BPL card in Kolkata



One of the elderly homeless person at Beliaghata bridge

- Over 90% do not have voter identity card
- Single women constitute 26% of the total homeless population.
- People are casual labourers, daily wage workers, domestic workers, forest, produce gatherers, etc.
- People do begging some times.
- Public water taps are being used for drinking water (average distance 1-2Km.)
- Violation of Rights to education is very common.
- Use paid toilet facilities

(Rs. 2/- per day, per person)

- Food is neither palatable nor enough.
- Keep their belongings with the families they work with or with shopkeepers
- Harassments from the police and KMC authorities are very common.
- Some are willing to pay for the facilities like health, sanitation and shelter.
- Human Rights violation is very common.

Challenges

- Organising homeless families & individuals

- No support from the middle class .
- No legal documents like ration card, voter card or BPL card
- No birth registration - continue to be illegal/invisible .
- Lack of political willingness to address this issue.
- Civil society is indifferent about the issue
- Right to tenancy.

Suggestions

- Efforts should be made to bring all the organisations working in an area together.
- Sanitation should be improved, more public toilets should be constructed.
- Education should be encouraged.

- Police protection should be provided.
- During the rains, relief should be given to them in different forms.
- They should be made aware of their voting rights.
- Night shelter facilities should be provided specially for women & children.

Conclusion

- To reduce the pressure (Migration) of the city construction efforts should be taken up in the grass root level.
- The village people must have the access to their basic needs.
- The Rural economy is a very important factor.

Mr. Rajesh Jaiswal is the Chief Functionary of Association for People's Initiatives for Liberation (APIIL) in Kolkata.

UN Instruments on Housing Rights and Evictions

International Covenant on Economic, Social and Cultural Rights -ICESCR

Entered into force January 1976

Article 11. 1 states:

State parties recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing and to the continuous improvement of living conditions. The State Parties will take appropriate steps to ensure the realisation of this right

The Government of India ratified this covenant in 1979.

Other Governments also recognises this right to adequate housing such as the

- Covenant on the Elimination of the Discrimination of Women (CEDAW),
- Covenant of the Elimination of all kinds of Racial Discrimination (CERD),
- Convention on the Rights of the Child (CRC),
- International Labour Organisation concerning indigenous and tribal people (ILO)

General Comment No 4 on the Right to Adequate Housing

- Entered into force in December 1991
- Legal Security of Tenure
- Availability of services, materials, facilities and infrastructure.
- Affordability
- Habitability
- Accessibility
- Location
- Cultural Adequacy

General Comment No 7 on Forced Evictions

- Entered into force in May 1997
- Term-Forced evictions is
- The permanent or temporary removal of

individuals, families and / or communities against their will from homes or lands which they occupy, without the provisions of and access to appropriate forms of legal or other protection.

- Procedural protections should be applied.
- An opportunity for genuine consultation.
- Adequate and reasonable notice to the affected persons prior to the date of the scheduled date of evictions
- Information on the proposed evictions and where applicable, on the alternative purpose for which the land and/ or housing is to be used, to be made available in reasonable time to all of those affected.
- Especially where groups of people are involved, government officials and their representatives must be present during the evictions.
- All persons carrying out evictions should be properly identified.
- Evictions should not take place in particularly bad weather or at night unless the affected persons consent otherwise.
- Provisions of legal remedy.
- Provisions, where possible, of legal aid to the persons who are in need of it to seek redress in courts.

Obligations of the Indian Governments

- To take steps, to the best of its available resources:
- Respect
- Protect
- Fulfill.
- Effective monitoring
- State Party report every four years to the Committee on the Economic, Social and Cultural Rights

ICESCR agenda was explained by Ms. Deepika Shrivastava from COHRE at the Kolkata workshop



Asian Development Bank Report

Kolkata Environmental Improvement Project

The objectives of the Kolkata Environment Improvement Project, (KEIP) long-term action plan prepared under Asian Development Bank (ADB) technical assistance are:

- To reduce poverty in the low-income areas through affordable access to basic urban services.
- To facilitate community empowerment through participatory processes.
- To improve the environment in the outer areas of Kolkata city.
- To protect the environment from adverse development impacts.

Six components:

1. A stakeholder consultation process
2. Sewerage and drainage improvements
3. Solid waste management
4. Slum improvements
5. Canal improvements
6. Implementation assistance and capacity building.

In an ADB Report, the urban infrastructure deficiencies in Kolkata, which have prompted this project, have been outlined as follows:

In the project area, which comprises the south suburban districts, or five boroughs, (XI, XII, XIII, XIV,) only 17% of the population is connected to a sewerage system.

Less than fifty percent of the area is covered by a

grossly inadequate drainage system. Industrial wastes, flow largely untreated, into the surrounding environment, exposing the community to acids, toxic chemicals, paints, varnish, etc.

Around 50% of the target population (low-income-group) lives in slum housing or worse. This represents roughly 70,000 people. It is estimated that around 26.30% of the slum dwelling households in the target area fall below the poverty line, ie, 18,000 to 21,000 people, or 13-15% of the total population in the Project area.

Around 50% of the target population lives in slums. This represents roughly 70,000 people. It is estimated that around 26.30% of the slum dwelling households in the target area fall below the poverty line, ie, 18,000 to 21,000 people, or 13-15% of the total population in the Project area.

During wet season, flooding occurs frequently resulting in widespread exposure to pathogens, particularly in low-lying slums.

The Kolkata Municipal Corporation together with the state Irrigation and Waterways Department will implement the Rs. 2,000-crore for the Kolkata Environmental Improvement Project, which would be partly financed by ADB.

Infrastructure development works under the project would be distributed among various broad categories:

- a. Sewerage and drainage involving lake rehabilitation works.
- b. Solid waste management, including civil works for bio-medical waste and municipal and hazardous waste disposal facilities.
- c. Slum improvement involving laying of water pipelines; construction of water stand posts.
- d. Construction of sanitary works;



- e. Other urban development works like widening and realignment of access lanes, electric lighting, realignment and lining of drains, construction of water supply lines.
- f. Canal rehabilitation, including pumping stations, ridges and culverts.

One of the project components is the improvement of 63 km of canals within the mentioned Project Area. This will result in resettlement of approximately 10850 persons (2865 households and 380 shops) according to preliminary survey by the Kolkata Municipal Corporation surveys, back in 2000.

The 5 main canals chosen under the improvement plan are TP + Lead canal, Keorapukur, Nonikhali, Churial and Intercepting canal.

According to the Project Monitoring Consultants, DHV, a Indo-Dutch company, the KMC covers the nucleus of the city: An area of 187 square km accommodating a population of 4.5 million, half of whom live in slums. As these settlements lack basic city services, solid and liquid waste easily accumulates, creating unhygienic conditions and contaminating the wells.

The project is a high-priority investment for the government of West Bengal and supports the government's aim of transferring responsibility for urban management from the states to the municipal administration. The project will directly benefit about 190,000 slum dwellers. Also, improved sewerage and drainage will be available for 1.4 million people, and about 5 million people will benefit from better solid waste management. The project will take 4 1/2 years.

On 4th May 2001, the opening statement at the 'The Mayors' Asia-Pacific Environmental Summit' at Honolulu, Hawaii, USA. The President of Asian Development Bank, Tadao Chino mentioned that - "in 2000, ADB approved the Calcutta Environmental Improvement Project, which aims to improve the welfare and

well being of the people of Kolkata, especially the poor, through improved sewerage and drainage, solid waste management, slum improvements, and canal rehabilitation". A stakeholder consultative process, woven into every aspect of the project will, ensures that the design is responsive to and helps empower the communities. This process also provides the communities with the confidence to participate in environmental decisions. that affect their communities.

ADB's Involuntary Resettlement Policy 33

The objectives of the Bank's policy on involuntary resettlement should be to:

- i. Avoid involuntary resettlement where feasible; and
- ii. Minimize resettlement where population displacement is unavoidable, and ensure that displaced people receive assistance, preferably under the project, so that they would be at least as well-off as they would have been in the absence of the project, as contemplated in the following paragraphs.

According to preliminary survey by the Kolkata Municipal Corporation one of the project components is the improvement of 63 km of canals. This will result in resettlement of approximately 10850 persons (2865 households and 380 shops).

34. Involuntary resettlement should be an important consideration in project identification.

The three important elements of involuntary resettlement are:

- i. Compensation for lost assets and loss of livelihood and income,
- ii. Assistance for relocation including provision of relocation sites with appropriate facilities and services, and
- iii. Assistance for rehabilitation to achieve at least the same level of well-being with the project as without it.

Some or all of these elements may be present in projects involving involuntary resettlement. For any project that requires relocating people, resettlement should be an integral part of project



design and should be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- i. Involuntary resettlement should be avoided where feasible.
- ii. Where population displacement is unavoidable, it should be minimized by exploring all viable project options.
- iii. If individuals or a community must lose their land, means of livelihood, social support systems, or way of life in order that a project might proceed, they should be compensated and assisted so that their economic and social future will generally be at least as favorable with the project as without it. Appropriate land, housing, infrastructure, and other compensation, comparable to the without project situation, should be provided to the adversely affected population, including indigenous groups, ethnic minorities, and pastoralists who may have usufruct or customary rights to the land or other resources taken for the project.
- iv. Any involuntary resettlement should, as far as possible, be conceived and executed as a part of a development project or program and resettlement plans should be prepared with appropriate timebound actions and budgets. Resettlers should be provided sufficient resources and opportunities to reestablish their homes and livelihoods as soon as possible.
- v. The affected people should be fully informed and closely consulted on resettlement and compensation options. Where adversely affected people are particularly vulnerable, resettlement and compensation decisions should be preceded by a social preparation phase to build up the capacity of the vulnerable people to deal with the issues.
- vi. Appropriate patterns of social organization should be promoted, and existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible. Resettlers should be integrated economically and socially into host communities so that adverse impacts on host communities are minimized. One of

the effective ways of achieving this integration may be by extending development benefits to host communities.

- vii. The absence of formal legal title to land by some affected groups should not be a bar to compensation. Affected persons entitled to compensation and rehabilitation should be identified and recorded as early as possible, preferably at the project identification stage, in order to prevent an influx of illegal encroachers, squatters, and other nonresidents who wish to take advantage of such benefits. Particular attention should be paid to the needs of the poorest affected persons including those without legal title to assets, female-headed households and other vulnerable groups, such as indigenous peoples, and appropriate assistance provided to help them improve their status.
 - viii. The full costs of resettlement and compensation, including the costs of social preparation and livelihood programs as well as the incremental benefits over the "without project" situation, should be included in the presentation of Project costs and benefits.
 - ix. To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project, if requested.
35. The Bank's support for projects requiring significant involuntary resettlement should include assistance to the government and other project sponsors to
- i. Adopt and implement the above objectives and principles of the Bank's policy on involuntary resettlement within their own legal, policy, administrative and institutional frameworks;
 - ii. Build the capacity of the government and other project sponsors to effectively plan and implement involuntary resettlement in the projects; and
 - iii. Strengthen the DMC's capacities and macro

frameworks for involuntary resettlement.

Where serious differences on major aspects between project sponsors and affected persons are evident, adequate time should be allowed for the government and other project sponsors to resolve these differences before the Bank commits support for the project. If requested by the government, the Bank should be prepared to assist as appropriate. The government and project sponsors are responsible for resolving the differences.

36. For projects or programs involving displacement of people and for projects that are likely to encounter significant social resistance, the social preparation of the adversely affected persons and their communities into which they will be resettled would be an important means to obtain their cooperation for the project to proceed.

For all public and private sector projects that involve significant involuntary resettlement, the government and other project sponsors should be assisted in preparing and submitting to the Bank, before loan appraisal, a satisfactory resettlement plan with time-bound actions and budgets.

Kolkata

The total population of Kolkata is 4.58 million of which the official slum population is 1.49 million which is 32.53% of the total population. The city has the highest density with a population of 24760 persons per square km which points out to the overall degraded and overcrowded and congested living conditions within the city. A sizeable number of the city's population is living in slums, pavements, beside railway tracks, bridges and canals.

Habitable land has not yet been made available to the poor and working class people at an affordable prize within the legal framework. Work force participation for the total city population is 37.6% while in the slums it is much higher at 43.5% showing the need to survive abject poverty through work.

Infact, the majority of workers in slums who are under reported are women and children, who must work to supplement the family's meager income.

According to a survey conducted by the Kolkata Metropolitan Development Authority, the number of registered slum pockets in Kolkata in 1997 was 2011, number of squatter settlements was 3500, and pavement dwellers was 1% of the total population. The average area per person in the Kolkata Municipal Area is 84 sq. ft, and about 49% of the total population lives in one-room tenements. Provisions for housing the poor have been badly implemented with the middle class buying plots allocated for EWS and LIC housing.

Despite pro-poor policies and Acts such as the Thika Tenancy Act, external funding based urban slum and services improvement projects, the evolution of a Mayorin Council for slum works in the city.

The lack of political will in improving the plight of the vulnerable section of the population, the lack of accountability and transparency in the Municipal structure and the Govt, the fate of more than a million people has been deteriorating over the years with respect to their living conditions.

According to an official estimate, the average annual additional need for housing in the Calcutta Metropolitan Standard Urban Area (CMSUA) is around 70,000 units while the annual addition to housing stock has been in the range of 20,000 units. If this trend is allowed to remain unchecked the gap between the need and supply will gradually increase.

Any meaningful programme should aim at providing shelter, especially to the economically weaker section, at a price that would be affordable to the group.

Official estimates point out that the uncovered slum population in the CMSUA is over 10.38 lakhs (as of 1990) and at per capita development cost of Rs.1000, the total cost will be around Rs.104 crores. The uncovered refugee colony population stands 7 lakhs and at per capita development cost of Rs.1500, the total cost of around Rs.105 crores. Presently, however, the investment needs of this two section would now stand at around Rs.140 to Rs.150 crores each.

Apart from this, the development cost-of squatter settlers and pavement dwellers have been estimated at Rs.25 crores and Rs.5 crores respectively but this now stands at around Rs.50 crores presently.

The report has been released by the Asian Development Bank

Presentation by Dr.K.Shanmugavelayutham

Is Legal Intervention the only Solution?

Forcible evictions of slum and pavement dwellers have become a routine strategy utilised by Government for the beautification and other development projects of the cities and towns. Forceful evictions of many slum dwellers are taking place every day. It is important to understand how our Constitution and various Courts have dealt with this issue and how the Courts have interpreted the enforceability of social rights specially the right to adequate housing. In some judgments the Supreme Court has elaborated at great length on the right to adequate housing, shelter and livelihood as part of all encompassing Right to Life under Article 21 of the Constitution. However, in other recent cases, the most shocking is that the Court has entirely failed to give due recognition to this right. Eviction of pavement and slum dwellers is violation of human rights.

Forced displacements of the urban poor means loss of cheap affordable housing at a convenient location, loss of livelihood and loss of an interdependent community lifestyle-Dr. K.S. Velayutham

Inhuman Evictions:

In the past, the eviction of slum dwellers used to be comparatively peaceful which also included taking away the dwellers belongings. But nowadays, it is more violent with the presence of the Armed Police who create fear psychosis among the people. Bulldozers and tractors are used and houses may even be set on fire. In the process, women and young children are killed. The life long hard work and earnings of people have been destroyed. People who resisted the demolition have been arrested and charge sheeted only because they sought to retain a roof over their heads. Most of the time no alternative accommodation is provided. No compensation neither to persons who have lost their home nor to those who have not been accommodated anywhere. Like Military operation to evict terrorists, to evict slum dwellers of 2,300 slum families living on the edges for so many years of the Buckingham Canal 'Operation Eviction' is carried out. For this 'Operation Eviction'

Government constituted a dozens teams, comprising officials of the Public Works Department, the Slum Clearance Board and the Police (The Hindu, Friday, Aug. 09, 2002).

Article 21 of the Indian Constitution:

Article 21 of the Indian Constitution provides the right to life, which has been interpreted by the Supreme Court to include the "right to shelter".

In Francis Coralie Mulin vs. Union Territory of Delhi (AIR 1981 SC 746)

The Supreme Court held "The question that arises is whether the right to life is limited only to protection of limb or faculty, or does it go further and embrace something more. We believe that the right to live includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing, and shelter as well as facilities for reading, writing and expressing oneself".

The Supreme Court has in several judgements reiterated that the Right to life includes the Right to Adequate Housing or Shelter.

Olga Tellis and Ors vs. Bombay Municipal Corporation

Olga Tellis, a journalist from Mumbai filed a public interest writ in 1981 challenging the demolition of the homes of the pavement dwellers by the Maharashtra Government. The pavement dwellers asserted their right to live under Article 21 of the Constitution of India. They did not insist on staying on the pavements, rather they said they had no place to go and were willing to be relocated. They pleaded that since force evictions threatened life itself, the home of those subsisting below the poverty line should not be demolished without prior notice and provisions of alternative accommodation.

The Supreme Court accepted the proposition that

pavement dwellers were undoubtedly subsisting at or below the poverty line and that evictions threatened life, however it was stated the arguments relating to trespass and illegal occupation were superior. The Supreme Court dismissed the petition. The notion of 'squatter by necessity' who is a destitute and who has no place to go was apparently inconceivable and incomprehensible in the Indian jurisprudence.

In *Olga Tellis and Ors Vs. Bombay Municipal Corporation* held that the right to life under Article 21 included that right to livelihood and that the eviction of slum dwellers will lead to deprivation of their livelihood and consequently to the deprivation of their life. The Court held that eviction would lead to deprivation of livelihood and thus deprivation of life. It went on to say further that no person has the right to encroach on footpaths, pavements or any other place earmarked for a public purpose. Thus it says that forcible eviction is not unreasonable, but that it must be according to procedure.

In *Olga Tellis* case, the Supreme Court has said, "The State may not by affirmative action, be compellable to provide adequate means of livelihood or work to the citizens. But, any person who is deprived of their right to livelihood except according to just and fair procedure established by law can challenge the deprivation spaces. They have been managing to continue to live so that they are not deprived of their means of livelihood". To evict the slum dwellers without notice is violation of principles of natural justice and is arbitrary, unjust and unfair. The fundamental grievance of the petitioners is that the operations demolitions have been initiated without the respondents first discharging their constitutional and statutory obligations such as:

- Evolving a proper need based Housing Policy based on equal distributions of land and Housing materials eliminating private marketing and profiteering on land and housing.
- Evolving a fair, reasonable State plan for organized industrial allocation and growth around urban and rural areas, which will produce distribution of population on a rational basis and thus minimizing the existing and avoiding future congestion in urban areas.
- Evolving appropriate rural employment guarantees and measures based on land distribution, maximum utilization of

potentials, which will ensure maximum employment throughout the year.

- Evolving plans for even and equal distribution of land in urban areas for purposes of demolitions were contrary not only to the direction of the Supreme Court and in contempt of it, but in violation of its own orders of the Government on the subject.

Serving Notice prior to Demolition:

"A person who is likely to be adversely affected by a particular act should be informed about the commission of such an Act and should be given an opportunity to be heard" as was held by the Supreme Court in the *Olga Tellis* Case (AIR1986S.C.180).

Romesh Chander v. Imtiaz Khan (1998) 4 SCC 760

This was a public petition on behalf of pavement hawkers and squatters. It concerns the allotment of sites to eligible squatters as per the Thareja Committee.

Shatistar Builders Vs. N.K. Totame (AIR.1990.SC.360)

"Basic needs of man have traditionally been accepted to be three: food, clothing and shelter. The right of life is guaranteed in any civilized society and that would take within its sweep, the right to food, the right to clothing, and the right to decent environment and a reasonable accommodation to live in. The difference between the need of an animal and a human being for shelter has to be kept in view. For the animal it is the bare protection of the body; for a human being it has to be a suitable accommodation which would allow him to grow in every respect: physical, mental and intellectual."

Sanjay Gandhi National Park case:

Bombay Environmental Action Group (BEAG) filed petition in 1995 in the Bombay High Court to remove informal settlement dwellers (encroachers) adjacent to the Sanjay Gandhi National Park, to ensure protection of 'the environment and all its aspects'. In its judgement on 7th May 1997, the Bombay High Court directed the relevant authorities to evict persons from their homes, pursuant to various wildlife protection and conservation laws, effectively depriving them of their livelihood. The Court summary eviction order would eventually affect half a million slum-dwellers, particularly disturbing was the fact that the Court not only ordered this mass eviction, but it explicitly ordered the



demolition of homes and the destruction fall construction materials. On May 2000, Nivara Hakk Suraksha Samiti appealed to the Supreme Court for a stay order on evictions and payment of rehabilitation fees. The Court turned down their plea.

Urban Slum Dwellers:

Justice has aggravated the illegal status of the urban slum dwellers that cannot afford to purchase legality. B.N.Kirpal, J. Saying: "Establishing or creating slums it seems, appears to be good business and is well organised ... Large areas of public land, in this way, are usurped for private use free of cost... The promise of free land, at the taxpayers' cost, in place of a jhuggi, is a proposal which attracts more land grabbers. Rewarding an encroacher in public land with free alternate site is like giving a reward to a pickpocket".

K.Chandru and others vs. State of Tamil Nadu
Full Bench of the Supreme Court in W.P. Nos. 8927 and 9380 of 1981 pronounced on July 10, 1985. (K.Chandru and others vs. State of Tamil Nadu) has stated the following:

Since Madras has a late monsoon, we direct that the pavement dwellers in the city will not be evicted before December 31, 1985. The State Government will do its best to provide alternative accommodation to those amongst them who are to show that they were living on pavements before June 30, 1977. In so far as the slum dwellers are concerned, the counter-affidavits filed on behalf of the respondents contain an assurance that is the policy of the State Government not to evict such of them as were living in the slums prior to June 30, 1977 without providing alternate accommodation to them. That assurance will bind the Government, In so far as the other slum dwellers are concerned, they too will not be evicted before December 31, 1985 unless the land on which any slum stands is required by the State Government for an urgent public purpose. In the event that becomes necessary to evict any of the slum dwellers belonging to this category prior to December 31, 1985, the State

Government will have the liberty to apply to this Court.

Writ petition No 12771/85 filed by the slum dwellers of Salaima Nagar:

The Supreme Court stayed the demolition of hutments whose occupants were in residence by 30-6-77. A later review petition filed by Pennurimai Iyakkam extended this date to 30-6-84. These two petitions follow the intent established by the Slum Clearance Act and two earlier G.O s that slum dwellers are entitled to improvement of redevelopment of the land upon which they reside and are eligible for lease-cum sale agreements. They further imply that evictions of slum dwellers should stop. G.O No. 1488 of the TN. Housing and Urban Development

Department (3-11-88) allows that the hutments of slum dwellers erected before 30-6-84 will not be disturbed without providing alternate accommodation. It further suggests that this revised date for granting pattas stands at 30-6-84. "The number of slum dwellers to be provided with house sites is overwhelming" and

The Supreme Court must call upon the Govts that its decision of 'right to life' includes 'right to livelihood' must give effect by formulating & implementing Housing programme before any demolition takes place...

it is absolutely impossible to provide all of them with alternate house sites". These statements represent significant steps backwards from the previous G.O.s which reaffirm slum dwellers rights to land pattas as given in the T.N Slum Clearance Act, 1971; which explicitly states that all steps will be taken to acquire land upon which slum dwellers reside for purposes of turning it over to them.

Bharathi Salai Residents Welfare Association vs. Government of Tamil Nadu
Originally, the SRM Dental College filed a writ petition for directions to the Government to remove all the encroachments between the entire stretch of Bharathi Salai and Thiruvalluvar Salai in Ramavaram. The Bharathi Salai Residents Welfare Association filed a petition for a direction to the Government to issue patta to its members, who claimed that they were in possession of the area for more than 10 years. While the writ petitions were pending the Government offered to allot an alternate site to the association members in Eri Poromboke in Ramavaram

subject to the condition that they should vacate the disputed area on September 10, 2001, the association accepted the offer. A single judge dismissed both the petitions with a direction to the Government to allot the alternate site to the association members demarcating the plots on or before September 19, 2001. The association preferred the present appeal contending that the alternate site was not suitable and that there was no adequate space to accommodate all its members. Moreover, the site had been marked for the formation of the metro rail project. "If encroachment of public land by poor is bad, illegal occupation of such and rich people and institutions would be worse," the Bench comprising Chief Justice B.Subhashan Reddy and Justice K.P.Sivasubramaniam said (City Express Chennai, Thursday, February 7, 2002 of The New Indian Express).

The Nethaji Nagar Hut Dwellers Welfare Association vs. Government of Tamil Nadu

The Nethaji Nagar Hut Dwellers Welfare Association, Thoraipakkam South of Chennai, claimed

to be in occupation of a 11.89 acre site in the village for the past six years. When sought to be evicted as encroachers in 1996, the association filed a writ petition that they should not be disturbed. At that stage, the Government had allotted the land to the TN. Secretariat Housing Society, the Slum Clearance Board and the TN. Housing Board. Justice Jagadeesan said that admittedly, the Association members were trespassing on Government land. As the landowner, there could be no doubt that the government had the power to dispose of the land. Merely because of illegal occupation of the land, the association could not derive any right to challenge the government action, as the residents had no legal right to squat on public property. The court's earlier direction (to consider their representation) did not confer any right to them. If it were constructed that they had no right, it would amount to giving a premium or the unlawful act of trespass; and it could send a wrong signal to law-abiding citizens. The hut dwellers' attempt of approaching the court

Mere programmes and policies of the slum dwellers are insufficient and it is very necessary to develop instrumentality for implementing development plans

repeatedly was but to compel the Government to allot the land in their favour, which could not be tolerated. (The Hindu, Friday, December 1, 2000 P.5)

Reasons given by authorities for public purposes for forced evictions:

- Clean City
- Orderly growth.
- Development Projects
- The land in question has not been declared as a slum area under 3(10) of the T.N.Slum Clearance Act, 1971.
- Metro Rail Project.
- For establishing a school and a playground.
- Secretariat Staff housing colony.
- To ensure movement of men and machinery

for clearing silt and transporting it.

- Clean up the waterways.
- Beautification of the waterways.
- Tennis stadium.

Provisions of alternate accommodation:

The slum dwellers have been divided up into eligible and ineligible. The

'eligible' was given very small flats at Okkiam Thoraipakkam i.e. 25 K,M far away from the city.

The 'ineligibles' are thrown out and not considered by State Policy. The policies of alternate accommodation because it nullifies the previous G.O.s and special petitions do not emphasize evictions of slum dwellers. Finally a Judgement on 12-6-88 nullifies the stay on evictions the two earlier leave petitions established and mandates that alternate accommodation be provided for slum dwellers, ensuring that as "far is practically possible, the place of resettlement of slum dwellers is within a reasonable distance from the related employment." No specific criteria are established for what constitutes "reasonable distance" from place of employment.

Reasons given by the Judgements to support forced evictions:

- Slums are a nuisance.
- Slum dwellers are encroachers.
- Slum dwellers are unlawful act of trespass.

- Slums are created through a deliberate flouting of law, i.e. by not opting for legal housing.
- The Scale of the occupation of land is such that the Government considers it a 'menace'. Hence, the need for speedy action on unauthorized occupiers and abettor to the development of slums.
- Alternate site to the slum dwellers is like giving a reward to a pickpocket.
- Point of time when the slum dwellers came into the city.
- Public purpose.

Public Purpose

Often evictions and denial of land to the slum dwellers takes place allegedly for "public purposes". Many times "Public purposes" has been utilised to the visible disadvantages of the urban poor. The choice and location of a public purpose is left again to the arbitrary whims and biased planners and policymakers. It is therefore demanded that no choice be made without consulting the affected people concerned. Judicial review is no remedy and no solution.

Implication from various judgements:

What does the right to housing ultimately mean for the slum dwellers, which are being forcefully evicted arbitrarily every day? Is this right, a distinct enforceable, justiciable human right which slum dwellers can demand from the State if not fulfilled? Or it will depend on the whims and fancies of our esteemed Judges to interpret this right sensitively

These judgements obviously hold no meaning for a Government that has ceased to consider the slum dwellers as citizens with equal rights. Even if favourable orders are given, non-implementation of orders is a big problem. It shows that the 'Law' may be one means but certainly not the definite route to social justice to slum dwellers.

Immediate Demands:

- Stop all demolitions and evictions forthwith.
- Appeal to the Supreme Court to constitute a larger Bench to review decision in the Slum and Pavement dwellers Case.
- The Supreme Court must call upon the Governments that its decision of 'right to life' includes 'right to livelihood' must give effect

by formulating and implementing Housing programme before any demolition takes place.

- Provide alternate housing at the same place or in the vicinity and give adequate compensation for those evicted and rendered houseless.
- Issue ownership rights to all urban poor, in respect of the sites / shelters made available.

Conclusion:

Eviction is the greatest threat to most existing slum dwellers since it means loss of cheap affordable housing at a convenient location, loss of livelihood and loss of an interdependent community lifestyle. Forced evictions are taking place in almost all the cities in large scale. Forced eviction of slum dwellers is a significant issue, and the demands include recognition not only of shelter, land and monetary compensation, but also of livelihood. To get this demand the Legal Intervention is not the solution. Only grass root level mobilization of people and civil disobedience are the answers for the forced evictions.

References:

- Sushil and Rajeev John George, Eviction Watch India A Report on Evictions in India's Major Cities, Combat Law Publication, Mumbai 400.023. January 2003.*
- Adsule, Dr. Jalinder: Eviction of Pavement and Slum Dwellers; A violation of Human Rights, Perspective in Social Work Vol. XV No: 1, Jan-April 2000, College of Social Work, Nirmala Niketan, Mumbai.*
- Shanmugavelayutham, K. 'Role of Professional Social Worker in Slum Eviction: A Case study in Chennai' Perspectives in Social Work, Vol., XVIII. No.1, Jan-April 2003.*
- Shanmugavelayutham, K. 'Slumdwellers' seek permanent safety' Madras Musings, August 1-15, 2001.*
- Shanmugavelayutham, K. Social Legislation and Social Change, Vazhga Valamudan Publishers Chennai, 1998*
- 'Court dismisses encroachers' plea', The Hindu, Friday, December 1, 2000 P.5.*
- HC wants dental college land status probed, City Express Chennai, Thursday, February 7, 2002 of The New Indian Express.*
- Habitational Justice for All, A Report for the National Housing Rights Workshop held in Chennai on January, 2003, Combat Law Publications Pvt., Ltd., and Published by National Forum for Housing Rights, India,*

Professor Shanmugavelayutham is Head of the Department of Social Work at Loyola College, Chennai. He is also Coordinator of Chennai Slum Dwellers Right's Movement

Presentation by Ishwar Singh Dost **Optimizing Media Support**

Media can influence to project our objectives for sensitizing the masses on the injustice and inhuman actions relating to forced eviction crimes. The role of the mainstream media as well as alternative media is to bring knowledge on the plights of the poor; also specific and concrete attempts must be made to disseminate meaningful data and statistics for dispelling wrongful notions of slum dwellers, which are manufactured by the authorities. Relevant tips for effective use of the media is to prepare a list of journalists and media persons who are having prior experience in this sector and persons who are sensitive to the causes of the poor must be disseminated with information. Relations must be cultivated with municipal authorities, the police, local leaders, slum dwellers groups and NGOs to consolidate solidarity and for gathering in-depth information and statistics. Regular features must be carried out in the leading dailies on eviction crimes and the habitat plight of urban poor inhabitants. When mass evictions occur, press conferences should be called and community persons who are the victims of forced evictions must be given the chance to speak out before the press.

TV discussion programmes and talk shows on slum demolitions can expose the pathetic situation within the slums to generate public outrage and sympathy rather than scorn and suspicion on the poor sections. Media sensitization camp must be carried out on urban land issues to ensure a meaningful coverage of the events. On the use of alternative media, exhibitions with shock value and disseminating information through songs, street plays etc. is very important not only to create awareness but also campaign solidarity, so that local authorities are accountable for perpetuating forced eviction crimes. Ishwar Singh Dost in his presentation elaborated the following points:

Agenda Setting

- Public
- Media
- Policy

Approaches to media

- An elitist bourgeois construct
- Degeneration of media
- Media should play an activist role
- Question of ownership (corporate sector, political parties, the government- their own medium of mass communication; NGOs, action groups, oppressed sections- alternative media)
- Ideological background of journalists (working condition + social consciousness)

Media after Globalization (1990s)

- Media as beneficiary of process of

liberalization:

- Improved technology
- Extending literacy
- Better purchasing power of new consumer class
- TV advertising and new media market
- Page- 3 culture, fashion parade, beauty contest, aggressive consumerism, leisure items and holidays (vehicles for attracting advertisements)

But

- Media is not ideological machine
- Journalists are not propagandists
- Legitimacy of journalism
- Truthfulness of info.
- Defense of public rights
- Clarity of info.
- Responsibility in forming public opinion



- Free and self-regulated

Source of media power lies in its ability to be selective

"Systematic over-accessing to the media of those in powerful and privileged institutional positions" + minorities marginalized, ignored or stigmatized

Sources of news

- Routine channels (A- Primary definers of news- government, police, judiciary,
- B-Press release, conference...NGOs, advocacy groups...
- In many cases hard pressed, deunionised, demoralized, and poorly paid journalists rely on press releases, promotional materials and official versions)
- Story planting
- Long working hours, many beats- less time to spend on stories...have to do stories on phone
- PRO often experienced former journalists becomes more reliable sources of news

During mass evictions press conferences must be called and community persons who are the victims must be given the chance to speak out...

Sites of intervention:

- Every media faces deadlines; media are biased towards early release of info.
- *Hungry media need fast food* (providing prepackaged material to the media increases the chance of coverage / inclusion of organisation's viewpoint)
- Using 'Pack journalism': tendency of reporters to follow each other in 'packs'...If news agency lists an event in its daily calendar, the media will be afraid not to cover it... If a respected journalist or an elite medium covers an issue, others will follow... journalists check with 'pack leaders' to define the lead story or issue for the day.
- Picture makes the story, not *just* bites. Every story needs to be planned visually.
- The presence of celebrity.
- Exclusive interviews with influential figures

TECHNICAL REQUIREMENT

- Photographers and TV camera crew requires adequate light, proper facilities to accommodate sound and a good vantage

- point for filming or witnessing events
- Better background for bite-frames.

Do's and Don'ts for TV Interviewing and discussions

DON'T

- Use jargons
- Blind audience with statistics
- Swear
- Say 'no comments'
- Raise fresh, extraneous issues
- Confuse the viewers by raising many issues
- Loose your cool

DO

- Speak firmly, yet conversationally
- Avoid irritating mannerism
- Send news release in 'ready to go' format, including an 'inverted pyramid style' narrative structure
- Schedule the press conference at convenient time
- Provide prior stories on topic, either from own or other media (archive, news files, internet)
- Provide regularly organizationally produced documents of many kinds: reports, surveys, letters, findings, proceeding, research papers, agendas.
- 'Off the records' relationship with reporters...providing other info..
- Create story idea.

STRATEGY

News

- Features/ Articles/TV Discussions/Talk-shows
- Media Fellowships
- Mass Communication Institutes
- Media Workshops
- List of Sensitized Journalists
- Alternative Media
- Improving the quality of bulletins, small magazines
- As a link between mass media and movement
- Exploring Radio

*Mr. Ishwarsingh Dost is a freelance journalist and has worked in print and television media.
Mr. Dost is also associated with social movements*

Presentation by Dunu Roy Alliance Building Strategies

This note is a reflection on the Sajha Manch process and activities in Delhi with regard to the shelter for the working population. (The Sajha Manch is an alliance of about 40 organizations in Delhi who are working with various sections such as slum dwellers, residents of unauthorized colonies and resettlement colonies, rickshaw pullers, auto drivers, vendors and hawkers, daily wagers, industrial workers, rag-pickers, women, children, and handicapped persons.) Here we will not describe the process in any detail, but just come up with some issues and concerns that may lead towards thinking up newer strategies.

The Delhi Master Plans have provided for adequate land and housing for the last forty years and the Sajha Manch has clearly shown that those provisions aren't enough for housing all the working population in Delhi.

There has, however, been no effort by the authorities and concerned agencies to actually acquire and develop the land as well as provide it for housing. Hence, the working population has been forced to "encroach" on vacant private and public land and somehow construct its own shelter.

The denial of housing rights to this population appears to be a deliberate effort on the part of the state, so that by keeping them in an "illegal" state, the land can at any time be acquired for another more profitable purpose. Hence, the interpretation of "public" purpose itself is anti-people.

This interpretation has been strengthened by various judicial orders which are progressively denying the working people their fundamental rights under the guise of "clean environment". Furthermore, there is no imperative for the Political Parties to intervene on behalf of the people because they are under severe pressure from the forces of international capital.

This is accompanied by a growing political

assertion by the middle class for its own "rights" and the rising tide of consumerism being promoted by globalization. Globalization also encourages the privatisation of public goods, thus increasingly denying the working people access to all civic services.

Globalization also deepens the economic crises for the people through shrinking employment and greater exploitation, particularly for women and children. This crisis is accompanied by a weakening of social ties and solidarity amongst the individualised working families.

Thus, working people are not only being evicted from their homes, they are also being evicted from their work, their space, their routes of travel, their access to civic services, and their identity as citizens.

Hence, the need emerges, as demonstrated by the experience of the Sajha

Manch, of a larger federation of organisations of the working people which not only addresses the issue of eviction, but develops a challenge to the changing order being promoted by global forces.

The experience of the Sajha Manch then also raises the following questions that are of crucial importance to the emergence of new strategies for the working people:

- How is such an alliance to be built and sustained?
- How does it expand to bind more organisations into a loose federation?
- How can it encourage new organisations to come up where none existed before?
- What will be the politics and structure of such a federation?
- How can it mobilise support from a wider middle class audience, including the media, the professionals, and the judiciary?
- How can the theory of such an organisation grow in step with its practice? In other words how does it emerge from the working people themselves?

Though Delhi Master Plan has reserved land for the urban poor, but the available land has not been transferred to the urban poor inhabitants.

Mr. Dunu Roy heads Hazard Centre, New Delhi and has pioneered in forming Sajha Manch. He is an eminent scholar involved with the people's movements.

Participants' List

Sl.	Name	Address	Contact No.
Australia			
	Depika Sherchan	Centre on Housing Rights & Evictions (COHRE), P.O. Box 1160, Collingwood vic Australia ,	Tel: 61.3.94177505, Email: cohreasia@cohre.org
India			
Bhopal			
1	Ishwar Singh Dost	People's Research Society, M-4, Nirala Nagar, Bhadbhada Road, Bhopal-462003	Tel: 0755-2774757; Mobile: 9425028041, Email: ishwar_dost@rediffmail.com
Chennai			
2	Dr. K. Shanmuga Velayutham	Chennai Slum Dwellers Rights Movement, Loyola College, Chennai-34	Tel: 044-28175659, Email: ksvelayutham@yahoo.com
3	K. Kumari	Joint Women's Programme, Chennai-113	Tel: 044-22435660
4	K. Saraswati	Joint Women's Programme, No. 2, Pandian Street, Tharamani, Chennai-113	
5	Padmavathy P.	Good Shepherd Convent, Mottukal, No. 32, College Road, Chennai-6	Tel: 044-28241933
Coimbatore			
6	R. Shyamala	Pennurimai Iyakkam, Off: A-5 Bharath Iar University Quarters, Coimbatore-641046; Res: E/35, MMDA Colony, Arumbakkam, Chennai-106 Phone: 044 23631662, Chennai	Tel: Res: Coimbatore: 0422 2422030 Office: Chennai: 044 23631662, Email: shyamali@etn.net
Howrah			
7	Abhijit Dutta	Manabadhikar Suraksha Moncha (MASUM), 26, Guiterod Lane, Howrah	Tel: 26508700, Email: kirity25@vsnl.net
8	Chandarpal Balmiki	Belilious Park, Howrah	
9	Ender Balmiki	Belilious Park, Howrah	
10	Gopal Balmiki	Belilious Park, Howrah	
11	Gugucharan	HWH. D.F., HWH, Howrah	
12	Jitandra Balmiki	Belgachia, Howrah	
13	Krishan Balmiki	Manabadhikar Suraksha Moncha (MASUM), Belilious Park, Howrah	Tel: 26508700
14	Narendra Balmiki	Belgachia, Howrah	
15	Raju Balmiki	Manabadhikar Suraksha Moncha (MASUM), Belilious Park, Howrah	
16	Suresh Hela	Belilious Park, Howrah	
17	Tarawati Balmiki	Belilious Park, Howrah	

Sl.	Name	Address	Contact No.
Hyderabad			
18	B. Chandra Prakash	Campaing for Housing and Tenurial Rights (CHATRI), Hyderabad	Tel: 040-24748018
19	Bharath	Action Aid, AP Regional Office, Hyderabad	Tel: 040-55315414, Email: rohyd@actionaidindia.org, bharathiy@yahoo.co.in
20	Indra	Campaing for Housing and Tenurial Rights (CHATRI), 4-6-509, Esamia Bazar, Koti, Hyderabad-27	Tel: 040-24748018
21	J. Yohagiris	Campaing for Housing and Tenurial Rights (CHATRI), Hyderabad	Tel: 040-24748018
22	M. Satya Narayana	Centre for Awareness Implementation & Development (C-AID), 3-59/1, L.B. Nagar, Hyderabad	Tel: 040-9849583404
23	M.D. Ashfaq	Campaing for Housing and Tenurial Rights (CHATRI), Hyderabad-27	Tel: 040-24748018
24	Mukesh Kumar Dubey	Centre for Awareness Implementation & Development (C-AID), 3-59/1, L.B. Nagar, Hyderabad	Tel: 040-24122163, 9885230855
25	Mukesh Kumar Dubey	C-AID, Hyderabad	Tel: 9885230855
26	Narsingh Rao	Asara Abhiyan, Hyderabad	Tel: 040-24748018
27	S. Lakshmi	Action Aid, AP Regional Office, Hyderabad	Tel: 040-55315414
28	Shahanaz	Campaing for Housing and Tenurial Rights (CHATRI), 4-6-509, Esamia Bazar, Koti, Hyderabad	Tel: 040-24748018
Indore			
29	Anand Lakhan	Deenbandhu Samajik Sanstha, 3, Usha Nagar Main, Annapurna Road, Indore-9	Tel: 0731-2788884, 9425075139, Email: dbss@sancharnet.in
30	Arti Kushwah	Asra Vikas Mahila Mahasangh, Indore	Tel: 0731-2421842, Email: asaravikas@rediffmail.com
31	Arun Ambore	Ramabai Nagar, Indore	
32	Asha Salvi	Ramabai Nagar, Indore	
33	Asha Wagh	Suryadev Nagar Sudhar Samiti, Suryadev Nagar, Indore	
34	Ashok Salvi	Ramabai Nagar, Indore	
35	Baby Sonone	Decnbandhu Samajik Sanstha, 3, Usha Nagar Main, Annapurna Road, Indore-9	Tel: 0731-2788884, 2788340, Email: dbss@sancharnet.in
36	Baliram Tayade	Annabhau Sathe Nagar, Indore	
37	Bhawana Patel	Suryadev Nagar Sudhar Samiti, Suryadev Nagar, Indore	
38	Ganesh Narayan	Annabhau Sathe Nagar, Indore	



Sl.	Name	Address	Contact No.
39	Ganesh Wankhede	Deenbandhu Samajik Sanstha, 3, Usha Nagar Main, Annapurna Road, Indore-9	Tel: 0731-2788884, Email: dbss@sancharnet.in
40	George Payatikat	Jan Vikas Kendra, P.B. No. 103, Asrham Campus, Palda, Indore-1	Tel: 0731-2862229, 5088432, Email: janvikasin@vsnl.net
41	Madhukar Avchar	Ramabai Nagar, Indore	
42	Mahadev Parde	Chandraprabhash Shekhar Nagar, Indore	
43	Manohar Verma	Deenbandhu Samajik Sanstha, 3, Usha Nagar Main, Annapurna Road, Indore-9	Tel: 0731-2788884, 2788340; Mobile: 982737625
44	Meena Wakode	Ekta Mahila Mandal, Buddh Nagar, Indore	
45	Nanda Wakode	Rama Ayi Mahila Bachat Samooch, Ramabai Nagar, Indore	
46	Neelima Ghosh	Deenbandhu Samajik Sanstha, 3, Usha Nagar Main, Annapurna Road, Indore-9	Tel: 0731-2788884, Email: dbss@sancharnet.in
47	Rajeev John George	National Forum for Housing Rights India (NFHR), C/o Deenbandhu, 3, Usha Nagar Main, Annapurna Raod, Indore-9	Tel: Off: 0731-2788884, 2788340 Mobile: 98270 39868, Email: rajeevjohn@vsnl.com
48	Rakesh Chandne	Jan Vikas Kendra, P.B. No. 103, Asham Campus, Palda, Indore	Tel: 0731-2862229, 9425090415
49	Ramchandra Mahale	Annabhau Sathe Nagar, Indore	
50	Rekha Kaushal	Asra Vikas Mahila Mahasangh, Indore	Tel: 0731-2436305, Email: asaravikas@rediffmail.com
51	Sanjay Wadhwa	Deenbandhu Samajik Sanstha, 3, Usha Nagar Main, Annapurna Road, Indore-9	Tel: 0731-2788884, Email: dbss@sancharnet.in
52	Shobha Patil	Ekta Mahila Mandal, Buddh Nagar, Indore	
53	Subhash Wakode	Annabhau Sathe Nagar, Indore	
54	Sunil Ambore	Annabhau Sathe Nagar, Indore	
55	Sunil Prajapat	Bangali Chauraha, Indore	
56	Suresh Chandane	Annabhau Sathe Nagar, Indore	
57	Sushil George	Deenbandhu Samajik Sanstha, 3, Usha Nagar Main, Annapurna Road, Indore-9	Tel: 0731-2788884
Kolkata			
58	Anuradha Talwar	Paschim Bengal Khet Mazdoor Samiti, 1, Shibtola Road, Vill. Maheshwarapur, P.O. Badu, Bivasat-7000129, Kolkata	Tel: 033-25380386, Email: jsk@cal2.vsnl.net.in
59	Aparna Das	5/68, Bijoygarh, Koklata-92	Tel: 24143023, Email: aparna_das@hotmail.com
60	Arindam Mondal	Human Rights Law Network (HRLN), 98 N, Daspara, Thakurpukur, Kolkata-63	Tel: 033-24970143, 24970155, Email: hrln_cal@hotmail.com
61	Ashis Das	Earth Care, 150, Mukta Rambabu Street, Kolkata-7	Tel: 033-22192011, Email: earthcarekol@yahoo.co.in
62	Biswendu Nanda	Education Reforms Association, 24/18, Nabalia Para Road, Koklata-85	Tel: 033-24944758, Email: biswendu@yahoo.com

Sl.	Name	Address	Contact No.
63	Chaitali Dutta	LAMP (NGO), 66, Swaya Set Street, Kolkata-9	Tel: 033-25907273
64	Dhurjati Mukherjee	State Habitat & Environment Forum, 28, Surah East Road, Kolkata-10	Tel: 033-23507658, 22520339, Email:
65	Dilip Das	N.A. GN, 18, B Gopal Basu Lane	
66	Dr. Sudhandu Mukherjee	Kolkata NGO Forum, Res: 11/B, Rammohan Beradeu, Kolkata-46; Off: 14/2, Sudder St. (Opp. Indian Museum), Kolkata	Tel: Res: 033-23291367 Off: 22493686, 22817558, Email:
67	Gautam Sen	Ucched Birodhi Jukta Monch (UBJM), P 494 A Keyasola Road, Kolkata-4	Tel: 033-24652507, Email: sengautam@hotmail.com
68	Kalipada Mondil	Earth Care, 150, Mukta Rambabu Street, Kolkata-7	Tel: 033-22192011, Email: earthcarekol@yahoo.co.in
69	Kallal Suresh	CISRS, 14/2, Sudder Street, Kolkata-16	Tel: 22493686
70	Kalyan Das	Belaghata Khal Par Basanta Committee, 110 A K.S. Sarani, Kolkata-85	
71	Kalyan Das	Kulpar Basinda Committee, 110A, K.S.Sarani, Balaghata, Kolkata-85	
72	Keya Dasgupta	Centre for Studies in Social Service Calcutta, R-1, Baishnabghata Patuli Township, Kolkata-94	Tel: 033-24141207, 24627252 (O), 24141207 (R), Email: keya48@rediffmail.com
73	Krishna Roy	Kolkata	Tel: 033-24767467, Email: miraroy144@hotmail.com
74	Mahtab Alam	Garden Reach Slum Development, P-229/A, Tikapara, 1st Lane, Kolkata-24	Tel: 033-24890741, 28691270, Email:
75	Mahua Dutta	Ucched Birodhi Jukta Monch, 28/4, Jogipara Road, Kolkata-28	Tel: 033-25000134
76	Malay Dewanji	Kolkata Bastuhara Samiti, 5/18, Vivek Nagar, Jadalapur, Kolkata-75	Tel: 033-24181898, Email: malaydewanji@hotmail.com
77	Md. Alamgir	Tilaya Shed, 6C, Rifle Range Road, Kolkata-19	Tel: 033-22802681, 22817392, Email: tished@cal2.vsnl.net.in
78	Murad Hossain Hossain	Ucched Birodhi Jukta Monch, 16/17 College Street, Kolkata-12	Tel: 033-22196688
79	Parekh Mondal	Earth Care, 150, Mukta Rambabu Street, Kolkata-7	Tel: 033-22192011, Email: earthcarekol@yahoo.co.in
80	Prabin Das	Talinala Prashadbothi Basinda Committee (UBJM)	
81	Prabin Das	Talinala Prashadbothi Basinda Committee (UBJM), Kolkata	
82	Prakash Basu		Tel: 22418496
83	Rabila Mallick	Kolkata NGO Forum, 14/2, Sudder Street, Kolkata-16	Tel: 033-22493554
84	Rajesh Jaiswal	APIL (Association for Peoples Initiatives for Liberation), Off: 2, Sukea Row, Kolkata-6; Res: 18B, Gopal Bose Lane, Kolkata-9, Kolkata	Tel: 22412239 (O), 23605095 (R), Email: rajeshapil@yahoo.co.in
85	Rina Mukherji	Hindustan Times, , Kolkata	Tel: 9830284920

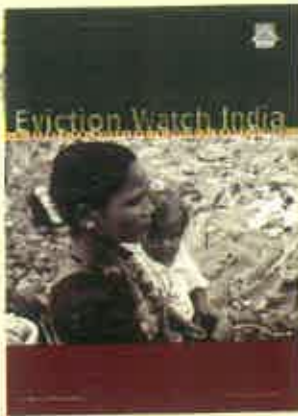


Sl.	Name	Address	Contact No.
86	Sachindranath Mitra	Belaghata Khal Par Basanta Committee, 1/H/15/1, Rakhal Ghosh Lane, Kolkata- 85	Tel: 033-23512157, 23600887, 23526762
87	Saikat Mukherjee	CRS, Garia, Kolkata-84	
88	Saktiman Ghosh	Hawker Sangram Samiti, Ucched Birodhi Jukta Moncha, 16/17, College Street, Kolkata-12	
89	Sikha De	Joint Womens' Programme (Amgachia), 48120, Panchanantala Road, Kolkata-41	Tel: 033-24023813
90	Sujan Sengupta	23/E Kabi Sukanta Sarani, Kolkata-85	Tel: 033-22126392, 9830081053
91	Sushovan Dhar	Ucched Birodhi Jukta Monch, 28/4, Jogipara Road, Kolkata-28	Tel: 033-25000134
92	Sutapa Chakraborty	Human Rights Law Network (HRLN), LIC-I.O.D.R.C. Housing Estate, Kolkata- 38	Tel: 24970143
Lucknow			
93	Arti Patodia	Laxmi Women & Child Welfare Oragnization, D-16, Nirala Nagar, Lucknow-20	Tel: 0522-2788575
94	Khushwant Singh	Ankur Yuwa Chetana Shivir, 226-A, Chandralok Colony, Aliganj, Lucknow-7	Tel: 0522-2370058, 2327222, Email: ayacs99@satyam.net.in
95	Mridal Srivastava	Laxmi Women & Child Welfare Oragnization, D-16, Nirala Nagar, Lucknow-20	Tel: 0522-2788578, Email: srivastavamridul@rediffmail.c om
96	Mukesh Kumar	Laxmi Women & Child Welfare Oragnization, D-16, Nirala Nagar, Lucknow-20	Tel: 0522-2788575
97	Mukesh Kumar	Laxmi Women & Child Welfare Oragnization, D-16, Nirala Nagar, Lucknow	Tel: 0522-2788575
98	Raj Luxmi Kakkar	Laxmi Women & Child Welfare Oragnization, D-16, Nirala Nagar, Lucknow-20	Tel: 0522-2788575
99	Ramayan Yadav	Vigyan Foundation, D-3191, Indira Nagar, Lucknow-16	Tel: 0522-2359583, Email: vigyanfoundation@yahoo.co m
100	Sandeep Khare	Vigyan Foundation, D-3191, Indira Nagar, Lucknow-16	Tel: Fax/ Phone: 0522-2359583 (O), 2345317 (R), Email: vigyanfoundation@yahoo.co m
101	Stuti Garg	Laxmi Women & Child Welfare Oragnization, D-16, Nirala Nagar, Lucknow-20	Tel: 0522-2788575



Sl.	Name	Address	Contact No.
Narshinghpur			
102	Yogesh Kumar Dubey	Indore School of Social Work, Narsinghpur	Tel: 07792-236958, Email: yogidubey@yahoo.co.in
	Nathdwara		
103	Ashok Gehlot	Mewad Valmiki Yuwa Mahasabha, Holi Mangara, Dist. Rajsemand , Nathdwara	Tel: 02953-234824, 9829261608
New Delhi			
104	D. Leena	Hazards Centre, 92-H, III Floor, Pratap Market, Munirka, New Delhi-67	Tel: 011-26187806, Email: haz_cen@vsnl.net
105	Dunu Roy	Hazards Centre, New Delhi	Tel: 26187806
106	Indu Prakash Singh	Action Aid India, C-88, South Ex-Part-II, New Delhi-49	Tel: 011-51640571-76 Extn 310, Mobile: 31062925, Email: indu@actionaidindia.org, indumanav@yahoo.com
107	Ramkihsan	Aashray Adhikar Abhiyan (AAA), S-442, School Block, Shakarpur, Delhi-92	Tel: 011-22022440, 32368807, Email: kishanram@hotmail.com
108	Ratoola Kundu	Human Rights Law Network (HRLN), New Delhi	
109	Sanjay Kumar	Aashray Adhikar Abhiyan (AAA), S-442, Shakarpur, Delhi-92	Tel: 011-32368807, 9868122997, Email: creativehomes@yahoo.co.uk
Raipur			
110	Jayant Kumar Bag	Chattisgarh Voluntary Health Association, C-88 (1st Floor), Sector-1, Devendra Nagar, Raipur	Tel: 0771-5058700, Email: cgvha_raipur@hotmail.com
Sagar			
111	Manish Pandey	Indore School of Social Work, Gulab Colony, Shivaji Nagar Ward, Sagar	Tel: 07582-236767, 9827347346, Email: manishjipandey@yahoo.com
112	Raju Chowdhary	ISSW Student, M/s D.P. Chowdhary & Sons, Parkota, Sagar	Tel: 07582-243060, 9826387871, Email: rajuchowdhary@rediffmail.co m

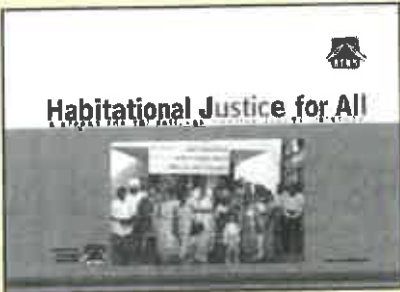
Publications



Eviction Watch India

EWI was released at the Asian Social Forum, Hyderabad on January 2003, The report gives a detail findings of an enquiry into large scale forced evictions in seven major cities of India: Mumbai, New Delhi, Chennai, Kolkata, Hyderabad, Ahmedabad and Indore. The report also includes Acts and Regulations on tenure rights, a critical review of the National Slum Policy draft and International Covenants. It draws on various legal and ethical maxims to exhort the central, state and local governments to abide by international and national laws and cease the practice of forced evictions. The report concludes with a series of recommendations for the amelioration of the dismal housing condition of India's urban poor.

Published in January 2003. Price: Rs. 125/-



Habitational Justice for All

Habitational Justice for All -

The Chennai National Workshop was organized on 24th to 26th January 2003. Habitational Justice for All is a detail workshop report and the participants also had released Chennai Declaration. This workshop was hosted by Chennai Slum Dwellers Rights Movement.

Published in June 2003. Price: Rs. 100/-



People's Charter on Housing Rights -

A fourteen points charter was released on April 14th, 2004 in Hyderabad in consultation with civil society groups for the demands on housing the urban poor during the General Election 2004.

Published in April 2004. Price: Rs. 50/-

Poverty & Vulnerability in Indore

The report contains a detailed analysis on the poverty and vulnerability in Indore including the mapping of all urban poor settlements in a communicable and verifiable form.

The research report also recommends future course of action to mitigate poverty and vulnerability.

Published in August 1999. Price: Rs. 200/-



Send your subscription to:

Combat Law Publications Pvt. Ltd.

Engineer House, 4th Floor, 86, Bombay Samachar Marg,

Mumbai 400023 Tel: 267 7385, 267 6680

Email: editor@combatlaw.org Website:

Combat Law

THE HUMAN RIGHTS MAGAZINE

CONTRIBUTOR

Name : _____ Organisation : _____

Address : _____

Pin Code : _____

E-mail : _____ Telephone : _____

Fax : _____

Age : _____ Sex : _____ Referred by : _____

I enclose the sum of Rs. _____ in favour of Combat Law Publications Pvt. Ltd. In Cash Cheque No. _____

Demand Draft No. _____ Dated : _____

Drawn on : _____ to _____

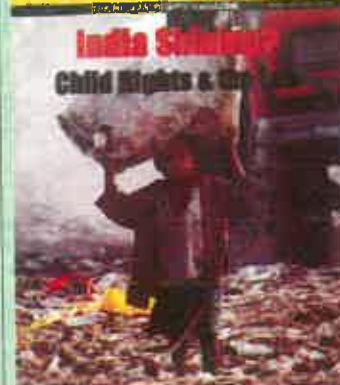
Subscription from _____ Date : _____ Signature: _____

Remittance by Money Order or Demand Draft preferred. Please add Rs. 25 towards bank collection charges for cheques drawn on banks outside Mumbai. All remittances to : Combat Law Publications Pvt. Ltd 15 days for processing and delivery of subscription copies.

SUBSCRIPTION RATES

India	One Year (6 Issues)	Two Years (12 Issues)
Individuals	Rs. 220	Rs. 400
Institutions	Rs. 350	Rs. 600
Students	Rs. 150	Rs. 300
SAARG		
Airmail		
Individuals	\$ 40	\$ 70
Institutions	\$ 60	\$ 100
Surface Mail		
Individuals	\$ 35	\$ 60
Institutions	\$ 50	\$ 80
Foreign		
Airmail		
Individuals	\$ 60	\$ 100
Institutions	\$ 100	\$ 160
Surface Mail		
Individuals	\$ 50	\$ 80
Institutions	\$ 80	\$ 130
Life Membership - Rs. 5000		

Combat Law



Demolishing homes of the urban poor is a crime against 'humanity'

Strategies to Combat Forced Evictions is a detail workshop report of consultations, discussions, strategies and paper presentations on housing rights issues by the participants at the Kolkata National Housing Rights workshop. The workshop was held on the 1st to 3rd of November 2003, at Nikita Don Bosco, focused on - developing new strategies to combat forced evictions. The meeting was attended by 113 participants from all over the country. The workshop was organised by National Forum for Housing Rights, India (NFHR), in collaboration with Human Rights Law Network, New Delhi.

National Forum is a national network of independent organizations in India on housing rights. The forum actively campaigns against the practice of forced evictions and advocates the provision of residential land to the working class population in urban centres. The principal objective of NFHR is to strengthen organisations and consolidate solidarity among different housing rights groups in India.

National Forum
for Housing
Rights, India



C/o Deenbandhu, 3 Usha Nagar Main, Annapurna Road
Indore - 452 009, India, Tel. +91 731 2788884
Email: nfhr_india@rediffmail.com