'Better to Have Died Than to Live Like This'

Women and Evictions in Delhi

When in 2004 the government of Delhi announced its plan to turn 100 acres on the banks of the Yamuna into a promenade, the land was occupied by the Yamuna Pushta "unauthorised" settlement and was home to over 35,000 working class families. The subsequent evictions and forced relocations have destroyed people's lives by removing them from their areas of work, cutting off their social networks and destroying the housing and infrastructure they had built with their life's savings. It is ironic that the courts have not held government bodies accountable for their failure to provide affordable and adequate housing for the poor, even as they have chastised them for slum creation, instead of slum clearance.

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In January 2004, the tourism ministry of the government of Delhi announced its plan of developing a 100 acres strip of land on the banks of the river Yamuna, into a riverside promenade with parks and fountains which would be marketed as a major tourist attraction. The government of Delhi and the Municipal Corporation of Delhi (MCD), both facing strictures by the Supreme Court for their failure to deal with the pollution of the river, were also partners in the enterprise to "clean up" the banks of the Yamuna. According to the MCD, sewage from unauthorised informal settlements along the river bank was the major cause of pollution of the Yamuna.[1]

At the time this plan was unveiled, this land was occupied by the Yamuna Pushta "unauthorised" settlement, home to over 35,000 working class families – more than 1,50,000 people – who had been occupying this land for over three decades. About 70 per cent of the population was Muslim. Although no statistics are available, researchers and activists confirm that the majority of people were daily wage workers – headloaders, rickshaw-pullers, domestic workers, handcart-pullers and ragpickers who had migrated to Delhi from Uttar Pradesh, Bihar and Bengal. A significant proportion were construction workers, who had been brought to Delhi by contractors during the Asian Games and had settled in Pushta. There were also several families, who made their living from small enterprises – waste recycling, vending of food and daily necessities, and ration shops. A smaller number, probably the oldest inhabitants of this area, were agriculturists engaged in growing vegetables on the dry riverbed.

The lead-up to the evictions – the period when petitions and prayers for a stay on the evictions were being presented before and rejected by the MCD, the courts, even the president – saw a crystallisation of opinion among the middle and affluent classes in the city, the result of a focused campaign to demonise those who lived in 'jhuggi-jhopdi' colonies. Long-standing myths were resurrected and given official sanction by senior members of the ruling Bharatiya Janata Party (BJP) at the centre. The residents of Pushta were painted as illegal migrants from Bangladesh (despite the fact that the majority were registered as voters and had ration cards), as beggars and petty criminals (despite the fact that they were almost all entrepreneurs or workers in the informal sector), as people who made the city dirty (despite the fact that many were municipal sweepers, ragpickers and garbage recyclers and thus actively involved in keeping the city clean). Protests against the evictions by activists and legislators were branded as part of a Congress-I conspiracy to change the demographics of Delhi by nurturing a vote-bank of illegal Muslim migrants from Bangladesh. Much was made of the pressure being placed on civic services by unauthorised settlements, in flagrant disregard of the fact that there were no civic services in these settlements. The dismal record of the MCD in collecting rates and taxes from middle class colonies, which nevertheless enjoyed continued civic services, and the existence of a well-oiled system where city officials collected lakhs of rupees as "fees" from unauthorised settlements for provision of electricity and water, were both ignored.

The pre-eviction campaign, enthusiastically supported by a large section of the print media effectively tapped into existing class and communal biases and saw the emergence of an alliance between the MCD, local politicians with interests in the land market and residents of affluent colonies. They welcomed the evictions as a move that would not only "clean up" the Yamuna and its banks, but would also reduce crime and ease the pressure on civic services.

Despite desperate efforts by the residents, campaigns by NGOs and community groups and appeals to the courts, the so-called "voluntary relocation programme" went ahead. In February and April 2004, homes and community buildings along the banks of the Yamuna were razed to the ground in 24-hour operations. The Supreme Court, which had dismissed a petition asking for the stay of the eviction until rehabilitation, could be assured with the remark that this would be like a reward for breaking the law, and refused to act even to stop the violence that ensued.

The claim that families had volunteered to relocate is not borne out by the facts. Residents, many of whom could not believe that a forced eviction could take place in the face of protests, were taken unawares. They had not even removed their belongings and possessions from their homes when the demolition started. In

many cases, children and old people were still inside when the houses were demolished. Fatima, now living in the Bawana Resettlement Colony, told us how her one-year-old child was sleeping in her house when it was being demolished. Fatima nearly lost her life in trying to save her child. The police cordoned off the area and men who rushed back from work when they heard that the demolitions had started were not allowed in to save their families. Those who resisted were mercilessly beaten and chased away by the police. Women and children were not spared and many were seriously injured. The ruined colony was then set on fire as residents tried to save their belongings. The violence continued long after the demolitions, with police attacks on people as they tried to retrieve their belongings or scavenge for building materials in the ruins of their homes. There were at least five deaths, including two suicides.

Resettlement plots were assigned only to those who could provide proof of residence in the form of a ration card or a voter identity card. Those who had documentary proof that they had been living in Pushta before 1990 were eligible for an 18 square metre plot in the resettlement area, while those who had been living there since 1990 and before 1998 were eligible for a plot of 12.5 square metres. A survey conducted by the Delhi Development Authority (DDA) before the evictions recorded only 16,000 "genuine claimants" for plots, while newspapers reported around 35,000 families in residence, indicating that less than 50 per cent of the people living in Pushta were considered eligible for relocation.

Many people had lost their documents in the fires that regularly broke out in Pushta in the period immediately prior to the eviction, some of which were deliberately caused in attempts to force people to move out. Those who wanted to try and get duplicate documents did not get enough time to do so. Kaleemun Nisha, now living in Sherpur, told researchers that her ration card had been burned in an earlier fire. Her new ration card was dated 1999 and made her ineligible for resettlement. Based on data from the census, the DDA, newspapers, and anecdotal figures, the Hazards Centre estimates that 27,000 families (1,35,000 people) were evicted, of which only 6,000 families were resettled. The rest – over 1 lakh people – were left to fend for themselves.[2]

Plots allotted through the so-called voluntary relocation scheme were priced at Rs 5,000-7,000 in Bawana, Holambi Kalan, Madanpur Khadar, and other resettlement colonies in Delhi. These rates were beyond the capacity of many old-time residents of Pushta who were thus left out of the resettlement scheme. Many others were excluded on the grounds of being Bangladeshis, who had managed to get false documents. Rafiya, who now lives in Bawana Resettlement Colony, was charged with being a Bangladeshi and was denied a plot. Ironically, her mother was allotted a plot in Bawana where Rafiya now lives with her husband and children.

The evictions and forced relocations destroyed people's lives by removing them from their areas of work, cutting off their social networks and destroying the housing and infrastructure they had built up with their life's savings.

Haleema's Story[3]

We met Haleema in May 2004, a few weeks after the evictions. This is an extract from our record of our conversation with her.

Haleema lives with her husband and grand-daughter in Bawana. The family had migrated from Bhagalpur to Delhi 25 years ago. By the time of the eviction, they had built a brick house with three rooms. In Bawana, they have been allotted a 12.5 square metre plot for which they had to pay Rs 2,000 more than the official price of Rs 5,000. They have set up a small shack with tattered bamboo mats on their tiny plot. "Gareebon ko jangal mein phenk diya hai' Haleema told us.

Haleema recalls the hardships that forced her family to leave the village and migrate to Delhi.

> After two years of marriage, my farmer husband and I were on the verge of starvation in the village and came to Delhi to find work. My husband used to make and sell puffed rice and I worked in five houses. We could not afford to educate our children – only our older son went to school for a few years in Delhi. Over the 25 years in Pushta, we were able to save and make a house with three rooms. When finally we were able to afford food and water and a decent life, we were evicted and thrown here. Our house was demolished with only a day's notice – the police told us just the day before that the demolition would begin the next morning, which hardly gave us any time to empty our house of all our belongings. We lost our pucca house and everything we had earned with our sweat and toil of 25 years.

Even though Haleema's family is entitled to a larger 18 square metre plot as they had lived in Pushta for more than two decades, they could not manage to get it because they did not have a "VP Singh ration card". For Haleema, the eviction was a twofold blow – the destruction of her house and belongings as well as the loss of employment and income. Bawana is more than 50 km away from the homes in Geeta colony, where she was doing domestic work – it is impossible for her to commute there from so far away. There are no jobs in isolated Bawana, and there is no way for her to make up the loss of her monthly income of Rs 2,000. One of her employers even offered her accommodation, but she could not accept because she has to look after her old husband and young grand-daughter.

Haleema's older son, a rickshaw driver, would need to spend Rs 20 if he were to live in Bawana and take a bus to Delhi each day. Like many others, he has had to rent a 'jhuggi' in Delhi, leaving his daughter in Haleema's care. He gives Haleema around Rs 200 a week – this is now the total income of the family. They are surviving only by paring down their expenses to the barest minimum. The money is spent almost entirely on food. Haleema's husband goes out to collect firewood – they cannot afford to buy any other fuel. The use of the meagre and filthy toilet in their block is an unavoidable expense. The contractor charges Rs 2 for every visit to the toilet, and Rs 5 if clothes are washed in the bathroom. He has removed the latches on the doors of the toilet cubicles and bathrooms, and there is no privacy.

The eviction has broken not only Haleema's house, but her family too. Haleema's son and his wife live in Delhi. Their six- year old daughter Roshni misses the city and her parents, and whines persistently, "Dilli jana hai". She is listless and does not eat. She has not been attending school – the nearest school is in Bawana village, miles away, and she cannot walk there in the scorching heat. There is a group of boys from an NGO who tempt the children with sweets, rounding them up and teaching them in the open. A primary school is under construction in the resettlement colony and Haleema is waiting for the school to open and teachers to be recruited, so that Roshni can enrol again. She has already missed a year of school.

Haleema feels alone because the social and community life she had in Pushta has also been disrupted. The closely-knit

Muslim community has been split up and scattered around the resettlement area. In this new set-up, the neighbourhoods are mixed and Haleema does not feel the same sense of mutuality and collectivity that she shared with her previous neighbours. Relations between the inhabitants of the resettlement area and the people of Bawana village are also not cordial. The jats of Bawana consider the newcomers to be encroachers in their area. There have been several incidents of men from the village coming and creating trouble by harassing and threatening people. Haleema says that a big fight broke out one day when the Bawana men came and stole Rs 400 from a shopkeeper. The police are of no help in such cases. In fact, Haleema says that the police chase off the 'basti' people when they see them sitting by the roadside or in the shade, and often try to extort money from them on some pretext.

The summer heat is scorching, but the authorities still have not given permission to build pucca structures. Haleema's fan was lost in the eviction and there are no trees or bushes in the area to provide relief from the heat. As her granddaughter lay with her head on her lap and murmured "Dilli jana hai" again, Haleema could only stroke her head and say in a low voice, "Kya karein? Majboori hai..."

The experiences of Haleema and thousands like her are a chilling demonstration of the vulnerability conferred on women by a confluence of multiple marginal identities – as women in a patriarchal society, as migrant workers in the informal sector, as members of minority communities, as individuals whose citizenship is contested and as those responsible for the day-to-day survival of their families in a time of rapidly shrinking economic opportunities.

Impact on livelihoods

The impact on livelihoods is the most visible outcome of the evictions – nearly half the respondents in our quick survey of 100 families immediately after the evictions reported that family incomes had been reduced to half or less than half of what they were in Pushta. The most significant factor in this drop is the loss of women's independent incomes. Women who were earning an average of Rs 2,000 to 3,000 a month as domestic workers are now unemployed, since travel to the nearest middle class colonies, where they could possibly find work involves an expense of Rs 20 a day and a journey of at least an hour each way.

The preferred option for most married women is home-based work. There are a few contractors who distribute beads for making cheap costume jewellery at piece rates. The work is erratic and the volume is limited, covering only a few families who used to do this work previously while in Pushta. Some women who did not have a previous relationship with the contractor and wanted to take on bead work were told by him that they would be paid only when they completed a year of working for him. In any case, payments are low (about Rs 20 for 100-bead bracelets) and the cost of lost or wasted materials is deducted from the wages. The average income reported from bead work is Rs 200-300 per month.

At the time of the eviction, the Bawana Industrial Area had less than 10 functional units. Today, according to the Delhi State Industrial Development Corporation, there are 400 units. A few of the younger women and girls have managed to find work in these factories. Jayanti, who works in a plastic moulding unit, told us that the work is hard and requires them to stand for eight to 10 hours at a stretch, with no breaks for food. There is pressure from the employers to work overtime – those who refuse are often dismissed without pay. The average earnings are only around Rs 1,500 a month. Jayanti left the job after a month because she was severely burnt when melted plastic fell on her arm – she says she did not receive any pay or treatment.

Men's incomes alone are also severely affected. Most of the men are daily wage workers (head-loaders, handcart-pullers, construction workers or rickshaw-pullers) who have to travel to Delhi in search of uncertain work opportunities. What they earn is barely sufficient for a meal and their travel to and from Bawana, which is about 50 km from their earlier location in Pushta. Rickshaw-pullers and daily labourers earn around Rs 40-50 per day, while a one-way ticket in a private bus from Bawana to Old Delhi costs Rs 20. Many of the men stay back in Delhi to save on transport, sleeping on pavements and coming back to their families only on weekends.

Transportation is the major item of expense for anyone working outside Bawana. There is only one DTC bus route and a few private buses making around four round trips a day. The driver and conductor of the DTC bus oblige private operators by hanging back until the private buses are filled to capacity. People who need to reach their workplaces on time are forced to take the private bus and pay a flat rate of Rs 20 each way against the lower fares charged by the DTC.

The fall in income has been steepest for the comparatively better-off families of petty traders and shopkeepers. In Pushta their grocery shops, fish and vegetable carts, food shops, tea stalls and cigarette kiosks did brisk business. Although figures are not usually quoted, only a few of these families had built up a strong enough asset base to enable them to set up shop again in the resettlement colony. Many have reverted to wage labour, with the men plying rickshaws or auto-rickshaws and the women travelling as far as Rohini to work in middle class homes.

In the initial months after the eviction, those who set up shops hardly had any customers apart from the MCD staff and a few visitors from NGOs. Today, there are a number of pucca shops in the colony, but many of these are owned by people from Bawana village, who have bought out the original allottees, who are said to have gone back to Delhi or their native villages. Many of the traders in the weekly market along the main road running through the colony are also outsiders. Given the low purchasing power of most families in the resettlement colony, it is not surprising that the highest reported income from shops and petty enterprises is only Rs 3,500 per month.

Despite the rock-bottom conditions of life in Bawana, expenses have increased significantly. It is ironic that in a colony with no sewage or drainage, sanitation is a major expense. There are six public lavatory complexes constructed by the MCD and run by contractors. Each visit to the toilet costs a rupee, while a bath costs twice as much. If clothes are washed in the bathroom, the contractor charges Rs 5. The average family thus spends Rs 10 to 15 a day on visits to the toilet. Some women did attempt to use the nearby fields in the first few days after the eviction, but faced verbal and physical violence from the landowners. Moreover, women who describe themselves as being from "respectable families" see defecation in the open as the ultimate marker of their fall in status – it is possible that many women do in fact use the fields under cover of darkness, but prefer not to speak about it.

Sending children to school also involves significantly higher expenses than before. There is only one primary school in the

colony – older children have to go to the municipal school or one of the two private schools in Bawana village. Apart from the expenses on fees and books, transport is a problem – there is only one bus route that touches the resettlement colony, and timings are erratic. There are private vans but the charges are out of reach for most. It is not surprising that several families have chosen to pull their children (particularly older girls) out of school.

Public health facilities are non-existent. There are some health centres run by NGOs, but they only dispense medicines for minor illnesses. There are no doctors in the colony – health needs are met by the numerous unregistered practitioners, who deal with emergencies as best as they can. Mobile health vans from the directorate of health services make rare visits and are equipped to treat only minor diseases. For serious conditions and emergencies, people either go to the Maharishi Valmiki Hospital in Bawana village (approximately 3 km from the colony, or to Loknayak Jai Prakash Hospital which is 35 km from Bawana).

Expenses on health are high – children especially have been affected by the unhealthy conditions of life in the resettlement colony, which have resulted in frequent episodes of diarrhoea, respiratory infection and malaria. More than 75 per cent of the women attending a recent health camp were diagnosed as suffering from reproductive tract infections of varying degrees of severity. The first point of contact are the local unregistered practitioners, who charge Rs 30-50 for each consultation, an amount out of reach for many. The MCD medical van is eagerly awaited, but comes only once a week. Consultations are free, but only basic medicines are dispensed.

Violence: Women in the Eye of the Storm

While both women and men have been affected by the evictions and the ongoing re-engineering of Delhi, the violence inherent in this process is being inscribed on the lives and bodies of women and girls. The title of this article is a phrase we heard repeatedly from women in the first weeks after the eviction – a cry from the heart that bursts forth in moments of emotion even today, nearly two years after the eviction from Pushta.

Apart from the violent destruction of their livelihoods, women and girls in Bawana live under the daily threat of physical violence. 'Mahol kharab hai' is how the women themselves put it. Admittedly, violence is not something new – high levels of domestic violence were a reality in Pushta as well. However, the move to Bawana has created new vulnerabilities for women. Closely-knit communities were broken up during the relocation, and women can no longer count on the physical and emotional security, however, fragile, provided by friends and informal support networks that evolved from years of living in close proximity. The women we interacted with got little or no support from their neighbours and relatives in dealing with the verbal abuse and physical assaults by husbands, fathers and brothers. Clashes between neighbours are frequent and are sparked off by the most trivial of causes. Thefts of food, utensils and clothes are common.

Their dispossessed status, combined with the conditions of life in Bawana put women at the mercy of all those who provide services to the community, starting from the toilet attendants. Apart from the expense involved, women are reluctant to visit the public lavatory because of harassment and misbehaviour by the attendants, who have broken off the latches on the cubicle doors and barge in when women are bathing, ostensibly to check if they are washing clothes on the sly. There are also reports of girls being sexually abused by the attendants. Women who try to save money and avoid harassment by using the nearby fields face abuse and assault from the landowners and their watchmen – there are occasional whispers of rape and sexual abuse of girls who go out to relieve themselves at night, but there is an unwillingness to name the victims.

Service providers and public servants are not immune from class and caste prejudice. The staff at the MCD field office in the colony speak of the residents with contempt and dismiss their complaints as having been concocted and not worth responding to. 'Tumhare naukar hain kya?' (Are we your servants?) is the standard response of the staff at the MCD field centre to women who approach them with complaints. An enquiry team from the National Human Rights Commission (NHRC) that visited the colony in response to a petition by some NGOs were told by the MCD staff that most of the evictees were habitual liars who were actually better off than they were before and should be thankful to the government for being removed from Pushta. In one shocking incident, a group of trainee doctors from Gangaram Hospital who were holding a health camp in the colony refused to provide even basic first-aid to a man who had been seriously injured in a fight. Instead, they told us that he did not deserve treatment because he was drunk and because such incidents were commonplace for "these people".

Children from the resettlement colony routinely face humiliation, abuse and ill-treatment not only from their classmates but also from their teachers in this jat and gujjar dominated area. "When food is served, the teacher mocks us and says that we are like beggars who have never seen food before" says 12-year old Parveen. Children who come late are asked to sweep the school grounds as a punishment. Teachers constantly refer to them as 'jhuggi-jhonpdi ke bacche' (slum children). Shabina, whose parents work as cleaners in the school where she studies, is ostracised by her classmates, who tell her "Tere mummy-daddy to bhangi hain". Several girls have dropped out of school because they are unwilling to face these daily humiliations.

Girls from the resettlement colony live in constant terror of harassment by people from Bawana village. Many girls say they are afraid to take the bus to school because passengers and conductors harass them and push them around. Aggressive young men from Bawana village roam around the resettlement colony in the evenings, verbally and physically harassing girls and women or standing around the municipal taps watching women bathing. On several occasions, boys from the resettlement colony have been beaten up by gangs from the village.

The evictee community is itself not homogeneous – caste biases and communal prejudices colour their perceptions of their neighbours. Women in one block warn us to be careful of people in another. Inevitably, it is girls and women from subordinate groups, who are blamed by others for creating insecurity and vitiating the atmosphere. The 'dholakwalas', a community of traditional entertainers, are particular targets – more so because they keep to themselves and do not seem to be concerned about the fact that they are ostracised . Girls from this community are accused by other women of being "immoral" and "spoiling" the village boys who then come to the resettlement colony and harass "good" girls.

Protecting their daughters from being "spoilt" is a major concern for parents in

Bawana. At the best of times, patriarchal notions of women being the repositories of the 'izzat' (honour) of the family is cause for restricting the mobility of girls and preventing them from straying into "unsuitable" relationships. In Bawana, as in the aftermath of other crisis situations such as wars, communal conflicts, displacements and natural disasters where all the certainties of life have been overturned, 'izzat' is seen as the only wealth that remains and is to be guarded at all costs. Several girls, particularly the older ones, have been withdrawn from schools and confined to the home. The patriarchal urge to protect values and traditions from being swept away in the turmoil is reinforced and justified by the changed economic circumstances that make women's labour a valuable commodity, the exploitation of which is necessary for survival in Bawana. There have also been a rash of hurried marriages of younger girls who had every expectation of continuing their education if they had stayed in Pushta.

Violence from the police is a constant threat and is not confined to the occasional raids on stalls set up along the main road. Most of the police constables posted in the colony also belong to the jat and gujjar communities and have strong caste loyalties. Police have refused to intervene in several incidents where gangs from the village have attacked food stalls and tea shops, beating up the vendors and breaking utensils when they are asked to pay for what they have eaten. Police constables stood by when a fire swept through the colony a few weeks ago, leaving more than 300 families without shelter, and mocking those who pleaded for help to put out the flames.

Police personnel on duty at the main road and inside the colony have themselves been involved in the assault on women and girls. In a recent incident, a 13-year old girl was brought to the police beat box after midnight along with her mother and brother on the pretext that their neighbours had lodged a complaint against them. The mother and brother were beaten and threatened with worse by a police hanger-on, a well known 'goonda' from the village. The girl was taken inside by the police photographer (also a young man from Bawana village) who made her sit on his lap, fondled her and bit her cheek when she tried to escape. The family was released only after they paid a bribe of Rs 800 to the constable on duty at the beat box. Although our intervention in this particular case resulted in an FIR being filed and the constable being transferred, many other such incidents of harassment by the police, or people who enjoy the protection of the police, go unchallenged and unrecorded.

Permanent Scars

For many of the women we meet in Bawana, the wounds of the eviction are still fresh. Anger and mistrust colour every interaction for some, while others are trapped in fatalism and lethargy. Women, many of them community workers with NGOs working in Pushta, were active in the protest against the evictions and the desperate efforts to petition the courts, meet politicians and appeal to the president to stall the demolitions. They still cannot understand how all these efforts could have failed. They speak of the evictions as if they had just happened. "Jis din mera ghar toda gaya, us din mera kaleja bhi toot gaya" ("The day they broke my house, my heart broke too") says Laila Bibi. She tells us that in the first months after the evictions, she would make the long journey to Pushta every week to stand and stare at the spot where her house used to be.

Many women have been broken by the loss of their hard-won self-esteem and dignity. Zarina, who had a flourishing restaurant with four employees and an income of Rs 1,500 a day in Pushta, now runs a tiny makeshift food stall. She tells us how ashamed she feels to be sitting under a tarpaulin at her makeshift stove cooking and serving meagre meals in full view of the passers-by. She cannot get used to the lack of privacy. "Yahan koi izzat se kaise rahe?" ("How can anyone live with dignity in this place?") she says.

Their inability to meet social obligations is also a source of shame and humiliation. Many women tell us of the annual visits they used to make to their villages, bearing gifts from the big city for their relatives. These contacts have ceased completely. Women who used to help out their relatives and neighbours with small loans from their own earnings are now themselves in debt. One woman committed suicide soon after the evictions, which took place just before her daughter's wedding – she could not bear the shame of not being able to give her a proper ceremony.

Fatima, who was employed as a sweeper at the Delhi secretariat, bursts into angry tears as she told us how she nearly lost her child when the demolitions began. She was at a candlelight rally organised by the Visthapan Virodhi Abhiyan, a coalition of NGOs and civil society groups formed to protest the evictions. She rushed back to Pushta just in time to save her son, who was sleeping inside her house as the bulldozers moved in and brought down the wall. "Tumhare dharne se kya hua? Marte to hamare bachhe hain – tumhe kya farak parta hai? Tum to apne ghar chale jaoge!" ("What use was your dharna? It is our children who die – what difference does it make to you? You will go back to your house!") she cries. Fatima is educated and has been a member of a leftist organisation, but now refuses to join in any community activity and has only contempt for NGOs.

The last collective action taken by the Pushta community after the evictions was their decision to go back to their old area to cast their votes in the general elections of 1994. However, their sense of triumph and satisfaction at having contributed to the rout of the BJP – and Jagmohan's defeat in particular – has long worn off. Whatever hopes the community had from the Congress and the Left have been discarded.

Evictions and Delhi's 'Shanghai Dreams'

As the Yamuna Pushta evictions demonstrate, the destruction of the homes and livelihood security of marginal communities has emerged as a key driver in converting Delhi into an attractive destination for international investors. In a tragic irony, more and more of the migrant poor are being de-housed and rendered homeless in order to make way for other migrants – the upwardly mobile professionals from other states and other countries who are pouring into Delhi.

As pointed out by activists of the National Campaign for Housing Rights in the context of the Calcutta evictions of the 1980s,[4] "housing" is not just the physical structure of four walls and a roof but a place to live in security and dignity. The Bengali word that is most commonly used by ordinary people in Calcutta for housing – 'basosthan', meaning a place to settle, to live, has a meaning distinct from 'abashan', the term that planners and builders use and which means mere buildings or housing projects.

The mass evictions of the last two decades in all the Indian metros have been legitimised through a series of policy measures designed to facilitate the growth

of the real-estate market. In rural areas, changes in land-use legislation have empowered industrialists and real-estate developers to take over huge tracts of agricultural, forest and common land, accelerating the process of destruction of rural livelihoods and forcing whole communities to migrate to urban areas.

At the same time, "squatting" on urban land was converted from a civil to a criminal offence in most states in the early 1980s. Millions of people who have been forced to set up their own informal settlements because of the lack of any other option have been made criminals at a single stroke, liable to eviction without notice or compensation and vulnerable to exploitation by politicians, police and local mafia who promise them protection.

Even those who have some assurance of security of tenure (such as that provided by ration cards or voter identity cards) suffer constant harassment and pressure to move from real-estate developers, right wing groups and residents of neighbouring middle class colonies. Their status as "non-citizens" makes it possible for their basic rights to be violated with impunity – for instance, it is now standard practice for municipal authorities to refuse to provide drinking water, sanitation or electricity to informal settlements on the grounds that these would be used by residents to claim their right to live there.

As recent judgments by the Delhi High Court have emphasised, even resettlement is not a right that evictees can claim. In line with this approach, the length of tenure given for resettlement plots in Delhi has decreased from 99 years to evictees of the 1980s, to a mere five years for those evicted from Pushta.

An analysis of Supreme Court pronouncements on petitions against evictions over the last two decades underlines the perceptible hardening of judicial attitudes towards the urban poor.[5] In the Bombay pavement-dwellers case (Olga Tellis versus Municipal Corporation of Mumbai) the court recognised that evictions would destroy the livelihoods of those affected and consequently undermine their constitutional right to life. The judgment stated that "human compassion must soften the rough edges of justice in all situations" on the principle that "the humbler the dwelling, the greater the suffering and more intense the loss".

Fifteen years after this landmark ruling, the Supreme Court judgment in the case of Almitra Patel versus Union of India chastised the government for encouraging "slum creation instead of slum clearance" and stated that "rewarding an encroacher on public land with free alternate sites is like giving a reward to a pickpocket." This observation by the apex court has become the benchmark for a series of subsequent rulings in high courts across the country. The Delhi High Court ruling in a petition challenging the removal of industries from residential areas[6] reiterated that those who encroach on public lands are like pickpockets and therefore cannot have any right to alternative accommodation. The state government policy of providing alternate sites to dwellers in informal settlements occupying public land before evicting them has also been quashed by the Delhi High Court.

It is ironic that in all these cases, the courts have not held government bodies accountable for their failure to provide affordable and adequate housing for the urban poor. For instance, in the judgment mentioned above, the Delhi High Court noted that the administration had failed to devise housing schemes for the urban poor, but added that this failure could not become a reason for providing alternative sites to encroachers on public land.

In such a situation, what do the women of Bawana and other resettlement colonies in Delhi have to look forward to? For many, the move to Bawana is not the first time they have been uprooted – it may not be the last. They have been told that they will get jobs when the small industrial units presently functioning in various middle class colonies of Delhi move to Bawana Industrial Estate, which has 10,000 plots. The owners of these units are resisting the move – their small profit margins will not survive the costs of transporting raw materials and finished products to and from Delhi.

Speculation in land has already begun. Today, nearly two years after the evictions, several large godowns and ostentatious double-storeyed houses, each occupying land equivalent to two or three of the original plots, are visible in every block in Bawana. These belong to people from Bawana village who have bought out the original owners and obviously anticipate good returns on their investments.

Officials are cynical about this slow exodus from Bawana, which according to them goes to prove that the evictees are not people without options. The need to make sure that only the "genuine homeless" are given place in resettlement colonies is cited as justification for the decision to withhold long-term 'pattas' in Bawana. MCD officials ask us to motivate evictees to improve their surroundings and build houses for themselves. The illogic of this position – of expecting people to invest in a place where they have neither income security nor security of tenure – appears to be invisible to policy-makers.

Those who leave Bawana disappear completely – no one is able to tell us where they have gone. Dreams have died for most of those who remain – survival today, not development tomorrow, is all that concerns them now. EPW

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Notes

[This paper documents the experience of Jagori, a Delhi-based women's resource centre which has been working for over 20 years on issues of women's rights. As a member of the Dilli Visthapan Virodhi Manch, Jagori is involved in protests against the ongoing evictions in Delhi and is supporting women and girls in the Bawana resettlement colony in their struggles to claim their rights and entitlements.]

1 The MCD figures have been contested by activists and researchers who point out that the volumes of sewage and solid waste thrown into the river by the MCD's own waste disposal system far exceeds the amount of waste generated by all the informal settlements in Delhi.

2 'The Yamuna Pushta Evictions: What Happened to Those Who Were Not Assigned Plots?', Hazards Centre, December 2004.

3 This interview and several others with women in the resettlement colony in the immediate aftermath of the evictions, was conducted by Diva Dhar, a graduate student from Mount Holyoke College who was interning with Jagori at the time.

4 Jai Sen, 'Foundations of Our Lives', *New Internationalist*, 1996.

5 Videh Upadhyay, 'Further to the Margins – By Law', *India Together*, 2003.

6 Okhla Factory Owners Association versus Government of NCT of Delhi, 2003.