

PRESS RELEASE
NEW DELHI, 28 July, 2011

On Thursday, 28 July 2011, the Municipal Corporation of Delhi (MCD) demolished the houses of 15 Dalit families who had been living in the Karol Bagh area for the past 60 years. The demolition was conducted without any due process in clear violation of the residents' constitutional and statutory rights. The forced eviction occurred even though an urgent petition had been filed on behalf of the residents by the Human Rights Law Network (HRLN) in the Delhi High Court, challenging the legality of the eviction and scheduled for initial hearing on Friday 29th July 2011.

The residents, about 80 members of the Valmiki community (a scheduled caste), had been living on the demolished land for over 60 years. The community is comprised of society's most vulnerable, including poor pregnant women and children, the elderly, the sick and the disabled. Initially occupied by an MCD employee charged with the upkeep of local facilities, as the families grew, various descendants started their own families and built homes on the land. Most of the residents had been born in the homes or married into families who had lived here since before Partition.

After living in relative peace for almost 60 years, the residents found an unsigned and undated notice on 23.06.2011 stating that they were illegal encroachers and their houses would be demolished three days later. The MCD, for reasons never made clear, delayed the demolition for several weeks. The National Campaign on Dalit Human Rights (NCDHR) notified HRLN of the impending demolition, and HRLN filed a petition on the families' behalf before the Delhi High Court.

After being served notice of the lawsuit, but before the hearing could occur, MCD officials with dozens of police, arrived on the site around 9:30 am. Residents were informed that their homes would be demolished immediately and were directed to remove their personal belongings. Then, as the residents watched helplessly, a bulldozer began destroying all 15 homes.

This demolition was carried out in clear violation of numerous laws, programmes, and policies. These include, the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, as the MCD did not provide proper notice to the residents, nor did it give the residents the opportunity to show cause as to why the demolition should not occur. The demolition also contravenes the Delhi Master Plan, 2021, which proposes “in-situ upgradation” for squatter settlements that are not themselves “required for public purposes.” (DMP 4.2.3 §1) The plot is buried deep in the residential section of Karol Bagh and the government has conceded that the demolition is purely for ‘redevelopment’ purposes. Thus, the forced eviction is clearly not necessary for “public purposes” and reveals the cruel side of Delhi’s beautification. The Delhi Master Plan recommends that the urban poor be housed in “small clusters in a manner that they can be integrated with the overall planned development of the area.” As this was a small group of poor Dalits living alongside their prosperous neighbors, there can be no better example of “integrated” housing.

The demolition is also in clear violation of the National Urban Housing and Habitat Policy, 2007, which proposes “Affordable Housing for All”, “with special emphasis on vulnerable sections of society such as Scheduled Castes/Scheduled Tribes, Backward Classes, Minorities and the urban poor”. (NUHHP § 1.29)

Finally, the demolition was in clear violation of recent rulings of the Delhi High Court, including *Sudama Singh & Ors. v. Government of Delhi*, WP (C) 8904/2009, which underscores that “when a family ... is forcibly evicted, each member loses a ‘bundle’ of rights – the right to livelihood, to shelter, to health, to education, ...” and ordered the government to “engage meaningfully with those who are sought to be evicted”. The Court went on to require the government to “identify spaces equipped infrastructurally with the civic amenities that can ensure a decent living to those being relocated prior to initiating the moves for eviction”. To ensure that the potential evictees’ rights are protected, the Court stated: “the exercise of conducting a survey has to be very carefully undertaken ... at the time when all the members of the family are likely to be found.” None of this has been done for the Karol Bagh families who are now rendered homeless by the unconscionable and unconstitutional actions of the Government.

For more information, contact:

Douglas Wyatt, *Human Rights Law Network* (81300 80472/ doug.hrln@gmail.com)

Sanjay Bharti, *National Campaign for Dalit Human Rights* (88028 96041/ sanjay@ncdhr.org.in)