TRIBUNAL ON EVICTIONS 2017

India

RIGHT TO HOUSING

There is no constitutional provisions in India for the right to housing. However, the Seventh Schedule of the Constitution of India , which demarcates governance powers over different issues to the center and the state, land is a 'state' subject. Though housing is not explicitly listed, the state list includes: "works, lands and buildings vested in or in the possession of the state." Most laws regulating land and housing therefore are promulgated and administered at the federal level. At the Federal level, some of the recent new policies/laws affecting housing and land are: Odisha Land Grabbing (Prohibition) Bill 2015; Andhra Pradesh Land Pooling Scheme (2015); Telangana Land Regularization Scheme (2015); Amendment to Gujarat Land Laws.

Shelter is the basic human need and very closely related to the right to livelihood mentioned in the Constitution of India under Article 21.

Photos Credit PROUD

FORCED EVICTION

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Land Acquisition Act, 1894 (Draft Land Aquisition and Rehabilitation and Resettlement Bill–2011)

(...)

According to **Montfort Social Institute** (2), India has the world's largest number of people, 632 million, living in multidimensional poverty. A Technical Group on Urban Housing Shortage estimated that the national urban housing shortage (2012) was 18.78 million, 95% of which are of poor.
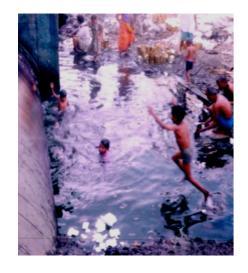
The reasons include :

- speculation and illegal changes in land use;

- displacement for infrastructure and other projects (It is estimated that 65–70 million people were displaced for 'development' since 1947);

- Special Economic Zones (A CAG Report states that of 392 notified SEZs, for which lands were acquired, only 152 are operational.);

- Irrigation and Hydroelectric projects (Example: Narmada Valley Development Projectestimated to displace 1.5 million people in Gujarat, Maharashtra and Madhy Pradesh; Kanhar Dam that commenced in 2014 will submerge 87 villages and displace 7,500 families; Jalayagnam consisting of 86 projects in Andhra Pradesh will displace 129,739 families);

- Thermal Power Projects;

- Mining and Steel Projects (Vedanta Alumina Refinery; POSCO Steel Plant);

- Land Acquistion by Armed Forces (1000,000 acres of land acquired in Jammu and Kashmir by 2013).

INTERNATIONAL TRIBUNAL on EVICTIONS

Evictions – How many ?

In the first phase of building the new airport in Delhi, 9 villages are proposed to move, which, according to the chairperson of the development authority in charge of the airport, would require the shifting of 3000 rural homes. The full project, however, would require the displacement of 20 villages, a full 57,000 people – 50% are women.

Evictions – Causes

Build a new infrastructure for tourism : in late june 2017, a site for an international airport outside Delhi was given in-principle clearance by the Indian Government's Ministry of Civil Aviation. With a capacity of 30–50 milion commuters per year, the site would take 3000, 5000 or 10,000 hectares (30–100 Km2).

No other place found for this infrastructure than rural villages : the chairperson of the developement authority has decided to move for this 20 villages – 57,000 people.

Evictions – Consequences

However, the airport is only one piece in the transformation of the entire region of «Greater Noida» into a hyperurbanised conglomerate. They decided to develop an «aerotropolis» : a complete urban setup encircling and directed towards an airport. It means accelerate acquisition of other lands for foreign investors – industrial development – new transport infrastructures like a metro – etc.

Source : Equitable Tourism Options

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