

UNITE TO DEFEND THE RIGHT TO LIFE, LIVELIHOOD AND DIGNITY

BACKGROUND NOTE FOR PLANNING MEETING

15 June 2006

Friends,

We are gathered here to protest the gross violation of human rights – rights that have been guaranteed in the Constitution, such as the right to live and work in any part of the country, the right to life and a secure livelihood, the right to housing, the right to basic services - that is going on in Delhi and all over the country under the names of “development”, “planning” and “the rule of law”. We are told that all these actions are directed towards turning our cities into “world class metros”.

Indeed, there is much to deplore and much that needs to be changed in our cities. Not only are the majority of the working population of our cities living in abysmal conditions, in slums and footpaths lacking any security or sanitation or the minimum conditions for civilised human existence in the 21st century. But a place in the world class city does not seem to be something they can aspire to. Our rulers have launched a ruthless demolition drive in Delhi, Mumbai, Kolkata, Hyderabad, Ahmedabad and other cities, proving once again that they have utmost contempt for human rights.

In the face of this onslaught, working people have been waging powerful resistance struggles, affirming their determination to fight for their rights. Here in Delhi, thousands of women, youth and children belonging to the Transit Camp, a working class colony in Kalkaji, kept up a ten-day long struggle against a High Court order calling for immediate demolition of their homes. They organised a *rasta roko*, blocking the main roads leading to the Okhla Industrial Area and Tughlakabad. The *Rasta Roko* and subsequent hunger strike was ended only when the Union Parliament passed the Delhi Laws (Special Provisions) Act, 2006, calling for one year moratorium on demolitions in Delhi. It is ironic to recall that this colony was set up by the DDA 21 years ago, as a resettlement camp, following demolition of *jhuggis* in different parts of South Delhi.

Around the same time, slum dwellers were being brutally attacked in Mumbai's Mandala slums. These slum dwellers had earlier been deprived of their homes just a year back and been settled in this camp. Now they were being attacked again, allegedly to provide for homes for slum dwellers being evicted from the Meithi river banks, as part of the "cleaning up" of the river. It may be recalled that following a major demolition drive in Mumbai a year and half back, tens of thousands of slum dwellers of Mumbai took part in a militant demonstration and settled down indefinitely in Azad Maidan, Mumbai as a form of protest.

These evictions and clean-ups are highly selective – they affect only the working poor, while the rich remain untouched. Yamuna Pushta and the Naglamachi settlement on the banks of Delhi's Yamuna River are mercilessly demolished while the Akshardam Temple, built in violation of all civic and environmental norms on the banks of the same Yamuna, has been legalised by the courts. Similarly, the Bandra Kurla Complex, which many have identified as one of the chief causes of the floods that wrought disaster in Mumbai last year, remains untouched.

This programme of displacement of slum dwellers without rehabilitation is continuing unchecked. Sometimes on the applications of upper middle class colonies, sometimes on their own, the High Courts in Delhi and Mumbai have been issuing a spate of orders for *jhuggi* clearance on the ground that they are on public land. And all this, without even issuing notices to the slum dwellers, in violation of the principles of natural justice. The Delhi High Court has ordered that cycle rickshaws – non-polluting vehicles - can no longer ply in Chandni Chowk since they are an obstruction for buses. The Supreme Court has ordered the eviction of hawkers and vendors from the streets of Bombay and Delhi on the grounds that streets exist primarily for traffic.

These judgements highlight one extremely disturbing element of this assault on the poor – the manner in which the Supreme Court is regressing from the path-breaking and pro-worker positions it took in the 1980s and 1990s, which interpreted Article 21 of the Constitution – the right to life – in a way that ensured the right to a decent and dignified life and livelihood. Judgements in the Olga Tellis case, in the Asiad workers case, in the Bandhua Mukti Morcha case, established the progressive credentials of the Supreme Court as the guardian of the interests of the poor and workers against assaults by successive governments.

But what is happening today is in stark contrast – the Supreme Court is not just failing to protect these rights that they themselves had proclaimed, it is actually spearheading moves to remove the working poor from the face of our cities.

This is happening in case after case, whether they are of the tribal oustees of the Narmada Dam, or the urban slum dwellers whose homes are being ruthlessly bulldozed without notice and without rehabilitation, or the hawkers, vendors and rickshaw pullers of Delhi and Mumbai who now face removal from the streets on the orders of the court. Public Interest Litigation has been turned on its head. Instead of being used to protect the rights of the poor, it is now being used by commercial interests and the upper middle classes to launch a massive assault on the poor, in the drive to take over urban spaces and even rural land occupied by the poor, for commercial development.

Much of this is being done in collaboration with the government, as in the case of the evictions of *bastis* from the banks of the Yamuna so as to create space for the Commonwealth Games. But elsewhere, demolitions are being ordered despite the government asking for time and pleading its inability to provide alternative sites. Instead of stopping the demolitions in such circumstances, the Delhi High Court has ordered the demolitions to be continued and speeded up. Even the basic requirements of natural justice have been waived by the Courts, which have held that there is no need to issue notices or even give a hearing to residents of the targeted settlements.

In case after case in recent months, the Supreme Court has unashamedly overturned its own previous judgements and lashed out against the poor with statements like “Who has invited them to come to the city?” and “What if tomorrow they try to take over our homes?”

In effect, the Supreme Court is proclaiming a new morality – your rights are as good as your money. Those who can pay, can claim more than their fair share of rights. Those who cannot are not the concern of the Court.

Nanglamachi, Banwal Nagar, Ashok Vihar, Mandawali, Vikaspuri, Pushta and countless other slums in Delhi and other towns have been ruthlessly razed to the ground. Today, we will hear the experiences of different areas in Delhi, what they have been facing at the hands of a brutal state and their stories of resistance and struggle. It is these struggles by slum dwellers, traders and others, that have forced the Government of India to pass the Delhi Laws (Special Provisions) Act, which puts a moratorium on demolitions in Delhi for a year. During this year, the government claims it will come up with an alternate plan for rehabilitation. Yet, the Act actually denies any security to people who live in informal settlements on public land – the majority of the working poor are left out of its ambit.

Going by the experience of all the metros — Delhi, Mumbai, Kolkata, Chennai, Bangalore - it is clear that there is one consistent policy being implemented by the rulers irrespective of the party in power, with the assistance of the entire state machinery - the municipal authorities, the police and the courts. The cornerstone of this policy is the assault on the working class and its right to life, livelihood and housing. This policy is being implemented with the stated vision of turning our metros into so-called “world class cities”, designed to attract finance capital and help in extracting the maximum from our labouring population. All the state governments are vying with each other to provide the most attractive environment for finance capital – no matter at what cost to citizens.

In the capitalist system of development pursued in our country, workers have been treated as less than human beings. The interests of the market and multinational corporations is prioritized over the rights of workers. While the lands of the rural poor are being compulsorily taken over for commercial real estate development, the urban poor are being evicted to make way for big builders to construct shopping malls and housing for the rich.

Workers, particularly workers in the unorganised and informal sector, are forced by the lack of cheap housing to fend for themselves – to live in *bastis* near their places of work, either near middle class residential colonies or near industrial areas. Factories need workers to run them. Women domestic workers are needed to provide round-the-clock housekeeping, childcare and cleaning services. Garbage needs to be cleared away, so *kabadiwalas*, garbage collectors and ragpickers are necessary. In the absence of public transport, there is need for cycle rickshaws and autos. Until supermarket chains penetrate middle-class colonies, small grocery shops and vegetable and fruit vendors provide cheap services at the doorstep. All these are tolerated because they are seen as a 'necessary nuisance'.

But once an alternative is found, or the interests of big business demands an alternative, these people are no longer necessary and can be thrown away like squeezed lemons. So when the cities expand and the malls take over, workers are evicted to the margins of the city where they can be neither seen or heard. This “resettlement” is a hoax – there is neither security of tenure, nor the possibility of a decent livelihood. Instead, it is doled out as a favour by the political bosses of the ruling parties, who use it alternatively as a bait and a Damocles sword over the heads of workers to ensure their allegiance.

For some time now, in Delhi and other cities, several organisations have been raising these issues with the government as well as taking up the matter through legal channels. In almost

every case, we have had to face the adverse, insensitive and hostile attitude of the government and the courts.

Several organisations came together on 17 May at the Indian Social Institute in Delhi, to unitedly resist these assaults on the working people of the capital. Our aim is to launch a massive campaign to bring to center stage, the concerns of the working people who constitute more than 70% of the population of the capital.

COMRADES AND FRIENDS

We, who have gathered here are part of the vast movement of workers, peasants, dalits, adivasis, women and youth who are fighting to build a just and humane society, wherein the well being of each is the condition for the well being for all.

We are waging a just struggle for the affirmation of the human right to life, livelihood and dignity. Our goal is to ensure that the Constitutional guarantees of human rights and freedoms, including the right to life and livelihood – which includes the right to housing - are translated into reality for the working poor as for every other citizen. It is the duty of the state to guarantee security and prosperity to all members of society. Secure livelihood and housing are essential conditions for security and prosperity.

Our goal is that people, their concerns, both immediate and long term, must be at the center of all planning, including urban planning. **Planning should be based on the commitment to ensure a life of dignity, a decent livelihood and freedom from fear for all - secure housing in reasonable proximity to place of work, a clean and healthy environment, good education and health care facilities, access to other public services, affordable transport and security of tenure.**

“Master Plans” for the development of our cities cannot be designed to fulfil the aspirations of finance capital and multinationals. They cannot be premised on the destruction and violation of the rights of the working people. The Master Plan for the development of Delhi must reflect our concerns and respect our rights. During the coming year, we need to mobilize the entire working population of Delhi to demand that our visions and suggestions for alternatives be the basis for the Delhi Master Plan. We call upon all who are engaged in similar struggles in other cities to do the same.

As part of this campaign, we want to highlight the anti-people role of the Courts of India in denying the right to housing and livelihood. With this in mind, we plan to have a protest action in front of the Supreme Court on the 3 July – the day it opens following the summer recess. This meeting should help us to work out various actions as part of a coordinated plan.

The campaign we envisage is one that is based on inclusion rather than exclusion. While we should be vigilant against opportunism, let us remember that it is the state and ruling parties that pit us against another in order to deprive all of us of rights. The success of our movement will depend on our success in uniting all those who are concerned about the rights of workers.
