

**FORCED EVICTION, HUMAN RIGHTS AND CONSTITUTIONAL PROVISIONS: A STUDY OF BAWANA RESETTLEMENT COLONY, DELHI**

Smriti Soni (LLB)

Faculty of Law, University of Delhi, Delhi

**ABSTRACT**

Forced eviction is a menace present in the urban areas which snatches away from the evictees a bunch of their basic rights, and, deprives them from living a dignified and meaningful life. There is a plethora of international and national laws that strive to provide a better life style to all the human beings on Earth. Many 'State' agencies, in the guise of beautifying the city uproot the 'victims' from one place and throw them to another, where they are not able to meet bare minimum needs for sustenance of their lives. Bawana resettlement area is one such example of forced eviction. It will be discussed with a help of certain legal provisions and case laws, how the basic rights of these people have been violated.

**Keywords:** Forced evictions, resettlement, Human Rights, Fundamental Rights, Directive Principles

**1. INTRODUCTION**

Forced eviction is "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection".<sup>1</sup> Numerous decisions by national, regional and international human rights mechanisms have confirmed the multiple human rights violations resulting from forced evictions (OHCHR,2014). Forced evictions constitute gross violations of a range of internationally recognized human rights, including the human rights to adequate housing, food, water, health, education, work, security of the person, freedom from cruel, inhuman and degrading treatment, and freedom of movement (OHCHR, 2014).

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<sup>1</sup> Committee on Economic, Social and Cultural Rights, general comment No. 7 (1997) on the right to adequate housing: forced evictions

United Nations Declaration of Human Rights, 1948, an international document, provides all the human-beings certain basic rights termed as Human Rights. According to the various articles of the Declaration: “ ‘all human beings are born free and equal in dignity and rights’ (Article 1); ‘Everyone has the right to life, liberty and security of person’ (Article 3); and ‘Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control’ (Article 25). These rights of International Law have been incorporated in the municipal laws in the form of fundamental rights.

India, a signatory to Human Rights Covenants, has incorporated all these rights in the form of Fundamental Rights and Directive Principles of State Policy in the Part III and Part IV of the Constitution of India. Shah J. in *R. C. Copper v. UOI*<sup>2</sup> referring to Fundamental Rights said “Part III of Constitution weaves a pattern of guarantee on the texture of basic human rights”. Fundamental Right have been divided into six broad categories: Right to Equality (Article 14-18), Right to Freedom (Article 19-22), Right against Exploitation (Article 23-24), Right to Freedom of Religion (Article 25-28), Cultural and Educational Right (Article 29-30), and Right to Constitutional Remedy (Article 32).

Right to Life which has been incorporated in Article 21 is the most important among other rights which guarantees all the persons, citizens and non-citizens a right to life and personal liberty, has been broadened in scope and interpretation through various judgments by the Supreme Court. One such interpretation of this article extends to Slum Dwellers’ right. In *Olga Tellis v. Bombay Municipal Corporation*<sup>3</sup>, the Supreme Court has made a significant pronouncement on the impact of Article 21 on urbanization. Pronouncing the judgment in favor of pavement dwellers, the Court accepted the plea that the right to life guaranteed by Article 21 includes the right to livelihood.

Moreover, the constitution also incorporates in Part IV certain directives to the State (Articles 36-51). Article 38 (2) of directive principles, provides that the state shall strive to minimize inequalities in income and endeavor to eliminate inequalities in status, facilities and opportunities among people. Similarly, Article 47 provides that state shall take steps to raise level of nutrition and the standard of living of its people and the improvement of public health. The present paper aims at examining the relationship between the forced eviction and the deprivation of basic rights of the people, especially the poor, in India’s capital city Delhi with particular case study of Bawana Resettlement Colony..

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<sup>2</sup> AIR 1970 SC 564

<sup>3</sup> AIR 1986 SC 180

## **2. STUDY AREA**

Delhi or the National Capital Territory of Delhi is capital city as well as a Union Territory of India. It expands in an area of 1,484 square kilometers. As per the last census in 2011, the total population of the city was over 11 million, while the total population of the NCT was about 16.8 million. It is estimated that around 52% of the total population of the city lives in slum, with a brute majority of them lacking basic means of livelihood. Bawana Resettlement Colony, situated on the borders of north-western Delhi, is a resettlement colony, with a total population of around 80,000 with the resettled people constituting about 16,000 to 17,000. It is surrounded by the villages of Pooth Khurd, Holambi Khurd, Holambi Kalan, Sultanpur Dabas and Ghogha. It is called 'Bawana Resettlement Colony' because people from different places such as Yamuna Pushta, Rohini, Ashok Vihar, Preetvihar, Dakshinpuri, Nizamuddin, Seelampur and Jahangirpuri have settled here after eviction from their respective locations.

## **3. OBJECTIVE**

The focus of the present paper is on understanding the process of forced eviction and its impact on the basic rights of the 'victims' of such eviction with a case study of Bawana Resettlement Colony.

## **4. BAWANA RESETTLEMENT COLONY AND HUMAN RIGHTS ISSUES**

### **4.1 What is Bawana Resettlement Colony?**

Bawana Resettlement Colony, a colony settled by people (evictees) from different parts of Delhi. Situated on the outskirts of north-western Delhi, it is an area where the people are forced to live in inhuman conditions, mostly in improvised houses. The area is filled with malodorous smell emanating from the uncountable piles of garbage. Unhygienic conditions severely impact the health of the inhabitants. Living conditions here become worse in the monsoon seasons when the rain-water enters the houses. People lack in essential daily needs such as potable water and toilets, which makes life more challenging here. Since, it is cut-off from the main city, the area lacks in many facilities such as transport, hospitals and schools. Most of the children do not go to, or have dropped out from schools, and are employed in the nearby industrial area. These children work in factories up to 10 hours a day for a meager wage amount of 3000-3500 a month. A majority of women also work in these factories. Nearest hospitals are present at a distance of 7 to 8 kilometers from this area, making it difficult for the people, especially the pregnant women, in accessing the medical facilities on time. Resultantly, rates of infant and maternal mortality are high in this area.

### **4.2 Why this displacement or eviction and resettlement?**

The recent reason for the displacement or eviction and resettlement was commonwealth games that were held in the capital in the year 2010. In the year 2006-07, the government of Delhi had ambition to make the city 'beautiful' for hosting the commonwealth games. In the haste of this beautification programme, the most convenient way, according to them was uprooting the slums from the center of the city and throwing the inhabitants to the fringes of the city. When the commonwealth games were agreed to be held at Delhi in 2010, the city saw its largest ever population displacement post-2000. There are no records available showing the number of homes demolished, but NGOs estimate that over 200,000 people were evicted.<sup>4</sup>

## **5. FORCED EVICTION AND HUMAN RIGHTS: INTERNATIONAL AND NATIONAL LAWS AND JUDICIAL PRONOUNCEMENTS**

Forced evictions violate, directly and indirectly, the full spectrum of civil, cultural, economic, political and social rights enshrined in international instruments (OCHRC, 2014:5). There are several instruments of international law that ensure a bunch of indispensable basic rights to all the human beings. India is signatory to six core human rights covenants, including two optional protocols to the convention of the Rights of the Child.

### **5.1 International Instruments**

**International Covenant of Economic, Social and Cultural Rights, 1966**, (or ICESCR) requires the state parties to 'to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant' (Article 3); 'to recognize the right of everyone to social security, including social insurance' (Article 9); and under Article 10 (1) 'to recognize that 'the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children...'. According to Article 11 (1) 'the States Parties to the present Covenant recognize 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 States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent' and Article 12 (1) 'the States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health'.

According to Article 17 (1) of **International Covenant on Civil and Political Rights, 1966**, (or ICCPR) 'no one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation' and according to

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<sup>4</sup> <https://www.hrln.org/admin/issue/PdfFile/HOUSING%20FOR%20THE%20POOR.pdf>

Article 23 (1) ‘the family is the natural and fundamental group unit of society and is entitled to protection by society and the State’.

It has been well established in international human rights law and its interpretation that housing is not just a physical structure of four walls and roof. Instead it is a much broader concept, which encompasses various material and non-material elements of adequacy, which are necessary to create a safe and secure place to live. Furthermore, adequate housing is not merely a desired goal; it is a basic human right of all human beings (HLRN, 2011:12).

## **5.2 Constitution of India**

Constitution, the supreme law of the land, guarantees all its citizens (and non-citizens) some inalienable fundamental rights; and requires the State to take all necessary steps for the welfare of its citizens. In this regards, the Courts have pronounced several judgments from time to time. A very fascinating development in the Indian Constitutional Jurisprudence is the extended dimension given to Article 21 by the Supreme Court in the post-*Maneka* era.<sup>5</sup> Article 21 provides that ‘no person shall be deprived of his *life* or *personal liberty* except according to procedure established by law’. ‘**Quality of life**’, ‘**Right to shelter**’ and ‘**Right to livelihood**’ are some areas of extension of right to life in Article 21.

### **Quality of life:**

A grand step was taken by the Court in expanding the scope of Article 21 when it was argued that ‘life’ in this Article does not mean merely ‘animal existence’ but living with ‘human dignity’.<sup>6</sup> In the case of *Francis Coralie v. Administrator, Union Territory of Delhi*<sup>7</sup> the Court was of the observation that “...but the question 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 think that the right to life includes right to live with ‘human dignity’ and all that goes along with it..., *it must in any view of the matter, include the right to basic necessities of life and also the right to carry on such function and activities as constitutes the bare minimum expression of the human self*”.

In order to explain what constitute basic necessities, the Court in **Chameli Singh v. State of Uttar Pradesh**<sup>8</sup> held “...Right to live guaranteed in any civilized society implies the right to food, water, decent environment, education, medical care and shelter. These are the basic human rights known to any society...”

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<sup>5</sup> M.P. Jain, Indian Constitutional Law, 7<sup>th</sup> ed.; page no. 1158

<sup>6</sup> Ibid; page no. 1159

<sup>7</sup> AIR 1981 SC 746

<sup>8</sup> AIR 1996 SC 1051

**Right to shelter:**

In *U.P. Avas Evam Vikas Parishad v. Friends Co-op. Housing Society Ltd.*<sup>9</sup> the Court stated that “Right to shelter is a fundamental right, which springs from the right to residence assured in article 19(1)(e) and right to life under article 21 of the constitution”.

Stretching further the right to shelter the Court clearly stated in *Chameli Singh* “...right to shelter, therefore, includes adequate living space, safe and decent structure, clean and decent surroundings, sufficient light, pure air and water, electricity, sanitation and other civic amenities like roads etc. so as to have easy access to his daily avocation. *The right to shelter, therefore, does not mean a mere right to a roof over one’s head but a right to all the infrastructure necessary to enable them to live and develop as a human being.*”

**Right to livelihood:**

Extending article 21 to Right to livelihood the Apex Court in *Olga Tellis*<sup>10</sup> held that “...an equally important facet of that right is the right to livelihood because, no person can live without the means of living, that is, means of livelihood”. The Supreme Court ruled that the eviction of persons from pavement or a slum not only results in deprivation of shelter but would also inevitably lead to deprivation of their livelihood which means deprivation of life in as much as pavement dwellers were employed in the vicinity of their dwellings.<sup>11</sup>

**5.3 Directive Principles of State Policy**

The makers of the Constitution had realized that in a poor country like India, political democracy would be useless without economic democracy. Accordingly, they incorporated a few provisions (Directive Principles) in the Constitution with a view to achieve amelioration of the socio-economic condition of the masses<sup>12</sup>. The Supreme Court in *Paschim Banga Khet Mazdoor Samity v. State of West Bengal*<sup>13</sup> stated that “the Constitution envisages the establishment of a welfare state at the federal level as well as the state level. In a welfare state the primary duty of the government is to secure the welfare of the people”

**Relevant Provisions:**

**Article 38. State to secure a social order for the promotion of welfare of the people-**

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<sup>9</sup> AIR 1996 SC 114

<sup>10</sup> AIR 1986 SC 180

<sup>11</sup> M.P. Jain, Indian Constitutional Law, 7<sup>th</sup> ed.; page no. 1163

<sup>12</sup> Ibid; page no. 1406

<sup>13</sup> AIR 1996 SC 2426

- (1) The state shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.
- (2) The state shall, in particular, strive to minimize the inequalities in income, and endeavor to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.

**Article 47. Duty of the State to raise the level of nutrition and the standard of living and to improve public health-** the state shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the state shall endeavor to bring about prohibition of the consumption except for medical purposes of the intoxicating drinks and of drugs which are injurious to health.

#### **5.4 DPSP and Concept of Social Justice**

The Preamble to the Constitution read with Directive Principles in Articles 38, 42, 43, 46 and 48A promotes the concept of ‘social justice’. The aim of ‘social justice’ is to attain a substantial degree of social, economic and political equality. ‘Social justice’ is a device to mitigate the Suffering of the poor, weak, tribals and the deprived sections of the society and to alleviate them so that they can live with dignity.<sup>14</sup> V. R. Krishna Iyer J. in the case of *Municipal Council, Ratlam v. Vardichand*<sup>15</sup> emphasized on the ‘social justice’ over ‘procedural justice’. Similarly, Article 38 envisages the concepts of not only legal justice, but also ‘socio-economic justice’. Supreme Court in *Air India Statutory Corpn. v. United Labour Union*<sup>16</sup> explained “...social justice is thus an integral part of justice in generic sense; Justice is a genus, of which social justice is one of its species. Social justice is a dynamic device to mitigate the suffering of the poor, weak, dalits, tribes and deprived sections of the society...”

#### **5.5 Directive Principles and Constitutional Obligation**

Iyer J. in *Municipal Council, Ratlam* case was of the observation that “social justice is due to the people and, therefore the people must be able to trigger off the jurisdiction vested for their benefit in any public functionary like a magistrate under section 133 of CrPC. In the exercise of such power, the judiciary must be informed by the broader principle of ‘access to justice’ necessitated by the conditions in the developing countries and obliged by Article 38 of the Constitution”. Justice Iyer’s observation envisages the enforceable nature of directive principles.

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<sup>14</sup> M.P. Jain, Indian Constitutional Law, 7<sup>th</sup> ed.; page no. 1409

<sup>15</sup> (1980) 4 SCC 162

<sup>16</sup> (1997) 9 SCC 377

With the passage to time since the enforcement of the Constitution of India, many of the DPSPs have been extended in Article 21, and have been given the status of fundamental rights by the courts in successive pronouncements. In a recent judgment of *Juhi Kumari v. State of Bihar*<sup>17</sup> the Court held that “*the DPSP are now not only enforceable at the behest of a citizen, but a constitutional obligation of the State to be performed on its own, without waiting for a citizen to demand for it*”.

## **6. APPLYING THE INTERNATIONAL AND NATIONAL PROVISIONS OF HUMAN RIGHTS ON THE PEOPLE OF BAWANA RESETTLEMENT COLONY**

The residents of Bawana Resettlement Colony are the people displaced from Yamuna Pushta, Sawan Park, Paschim Vihar, Bannuwal Nagar, Sanjay Gandhi Park, Pragati Market etc. Originally, most of the resettled people were residents of different states such as Bihar, Uttar Pradesh, Rajasthan, Madhya Pradesh, West Bengal Jharkhand etc., and migrated to Delhi in search of better employment opportunities. Most of these people have said that they were living in the previous sites (before eviction) for about 10-50 years, and were having access to basic amenities such as water, sanitation, electricity, hospital, transportation and schools etc. Interviews with these people have revealed many negative aspects related to the whole process of ‘eviction and resettlement’. Some of the negative aspects are:

### ***Before Eviction***

*No knowledge about new site:* a major proportion of them were not consulted by any authorities before being thrown to this site and no discussions among them and the government officials took place about resettlement site and compensation etc. They were displaced from the previous sites without having knowledge of the condition of new site.

*Authorities harassed them:* accusing the police of harassment, some of these people have revealed that police came to them in midnight and threatened them to leave the place by next morning.

### ***During Eviction***

*Eviction irrespective of weather conditions:* many of them have revealed that the eviction took place without giving regards to extreme weather conditions during winters, summers or rain. Eviction took place even during heavy rains, without giving regard to women, children and weak.

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<sup>17</sup> 2011 (59) BLJR 2662

*Destruction of means of livelihood:* the victims have revealed that eviction had destroyed their daily-use utensils, as they were given only a short span of time (of few hours) to remove their belongings from eviction site. Many people lost their livestock and the shopkeepers lost their shops.

### ***After Eviction***

*Inadequate Shelter or No Shelter:* those people who were given plots at resettlement site stated the plots were 18 square meters or 12.5 square meters in size. Most of them stated the inadequacy of space, particularly with a family size of 10-12 members. The people who did not possess ration cards were not issued a piece of land.

*Lack of basic amenities:* access to food, water, sanitation facility, roads, hospitals, schools etc. Lack of basic amenities makes lives miserable in the area.

*No Food:* many people lost ration cards in the eviction process, and have applied for new one many times but have not been issued one.

*Inadequate Water Supply:* No piped water, have to depend only on tankers which are not able to meet the total demand. People resort to violence due to this.

*Unhygienic conditions:* tons of garbage piles, malodorous stench and open defecation due to lack of toilets make the conditions unhygienic, which makes many children fall ill frequently. Unhygienic atmosphere is responsible for malnutrition and stunted growth in children.

*No Hospital in vicinity:* Nearest hospitals are present at a distance of 7to 8 kilometers from this area, making it difficult for the people, especially the pregnant women, in accessing the medical facilities on time. Resultantly, rates of infant and maternal mortality are high in this area.

*No Schools in area:* as there are no schools in the vicinity many children do not go to schools. Dropout rates are also high in the area. These children work in the nearby industrial area. These children work in factories up to 10 hours a day for a meager wage amount of 3000-3500 a month.

*Cut off from main city:* since Bawana is situated on the one corner of the city, it excludes the people from the main city, due to which they have to travel a long distance, even for work, in the main city area.

*Social security of women:* many women have complained that they have been harassed by the local residents of the area.

Applying the above mentioned provisions of International Law as well as provisions of Constitution, it can be observed that these people are, in reality, forced to live like animals. By witnessing the life in Bawana, one thing is certain that the life is there is a far-cry from the utopian dreams of 'Quality Life' or 'Life with dignity'. Not only the provisions of Article 21 such as Quality life, Right to shelter and Right to livelihood are violated with regards to these people, but, a series of other rights have also been violated.

Article 21A of the Constitution provides for free and compulsory education to children in the age group of six to fourteen. Lack of schools in the area, violates the right to education of these children.

'Right to health' is extended to Article 21 of the Constitution in the case of *Vincent v. UOI*<sup>18</sup>. Supreme Court in this case emphasized that a healthy body is very foundation of all human activities. The Court has observed in this case that "maintenance and improvement of public health have to rank high as these are indispensable to the very physical existence of the community and on the betterment of these depends the building of the society of which the constitution makers envisaged. Attending to public health, in our opinion, therefore, is of high priority- perhaps the one at the top". The mountains of garbage, open drains, stench, open defecation and highly unhygienic conditions at Bawana rob from the people their right to health as well.

Safety and security of women is another concern. Constitution of India has provided certain provisions specifically for women such as Article 15(3) and Article 51A(e)<sup>19</sup>; and also, there has been set up a special commission for women. Despite this, if the women have to be victims of harassment, it definitely violates their right to life and right to live with dignity in Article 21.

Moreover, the victims of forced eviction at all the time are helpless and marginalized people, which in the guise of development are harassed by the public authorities; and their rights, have been transgressed. This discrimination between rich and poor certainly snatches away from these victims the 'right to equality' in Article 14.

Also, the victims of forced eviction are the ones belonging to the vulnerable groups of society such as poor, dalits, tribes and minorities etc. The reason behind this is that these groups of people are too weak to stand against the misconduct of the State; also, it is easy for the State to transgress their power. Hence, most of the time, they become passive receiver of even 'illegitimate decisions' of the State. The consequences of forced eviction are loss of shelter, basic

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<sup>18</sup> AIR 1987 SC 990

<sup>19</sup> Article 51A(e) in Part IV A Fundamental Duties reads as "...to renounce practices derogatory to the dignity of women".

infrastructure, basic amenities and livelihood. Trauma, frustration, grief, dull dragging apathy and the surrender of the will to live are indeed some of the effects of forcible evictions on the human condition.<sup>20</sup>

## 7. SUDAMA SINGH'S CASE

The High Court of Delhi in a recent case of *Sudama Singh and Ors. v. Govt. of Delhi and Ors.*<sup>21</sup> has dealt elaborately with the menace of forced eviction and the issues attached to it. The hon'ble High Court has emphasizes that proper procedures must be followed before and after eviction process.

**Slum Dwellers, not Secondary Citizens:** Court in this case has emphasized on the point that the slum dwellers are as much part of Indian citizenry, as other people, hence, should not be given secondary treatment by the State agencies. Court observed that "...jhuggi dwellers are not to be treated as 'secondary citizens'. They are entitled to no less an access to basic survival needs as any other citizen".

**Rehabilitation only for Public Purpose:** Referring to MPD 2021, the Court in the judgment has pronounced that no rehabilitation or relocation shall take place unless such rehabilitation or relocation is necessary for 'public purpose'.

**State Responsibility to Ensure Basic Amenities at Rehabilitation Site:** The Court was of the observation that "the relocated sites are invariably 30-40 kilometers away from a city center...The lack of basic amenities like drinking water, water for bathing and washing, sanitation, lack of access to affordable public transport, lack of schools and health care sectors, compound the problem for a jhuggi dweller at the relocated site. The places of their livelihood invariably continue to be located within the city. Naturally, therefore, their lives are worse off after forced eviction. In this regard, the Court held that it is State which is under obligation to ensure basic amenities at the relocated sites. In the words of the Court "it is the State's constitutional and statutory obligation to ensure that if the jhuggi dweller is forcibly evicted and relocated, such jhuggi dweller is not worse off. The relocation has to be a meaningful exercise consistent with the rights to life, livelihood and dignity of such jhuggi.

**Proper Survey to be conducted:** the High Court has taken the cognizance of the problem related to loss of crucial documents during eviction. The Court observed that "it is not uncommon to find a jhuggi dweller, with the bulldozer at the doorstep, desperately trying to save

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<sup>20</sup> Professor Bundy in *Main Street, Johannesburg v. City of Johannesburg and Others* (2008) ZACC 1:2008 (3) SA 208 (CC):2008(5) BCLR 475 (CC) at para 17

<sup>21</sup> 11 February, 2010; can be accessed from <https://indiankanoon.org/doc/39539866/>

whatever precious little belongings and documents they have, which could perhaps testify to the fact that the jhuggi dweller resided at that place". According to the Court, the documents are a 'matter of life' for the slum dwellers, since most of the relocation schemes require proof of residence before the cut-off date. Hence, in the judgment the Court has emphasized on the need of conducting proper survey before the eviction process so that such issues do not arrive later on. Also, the Court suggested that "a separate folder must be preserved by the agency or the agencies that are involved in the survey for each jhuggi dweller with all relevant documents of that jhuggi dweller in one place". Referring to digitalization of documents it observed "ideally if these documents can be digitalized then there will be no need for repeated production of these documents time and again whenever the jhuggi dweller has in fact to be assigned a place at the relocated site".

## **8. CONCLUSION**

Since 1948, the year when the United Nations Declaration on Human Rights came into existence, there have been continuous efforts, internationally and nationally, to provide all human beings 'a dignified and a meaningful life'. Yet, these efforts have been inadequate, mostly because unsympathetic state agencies, which, for their gains, adopt cruel attitude towards vulnerable group of citizens, especially when they uproot the people after 30-40 years from their place.

According to the Special Rapporteur on adequate housing, "forced evictions intensify inequality, social conflict, segregation and 'ghettoization', and invariably affect the poorest, most socially and economically vulnerable and marginalized sectors of society, especially women, children, minorities and indigenous peoples."<sup>22</sup>

In the world, about 1.6 billion people are homeless, with about a billion living in precarious shelter conditions. In India alone, there are about 64 million people, i.e. one in every six person is living in slum (census 2011). Lakhs of these slum dwellers are evicted every year.

'Bawana Resettlement Colony' is just one example of forced eviction, in one city of India. There are hundreds of thousands of 'Bawana' are being created throughout the Country; and in the World every year. As there are 64 million people living in shanty areas in India, it will not be an exaggeration if we say that the 'Fundamental Rights' of these many people are being violated by the state. And that, for 1.6 billion homeless across the globe, human rights are just utopian dreams.

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<sup>22</sup> <https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf>

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