

From Deprivation to Destitution



THE IMPACT OF FORCED EVICTION
IN TOPSIA, KOLKATA

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Foreword

Bulldozers, demolitions, destruction. Dispossession, displacement, denial. State-sponsored violence. Loss of education, health, work, income, security. Fragmentation of communities. Discrimination against women. Distorted geographies of urban spaces. Exclusion, 'ghettoisation', denial and disappearance.

These are, tragically, common characteristics of the urban landscape we inhabit in India. The city's poorest and most marginalized communities often find themselves at the receiving end of the state's authoritarian and destructive arm, and of inhumane state policies that segregate, violate, and isolate while claiming to 'develop.' Urbanisation in India, in its mania to exhort to 'world class city' standards, is dominated by a neo-liberal paradigm that continues to forcibly evict the urban poor from their settlements with alarming impunity and illegality. The affected families are ignored and forgotten by the state that first denies them their basic needs and human rights through its acts of omission and then further violates them through its acts of commission. The severe and often intangible consequences of forced evictions affect not just the displaced communities, but have wide-ranging impacts on society and the nation – impacts that are long-lasting and often irreversible. Yet these impacts are seldom assessed and almost never quantified. As has been well established and documented, evictions most severely affect women, children, the marginalized and historically discriminated communities. The differential impacts on these communities also need to be assessed, understood and recorded, with the aim of developing adequate preventive strategies and frameworks for reparation.

Between 7 and 12 November 2012, the Kolkata Metropolitan Development Authority forcibly evicted 383 families (approximately 2,000 people) living in the settlement of Topsia, Kolkata, for the construction of the nine-kilometre long Parama-Park Circus flyover. No prior notification was given. No assessment was done of the consequences of the eviction. No alternative housing was provided. No compensation was paid for loss of documents, personal possessions and housing. No alternative jobs or livelihoods

were provided. No food security or medical support was ensured. Ten children went missing. One woman went missing and one woman was murdered within two months of the eviction. Displaced persons suffered from diarrhoea, respiratory infections, pneumonia, skin diseases, and malnutrition as children and adults were forced to sleep out in the open, without access to drinking water, food, sanitation, and healthcare. The forced eviction in Topsia resulted in the loss of life, health and healthcare, housing, security, education, livelihood, food, and water for more than 2,000 people.

Given the multiple violations of the human rights of the affected community, Apne Aap Women Worldwide (AAWW) and Housing and Land Rights Network (HLRN) decided to carry out a comprehensive human rights-based assessment to determine the actual losses suffered by the displaced families. HLRN's Eviction Impact Assessment (EvIA) Tool was modified by incorporating elements of AAWW's Last Girl Asset-based Tool in order to quantify the material and non-material losses incurred as a result of the forced eviction in Topsia.

This report presents a summary of the findings of the study to assess impacts on the human rights of the affected population, a year after their forced eviction from their homes. The findings reveal extensive material and intangible losses, for which the state authorities need to compensate and rehabilitate the community. The study also demonstrates how forced evictions result in further exclusion and impoverishment, widespread social costs, and violation of constitutionally and internationally guaranteed human rights. In particular, the effects of the forced eviction and resulting displacement on the women and children of Topsia are alarming. Almost three years have elapsed since the eviction but the state has not taken any action to provide restitution to the displaced persons. In the absence of resettlement, the affected community continues to live in grossly inadequate conditions and has witnessed a significant deterioration in its standard of living. Women have lost livelihoods, children have been forced to drop out of school, and some women, alleg-

edly, have been trafficked and forced into sex work. Such injustice by the state cannot be condoned or allowed to go unnoticed.

The objective of this report is to demand that the Government of West Bengal: (a) Provides the properly assessed compensation amount, as calculated by this study, to the girls, women, boys, and men who were evicted forcibly in November 2012 from Topsia; and (b) Takes adequate action against those who violated the legal and human rights of the marginalized girls and women, boys and men from the Scheduled Castes/Scheduled Tribes/Other Backward Classes and minority communities living in Topsia.

We hope that this report will lead to adequate compensation, adequate alternative housing, and legal protection for those forcibly evicted from Topsia in November 2012, and thus prevent human trafficking in all its forms – from debt bondage to child marriage, child labour, and sex-trafficking. We also hope

that the government—at both the central and state level—pays heed to the significant findings of this impact assessment study; takes requisite measures to prevent evictions and to improve housing and living conditions of the urban poor close to their sources of livelihood, healthcare, and education; and works to develop comprehensive human rights-based policies and laws that aim at promoting the realisation of the human right to adequate housing for all.

As the Government of India strives to raise the national GDP, it should understand that its discriminatory policies and faulty paradigms of growth, which exclude the urban and rural poor from the nation's development framework, will bring about a deepening of poverty, economic loss, violence against women, and social unrest. It is only through the adoption and implementation of a strong human rights approach that the country can develop holistically and sustainably.

Shivani Chaudhry, Executive Director, Housing and Land Rights Network
Ruchira Gupta, Founder-President, Apne Aap Women Worldwide

New Delhi, September 2015

Acknowledgement

Apne Aap Women Worldwide acknowledges the courage and the tenacity of the forcibly evicted women of Topsia who have continued their struggle for justice on behalf of themselves and their 383 families in the face of physical and verbal threats, ill-health, hunger, loss of livelihood, lack of finances and inability to meet after being scattered to 10 different far flung locations.

The women of the 200 evicted families surveyed, out of the 383 total affected families, have patiently and diligently supplied researchers with all documents and information over a period of nearly three years. This report is an attempt to restore their right to dignity, liberty and justice.

Apne Aap expresses its gratitude to Dr Syeda Hameed, then Member of the erstwhile Planning Commission, who visited Topsia on 7 November 2012 and interacted with the residents before the eviction and followed up with a letter to the Chief Secretary, West Bengal on behalf of the evicted women and girls; to Mahasweta Devi for carefully listening to Mumtaz Begum, who was displaced by the eviction; to Professor Malini Bhattacharya, former Member of Parliament and former Chairperson of the State Commission for Women, West Bengal; Miloon Kothari, Founder, Housing and Land Rights Network (HLRN) and former United Nations (UN) Special Rapporteur on adequate housing; Anuradha Talwar, social activist and Founder, Shramjeevi Mahila Samity; Taj Mohammad, advocate at the Calcutta High Court; and Shivani Chaudhry, Executive Director, HLRN for listening to the evicted families in a public hearing in 2013.

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Md. Fazul, Tinku Khanna, Juanita Kakoty and Ruchira Gupta

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Executive Summary

Forced evictions have become one of the greatest law, human rights, and social justice challenges in India. In just four years from 2010 till 2014, more than two million people (2,023,663) were forcibly evicted from their homes in India.¹

In November 2012, the Government of West Bengal brutally evicted 383 families from their homes in the settlement of Topsia, Kolkata, West Bengal, India, for the construction of the nine-kilometre-long Parama-Park Circus flyover by the Kolkata Metropolitan Development Authority.

Girls, women, boys, and men were removed from their homes through actions that involved legal and human rights violations. The eviction was involuntary and no prior official notification was served to any of the affected families. The basic needs and human rights of the residents and legal due process were disregarded during the eviction, which was conducted without adequate notice, public consultation, or prior informed consent of the affected community. The residents were forced to vacate their homes with no provision for alternative accommodation, either temporary or permanent. They were promised a paltry sum of Rs 12,000 per household in exchange for their cooperation. This amount was neither appropriate nor properly allocated.

To date, despite being responsible for the injustices, the Government of West Bengal has not compensated the evicted families nor provided them with adequate relief or rehabilitation. The flyover is still not ready.

All affected families belong to either Other Backward Classes or Scheduled Caste categories. Some from both categories are also freed/Denotified Tribes, labelled as 'criminal tribes' under the British colonial regime. They are all from the minority Muslim religion.

At a public hearing held in Kolkata on 6 June 2013, more than 50 evicted people, mostly women, testi-

fied about the severe impacts and consequences of the Topsia forced eviction. The six-member jury unequivocally condemned the eviction as a gross violation of the basic needs and human rights of the 383 evicted families. Among other recommendations, the jury recommended that the social and economic consequences of the forced eviction needed to be carefully assessed, understood, and documented, with the aim to advocate for adequate compensation and develop adequate human rights-based frameworks for reparation.

Ten children went missing immediately after the forced eviction.

Apne Aap Women Worldwide (AAWW) adapted the 'Eviction Impact Assessment (EviA) Tool' developed by Housing and Land Rights Network (HLRN) by incorporating its ten asset measures from its 'Last Girl Asset-based Tool' to document and assess the material and non-material losses suffered by the affected community in Topsia.

This report summarizes the findings of the impact assessment study and demonstrates the suffering that residents have been subjected to, as a result of the eviction, including the violation of their basic needs and human rights, destruction of their homes, and loss of their personal possessions, livelihoods, healthcare, food, and access to education, among other social losses detailed below. The report also highlights the disproportionate impacts of evictions and displacement on women, children, persons with disabilities, older persons, minorities, and communities marginalized due to their social and economic status.

Losses, Human Rights Violations, and Impacts of the Forced Eviction in Topsia

Loss of household items (including mortgaged jewellery): As a result of the eviction, ninety per cent of the evicted families lost their utensils, eighty-

¹ 'Displacement and Rehabilitation of People Due to Developmental Projects,' Study for Parliament, Lok Sabha Secretariat, No.30/RN/Ref./December/2013. Available at: <http://164.100.47.134/intranet/DisplacementandRehabilitation.pdf>

three per cent lost some clothes, eighty-two per cent lost blankets or quilts, and seventy-seven per cent lost mattresses. Other household items lost included fans, televisions, mobile phones, and bicycles which, if the families were to purchase now, would cost double the original amount due to inflation. It is estimated that the eviction process has damaged or destroyed household items worth Rs 47,56,597 at purchase price, with a current value of Rs 81,59,627. Most families who reported loss of jewellery during the eviction had earlier mortgaged their assets (for example gold chains) to local jewellery shops and were paying interest on the principal amount they received. During the eviction process, most of these families lost contact with the shops and many have lost receipts of their mortgaged items; hence most do not expect to regain their assets from the pawnshops.

In addition, during the demolition, families lost electric cables, tin trunks, bamboo, jute, and cement sheets, mosquito nets, bicycles, and rickshaws.

Loss of safe space and security: The affected families have moved to 10 different locations across Kolkata, of which two are located near organized brothels. Most of the evicted families have been living in the open with no access to toilets. Women have been sexually abused and harassed as a result of the absence of toilets. Children and women have also lost access to the community centres of AAWW, Child In Need Institute (CINI), Asha, Calcutta Samaritans, and the Assembly of God Church in Topsia, as a result of the forced eviction and their relocation.

Loss of invaluable/priceless assets and vital documents: Other documented losses include objects of sentimental value, which are impossible to replace, such as family heirlooms, children's medals, and school awards. Most families also reported losing vital documents during the eviction, which are difficult and expensive to replace. Three vital documents lost by most of the families were ration cards (lost by thirty-nine per cent of families), voter cards (thirty-eight per cent), and birth certificates (thirty-one per cent). PAN cards (twelve per cent), marriage certificates (ten per cent), bank passbooks (nine per cent) and driving licences (two per cent) were also lost during the eviction. Although these documents should be provided to all citizens free of cost, the reality of replacing them is quite different and can be expensive. In the 'black' market, a family has to pay Rs 930 on average for a ration card and around Rs 700 for a voter card. Birth certificates cost more

"Most of our income is spent on rent and electricity. We do not get food every day. Sometimes we borrow money from our neighbours. We could not get our children admitted to school here."

- An affected person

than Rs 1,000. The total cost for replacing basic documents by the 200 families surveyed is Rs 2,59,699, or an average cost of Rs 1,298 per family. The total loss of the 383 evicted families is Rs 4,97,324.

The loss of vital documents has resulted in affected persons losing access to government services and subsidies like low cost food, healthcare, and housing.

Violation of the human right to food and loss of food items: All families reported losing food items stored in their houses, and many of the surveyed respondents reported that all members of their family, including children, experienced food insecurity after the eviction. Sixty-seven per cent of families reported losing rice, an average amount of 13 kilogrammes per family. Forty-five per cent of the families lost approximately five litres of kerosene each. Other reported lost food and related items included cooking oil, wheat, sugar, raw vegetables, and milk.

Given that the affected families are mostly daily wage earners with low incomes and almost no savings, the loss of food items greatly impacted their ability to eat as well as their nutrition and thereby their health. The failure of the government to provide compensation and free food in the aftermath of the eviction further violates the human right to food of the affected residents.

The expenditure on food increased from Rs 2,667 to Rs 3,623 per month after the eviction. This was compounded by the loss of ration cards which gave them access to subsidized food and cooking fuel.

Violation of the human right to adequate housing and loss of housing: Prior to the forced eviction, ninety-one per cent of families stated that they had a feeling of ownership over the space they occupied in the Topsia settlement, and had invested a considerable amount of time and money on the construction of their houses. Ninety-two per cent of surveyed families were residing in *semi-pucca* (semi-permanent) or *kutcha* (temporary) houses, with the other eight per cent living in *pucca* (permanent) houses made of brick and cement.

Findings from the impact assessment study show that, during the eviction, all residents of the Topsia settlement were forced to vacate their homes without any state provision for alternative accommodation, either temporary or permanent. As a result, some were forced to seek temporary refuge, mostly plastic tents, beside railway tracks or had to live on the streets. Eighty per cent were compelled to live in rented accommodation in new locations, the cost of which was too high, well beyond their available means. In new locations, twenty per cent of the families spent Rs 10,950 per family, on average, for construction of their new houses. It is estimated that the eviction process destroyed housing worth above Rs 40,00,000. The total cost of rebuilding new housing was Rs 8,43,150.

The destruction and loss of housing not only violated the affected families' human right to adequate housing, but also resulted in the violation of several other human rights and basic needs. Many families noted that they now have to spend a very high proportion of their income on rent, thereby compromising their other immediate needs like food, health, and education of their children. Furthermore, having moved in search of alternative accommodation across Kolkata, community ties and social safety nets were affected, which most severely impacted women and children.

Impact on the human right to health and healthcare: Many residents reported suffering physical injuries during and after the eviction. In addition, shock, psychological trauma, and increased vulnerability to diseases, resulted in a loss of health and well-being. Four pregnant women were reportedly hurt during the eviction process, and the baby of one pregnant woman, who suffered severe trauma, died after only three months of life.

Inadequate living conditions, including the absence of housing and being forced to live out in the open, resulted in twenty per cent of the families contracting malaria at their new sites of residence. Families face difficulty and greater expenses dealing with chronic health issues in their new locations, and one woman interviewed reported, "My husband had chronic TB (tuberculosis). We used to buy medicines worth Rs 2,000 per month. He died after the eviction."

None of the evicted families received any medical assistance or compensation from the state government for loss of health and increased expenditure on healthcare, as a direct result of the eviction.

Impact on expenditure on food and transportation: Families noted a thirty-nine per cent increase in food expenditure at their new locations. They also reported an overall increase of eighty-nine per cent in transportation costs. As many of the new sites of residence are located at an increased distance from workplaces, more people started using trains to go to work after the eviction, and the average monthly expenditure on train fares doubled from Rs 100 to Rs 200.

Impact on cost of water and electricity: Although the state provides free water, quality drinking water is scarce in the settlements of Kolkata, especially in 'unauthorized' ones. Residents thus have to rely on other paid sources of drinking water, including water tankers from the Public Works Department (PWD) and private water tankers.

Four pregnant women were reportedly hurt during the eviction process, and the baby of one pregnant woman, who suffered severe trauma, died after only three months of life.

Families reported that their expenditure on electricity had gone up fifty per cent, from Rs 239 a month before the eviction to Rs 359 a month in the post-eviction period. However, many families do not have access to electricity after the eviction, as they live on pavements or under plastic tents.

Impact on income: Although the average monthly family income increased by twelve per cent, from Rs 4,837 in the pre-eviction period to Rs 5,424 in the post-eviction period, this increase is attributed to an increase in wages due to general inflation (the survey was conducted one year after the eviction). The increase was still grossly insufficient to meet the increased expenditure on rent, electricity, healthcare, and transport. New locations offer evictees very few employment opportunities, and some have moved more than once since the eviction in search of livelihood options. One survey respondent stated, "Most of our income is spent on rent and electricity. We do not get food every day. Sometimes we borrow money from our neighbours. We could not get our children admitted to school here."

Impact on debt and debt bondage: After the eviction, families reported that monthly food expenses have gone up by thirty-nine per cent and transportation expenses by eighty-nine per cent. Medical expenses have increased as a result of the adverse health impacts that people face from living outdoors

and without access to water and sanitation. Affected families have also faced additional expenses related to replacing vital documents. This has led to an increase in indebtedness of the evicted families, who have been forced to borrow money from money-lenders at high rates of interest. This has created a situation of debt bondage and contributed to slavery-like labour conditions without adequate or minimum wages.

Increased vulnerability of women and children:

Ten children went missing immediately after the forced eviction. Nine have been traced due to the persistent efforts of AAWW social workers. A two-and-a-half-year-old girl, Maina Khatoon, however, is still missing. One woman is still missing and one was murdered. Almost ninety-six per cent of the evicted families have now relocated to Ghutarisarif, an area where two brothels operate. This has increased the vulnerability of the women to trafficking and sexual abuse.

Impact on children's education: The eviction at Topsia has had serious negative impacts on chil-

Most of the evicted persons have been living in the open with no access to toilets. Women are abused and harassed due to lack of access to toilets.

dren's education, especially as most of them were first generation learners. Given the background they came from and their impoverishment, retaining them in school was already a challenge. While forty-six per cent of the families sent their girls and thirty-seven per cent of the families sent their boys to school before the eviction, only thirty-three per cent of the families sent their girls and thirty-three per cent of the families sent their boys to school in the post-eviction period. With significant losses incurred during the eviction and an increased overall monthly expenditure and higher cost of living after the eviction, the affected families find it hard to pay for the education of their children. Therefore, the right to education of the affected children, which is a Fundamental Right guaranteed by the Constitution of India, has been violated by the state.



The Impact of Forced Eviction in Topsia, Kolkata

Recommendations

As a result of the multiple human rights violations and negative impacts that the forced eviction at Topsis has had on the displaced families, this report calls for the following recommendations to be implemented immediately:

- Provide evicted families with adequate monetary compensation, commensurate with their losses, as recorded.
- Provide, on an immediate basis, alternative adequate housing to the affected families as close to their sources of work, study, and healthcare, as possible.
- Facilitate the enrolment of children into proper schools near their places of residence.
- Reissue all government identification documents, services, and subsidies to all displaced persons on an urgent, priority basis. Provide birth certificates, caste certificates, Below Poverty Line (BPL) cards, ration cards, and voter cards (for adults) to all members of the 383 evicted families.
- Conduct immediate medical check-ups for all displaced persons and ensure medical treatment and access to adequate healthcare, including for women.
- Start kitchens and Integrated Child Development Services (ICDS) centres/anganwadis to ensure access to food and child protection at the sites where the families are currently living.
- Provide free monthly bus passes to all evicted persons to enable them to access their places of work, study, and healthcare.
- Launch an immediate investigation into the violence that accompanied the eviction and try the perpetrators according to the law.
- Conduct a study to gather data on the missing and trafficked children from

the displaced families, and work toward rehabilitation of these children in consultation with their families. Launch a time-bound search for the missing child and woman.

- Develop a comprehensive human rights-based national and state policy that incorporates the human rights-based Eviction Impact Assessment framework to adequately determine losses, and provide restitution, including just compensation, to persons affected by forced evictions.
- Link rescued children to government schemes such as Sarva Shiksha Abhiyan or preferably any other government subsidized boarding school where they can find themselves in a safe space conducive to holistic learning.
- Provide safe spaces for displaced families to meet near the Topsis Bridge to continue with their livelihood practices and access networks of support.
- Conduct training on human rights standards, including for housing and rehabilitation, and on Section 370 of the Indian Penal Code in local police stations.
- Develop a state policy for affordable housing and declare a moratorium on forced evictions. Take steps to provide low-cost housing with security of tenure, habitability, accessibility, and appropriate location near sources of livelihood and education, to all those who are homeless and living in precarious and inadequate housing.
- When relocation is necessary for the safety, health, and well-being of people, ensure that adequate social and eviction impact assessments are conducted prior to any relocation to determine potential costs and losses of the affected families.
- Incorporate human rights principles in all law and policy implementation to ensure the promotion of social justice in the country.

Conclusion

This report demonstrates that families affected by the forced eviction of the Topsia settlement suffered gross violations of their basic needs and human rights, as well as enormous losses in monetary and material terms. It is estimated that assets worth more than a crore rupees (Rs 10,000,000) were destroyed during the eviction. As the state did not provide any rehabilitation for the residents, the already marginalized community was forced to fend for itself and was further impoverished. Although the state government paid some families Rs 12,000, this report shows that that this amount was grossly insufficient to compensate the actual material and non-material losses families suffered.

The negative impacts of the eviction could have been avoided through a proper human rights impact

assessment, including an analysis of impoverishment risk.

Apne Aap Women Worldwide and Housing and Land Rights Network hope that the findings presented in this report will pressure the state government to not only provide adequate rehabilitation and compensation to the affected families from Topsia, but also to prevent the future occurrence of such forced evictions in the state of West Bengal and around the country. This can be achieved by the state's adoption and implementation of strong human rights policies and approaches to holistic, inclusive, and sustainable development, as well as their commitment to conduct eviction impact assessments prior to any planned eviction by state or non-state actors, in order to prevent illegal or forced evictions.



Background

KOLKATA – SOME FACTS AND FIGURES			
	2011	2001	Kolkata's Slum Population
Actual population	4,496,694	4,572,876	<i>In 2001, 1.5 million people or one-third of the population of Kolkata lived in 2,011 registered slums ('bastis') and 3,500 unregistered slums. Over 40% of the residents of the settlements have been living there for two generations or longer. The average household size is five to six persons. The majority is engaged in the informal sector with an average household income of Rs 500-1,700 per month. (Excerpt from 'Understanding Slums. - Case Studies for the Global Report 2013,' UN-Habitat)</i>
Male	2,356,766	2,500,040	
Female	2,139,928	2,072,836	
Population growth	-1.67%	3.93%	
Area in square kilometres	185	185	
Density per square kilometre	24,306	24,718	
Proportion to West Bengal population	4.93%	5.70%	

Forced Eviction in Topsia, Kolkata

During the course of five days, from 7-12 November 2012, the Government of West Bengal brutally evicted 383 families, consisting of 2,000 people, living under the Topsia No. 4 Bridge, near Park Circus Station in Kolkata. The authorities demolished all homes without due process, including the failure to provide advance notice; to hold public hearings/consultations; to conduct impact assessment prior to the eviction; and, to provide alternative accommodation to the affected families. The Kolkata authorities also did not seek the prior informed consent of the affected community.

The families were evicted for the construction of a nine-kilometre long Parama-Park Circus elevated corridor (locally known as Park Circus Flyover) by the Kolkata Metropolitan Development Authority (KMDA). Almost three years after the eviction, the flyover is still not ready.

A large number of the evicted families belong to Other Backward Classes, Scheduled Castes, and the minority Muslim religion. Many of them are freed/Denotified Tribes as well. They were nomadic groups labelled as Criminal Tribes formerly under British colonialism.

All 383 families are afflicted by abject poverty and earn subsistence wages, through various sources of

livelihood including rickshaw-pulling, daily wage labour, begging, rag-picking, garbage recycling, bamboo/jute work, leather work, and other similar work.

All the 383 families had been living in Topsia for the last 30-40 years. Most have voter identity cards, ration cards, Aadhar cards, and other legal documents that mention the address from which they were evicted. They have also registered deaths in their families with the local burial ground and paid the necessary government tax for the burials.

The brazenness of the November 2012 eviction, which was carried out without due process or regard for the basic needs and human rights of the residents, highlights the complete contempt and lack of concern for the human rights of those who are low-caste, poor, and from minority religions.

Before the eviction, the residents of Topsia were threatened with sexual and physical violence by local hoodlums—notorious for their criminal connections—who enjoy the protection and patronage of the ruling political party. The entire eviction process was carried out with help of cadres from the ruling political party and the police. The excuse given for the eviction – not by the government but by the goons in charge – was that a flyover was to be constructed in the area.



Location map of Topsia, Kolkata (<https://www.google.co.in/maps/place/Topsia,+Kolkata,+West+Bengal/@22.5370646,88.3800647,15z/data=!3m1!4b1!4m5!3m4!1s0x3a0276badf701f6f:0xe3398cf5c19f9102!8m2!3d22.5336607!4d88.3901519>)

Days before the eviction, Ms Syeda Hameed, then Member of the Planning Commission, met the affected people at the request of AAWW on 7 November 2012. The people, who at that time were being threatened by local hoodlums to vacate their homes, submitted a petition to her. Ms Hameed wrote to the Chief Secretary, West Bengal, about the situation. The Chief Secretary wrote back promising to look into the matter, but the eviction happened nevertheless.

The agencies carrying out the forced eviction did not take into account the fundamental rights or needs of the 383 families who were residing in Topsia for many years, or the immense suffering that the eviction has subjected them to, or the number of years it will take them to rebuild the assets they lost during the process of eviction (if it is at all possible to rebuild and regain their former standard of living). The government has not considered the loss of livelihood, education, health, and liberty or the increase

in debt, human trafficking, child labour, and sexual violence. It has also not addressed the post-eviction threats to the women, girls, and children of those families who lost not only their homes, but also their livelihoods, all of a sudden. It cannot be a mere coincidence that a few girls were found missing from the area soon after the eviction. The agencies carrying out the forced eviction did not consider the trafficked, the sick, the missing, and the hospitalized. It is unfortunate that no rehabilitation was planned for them; neither was there any strategy in place to mitigate the severe impacts of the eviction.

The affected families were given a paltry sum of Rs 12,000 per household as compensation. This amount was not just grossly insufficient, but also improperly allocated. The Karaya Police Station was authorized to address grievances of the affected families but the Topsia Police Station was responsible for dispersal of the compensation amount and settlement of financial dues. The difference in areas of jurisdiction resulted in confusion and financial irregularities, as alleged by the affected residents. Many fictitious names were included in the list whereas the genuinely affected families did not receive any money. When some of them protested, they were threatened into silence.

Apne Aap Women Worldwide, a grassroots organization working toward ending sex trafficking, has been working with the women living under the Topsia Railway Bridge No. 4 since 2003, as a result of an increasing number of trafficking cases in the area. This increase in trafficking cases was the result of relocation of the tanneries that were earlier operational in the area. Closure of the tanneries had left most of the people living there jobless, and therefore vulnerable to trafficking. People mostly lived in tents made of plastic sheets with no civic ameni-



Topsia eviction on 11 November 2012 carried out in the absence of police officials.



Topsia eviction on 11 November 2012.

Photo: Apne Aap



Photo: Apne Aap

14 November 2012: After the eviction at Topsia



Source: Twocircle.net

After eviction: Topsia No. 4 Bridge area. Presence of several police officials

ties like water, sanitation or electricity. When AAWW started operating in the area, most of the children did not go to school and earned whatever they could as rag-pickers. It was only after the intervention of AAWW and some other organizations like Child In Need Institute (CINI) Asha, Calcutta Samaritan, and the Assembly of God Church that the children started going to school and a semblance of dignity came into their lives. All these improvements have been reversed by the forced eviction of the people from their homes. Even prior to the eviction, in October-November 2012, AAWW had attended meetings in the area to prevent the eviction.

Post-eviction Scenario

The authorities did not provide any alternative accommodation – either temporary or permanent – to the evicted families. As a result, many families have been rendered homeless and are living in the open, alongside railway tracks or on the streets, and suffer abuse and constant threats of rape and murder from local hoodlums. Since the eviction, children have been forced to drop out of school. In November-December 2012, 10 children were reported missing, out of which nine were traced; but two-and-a-half-year-old Maina Khatoon is still missing (refer to Annexure 16). Many of the displaced families have been compelled to live in rented accommodation in remote areas such as Subhash Gram, Sonarpur, Bagha Jatin, Lakshmikantpur, Kalikapur, Ghutarisarif, and Taldi, as they could not afford the rents in and around Topsia. They, therefore, had to shift to areas very far from their original homes and sources of livelihood. Their increased poverty and vicinity to the organized sex industry makes many of the evicted women highly vulnerable to trafficking. The social fabric and networks of the community have been destroyed, as the community is now scattered over different locations across Kolkata.

"We did not know where to go. We went to Park Circus Station and asked people at random where we could get a house on rent. Some of them mentioned Subhash Gram, Ghutarisarif, and we shifted there."

- Comment by an evicted person

After the initial shock, the evicted families – led by the women – decided to fight for justice. They knocked at the doors of many a government body and authority to consider their rehabilitation, but were met with suspicion and hostility, and their issues were not taken up. Moreover, they are continuously threatened and harassed for demanding protection of their rights. The atmosphere is so charged with terror that many of them are scared for their lives.

Several attempts were made by local non-government organizations (NGOs), including AAWW, to urge the state authorities into action. The issue was brought to the notice of the Department of Municipal Affairs and Development of the Government of West Bengal as well as the Kolkata Metropolitan Development Authority and the Kolkata Municipal Corporation along with different government and political representatives, as the affected area is under the purview of Kolkata Municipal Ward Numbers 64 and 59. The pleas of the organizations, however, fell on deaf ears. A list of communications made to various government departments and political leaders is provided in the annexures of this report. None of the government agencies have responded, which indicates that this issue, probably, is not of concern to them.



Public Hearing on 13 January 2013

Public Hearing

Against the backdrop of persistent suffering of the evicted families and inaction by the concerned authorities, AAWW organized a few public hearings in Kolkata. On 13 January 2013, a public hearing (report attached as Annexure 20) was organized at the Birla Planetarium where affected persons gathered to share their pain and suffering before the audience. The hearing was attended by nearly 60 evicted people; Ruchira Gupta, Abhilasha Kumari, and the rest of the AAWW team; and some students from New York University.

The victims recounted how they had been evicted by the government agency with the help of a political party, local goons, and the local police administration. They also expressed their demand that the government should pay heed to their needs and provide adequate compensation so that they can live with dignity, as guaranteed by Article 21 of the Constitution of India.

On 6 June 2013, another public hearing was organized at Rotary Sadan in Kolkata, seeking an objective assessment of the eviction case by key members of civil society (report attached as Annexure 18). The objective was to hear the grievances of the evic-

tees and obtain expert opinion on the issue, with a view to influence action to secure justice for the displaced families.

The panel comprised of Professor Malini Bhat-tacharya, former Member of Parliament and former Chairperson of the State Commission for Women, West Bengal; Miloon Kothari, founder, Housing and Land Rights Network (HLRN) and former United Nations (UN) Special Rapporteur on adequate housing; Anuradha Talwar, social activist and founder, Shramjeevi Mahila Samity; Taj Mohammad, advocate at the Calcutta High Court; Shivani Chaudhry, Executive Director, HLRN; and Ruchira Gupta, professor, New York University, columnist with *The Telegraph*, and founder, AAWW.

More than fifty affected people, most of whom were women, testified during the public hearing, at the end of which the six-member panel unequivocally condemned the eviction as a gross violation of human rights, especially the human right to adequate housing. Among other recommendations, the panel suggested that a comprehensive assessment of the impacts of the eviction be undertaken, as the first step to aid the process of spreading awareness about the severe ramifications of the eviction and



Public Hearing: Rotary Sadan, Kolkata, 6 June 2013

moving state authorities to provide justice to the affected persons.

Till date, the Government of West Bengal has not provided any relief or compensation for house damage and other losses, including of personal items and property. Furthermore, no efforts have been undertaken to assess the total loss of property and extent of damage suffered. Neither the central nor the state government has a comprehensive policy for loss assessment and compensation in cases of such displacement.

Given this situation, AAWW and HLRN decided to undertake a comprehensive human rights-based assessment to determine the true costs and losses incurred by the displaced population, as a result of their forced eviction from Topsia. This was done by incorporating the ten asset measure from the Apne Aap Last Girl Asset-based Tool into the HLRN Eviction Impact Assessment (EVI) Tool. The objective was to assess the actual impacts of the eviction, give a true cost to the government for purposes of getting adequate compensation for the evicted, and to aid policy-makers in understanding and using the human rights framework in forced evictions with the aim of prevention and adequate reparation.

The 'Eviction Impact Assessment' (EvIA) Tool of Housing and Land Rights Network

Housing and Land Rights Network (HLRN) has developed an 'Eviction Impact Assessment' (EvIA) Tool that aims to assess and document the real costs and losses resulting from forced evictions and displacement. The tool is based on the premise that any appraisal of forced evictions would have to include material as well as non-material costs, such as psychological and social effects of the eviction and other indirect costs, including loss of children's education, loss of access to adequate healthcare facilities, loss of livelihoods and access to critical resources, including water. The tool also aims to document the disproportionate impacts of evictions and displacement on women, children, persons with disabilities, older persons, minorities, and other marginalized communities.

The EvIA Tool derives its origin from the *UN Basic Principles and Guidelines on Development-based Evictions and Displacement* (2007),² (hereafter *UN Guidelines*) which specifically states that:

32. States must give priority to exploring strategies that minimize displacement. Comprehensive and holistic impact assessments should be carried out prior to the initiation of any project that could result in development-based eviction and displacement, **with a view to securing fully the human rights of all potentially affected persons, groups and communities, including their protection against forced evictions. "Eviction-impact" assessment should also include exploration of alternatives and strategies for minimizing harm (emphasis added)"** (UN, 2007).

33. Impact assessments must take into account the differential impacts of forced evictions on women, children, and the elderly and marginalized sectors of society. All such assessments should be based on the collection

of disaggregated data, such that all differential impacts can be appropriately identified and addressed (UN, 2007).

The Eviction Impact Assessment Tool can be used in situations before an eviction takes place (with the aim of preventing the eviction) and in the post-eviction/displacement context to analyse and assess the actual losses incurred, in order to negotiate for better compensation and rehabilitation packages and also for restitution and long-term durable solutions. The tool lists the various material and non-material costs/losses that should be included in the computation of the total impact of the eviction/displacement. All costs factored in the assessment need to be calculated at current market values/replacement values to ensure accurate assessment. The tool aims to capture the damages/costs/losses arising at any and/or all stages of the eviction/displacement process: pre-eviction, during eviction, and post-eviction.

The *UN Guidelines* also specify that:

69. States should actively monitor and carry out quantitative and qualitative evaluations to determine the number, type and long-term consequences of evictions, including forced evictions that occur within their jurisdiction and territory of effective control. Monitoring reports and findings should be made available to the public and concerned international parties in order to promote the development of best practices and problem-solving experiences based on lessons learned (UN, 2007).

This Eviction Impact Assessment Tool of HLRN, thus, also aims to assist the state in monitoring the impacts of evictions and displacement, and in amending existing resettlement policies to incorporate accurate and holistic human rights-based impact assessment mechanisms.

² Presented to the UN Human Rights Council by the UN Special Rapporteur on adequate housing in 2007.

Available at: http://www2.ohchr.org/english/issues/housing/docs/guidelines_en.pdf.

A Handbook on the UN Guidelines prepared by HLRN is available at: http://hlrn.org.in/documents/Handbook_on_Forced_Evictions.pdf

Translations in other languages, including Bengali, are available at: <http://hlrn.org.in/forced-evictions>

Objectives of the Study

The key objectives of the Eviction Impact Assessment study were to estimate the losses suffered by the 383 evicted families and to determine the post-eviction changes in their standard of living, livelihood, income, and consumption. The study also attempted to assess the long-term impacts of the forced eviction on the human rights of the displaced families.

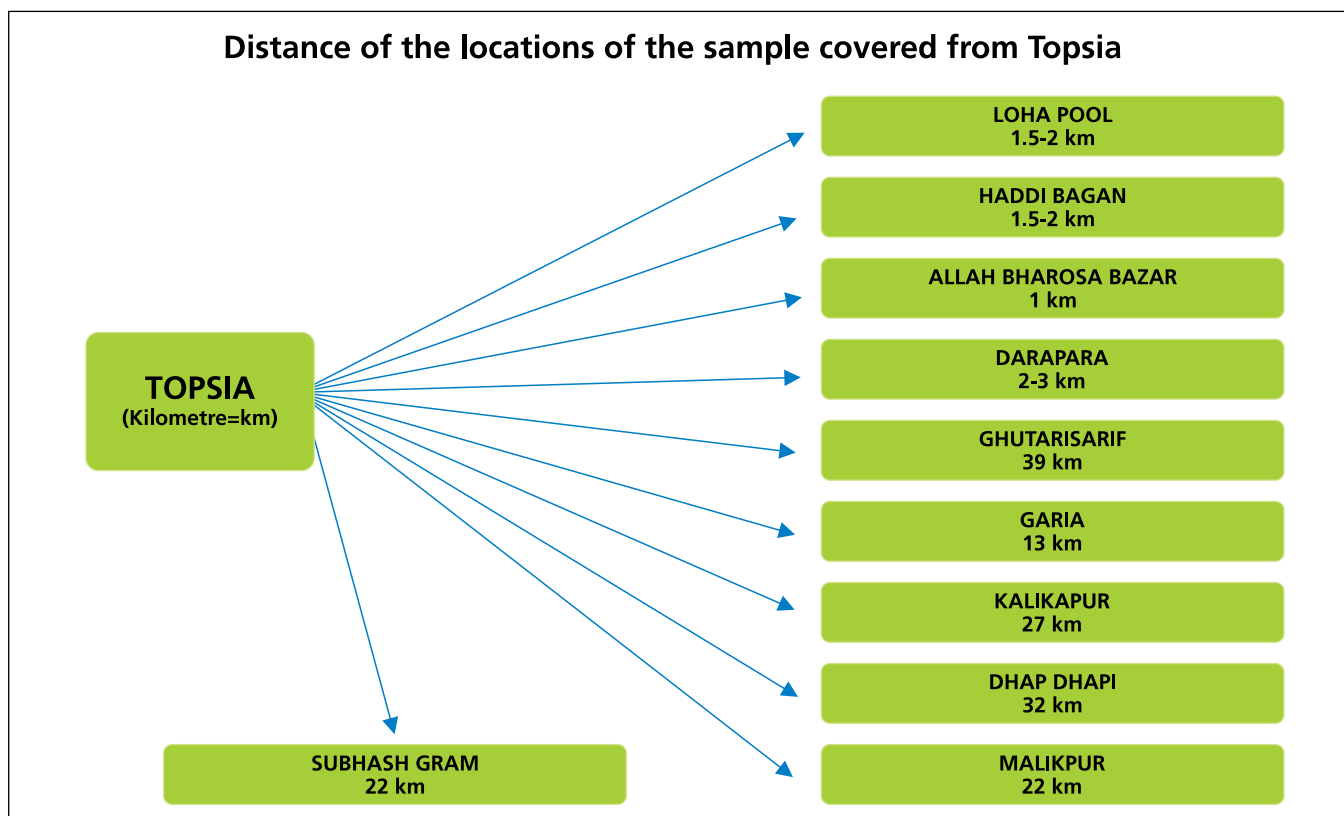
In order to calculate economic losses, the study analysed purchase prices and current replacement values of property as well as household and food items that the families lost during the eviction process. It also assessed the loss of inviolate or price-less assets; loss of mortgaged properties; loss of investment in the demolished structure; loss of vital documents (including ration cards, voter cards, and important certificates); change in monthly expenditure on food, water, electricity, local transport, healthcare, and education of children; incidence of sexual violence against girls and women; increase in debt bondage, forced labour, and other forms of hu-

man trafficking; impact of loss of security, safety, and community networks; impacts of mothers and family breadwinners going missing or distanced from employers; and change in income and livelihoods.

The study, conducted over December 2013 and January 2014, was primarily quantitative in nature and employed a structured questionnaire to collect information from the displaced families. However, it also included a qualitative assessment and documented observations and comments of community members. This report is being released now because since the study, the government's actions and responses, based on the pleas of the affected persons and organizations working on their behalf, were awaited. Since the eviction in Topsis, AAWW has mobilized nearly 150 men, women, and children from the evicted families to fight for justice and protection of their human rights.

Sample Size and Sampling

The sample size for the survey was 200 families



(1075 individuals), which estimates the value of a dichotomous variable with a 10 per cent margin of error and 99 per cent confidence. The design effect was taken as 1.75, under the assumption that it would not be possible to draw a perfect random sample (in spite of having the list of 383 families as the sampling frame) because the evicted families had moved to different parts of Kolkata and adjacent districts after the eviction, and were thus difficult to trace. All possible efforts were made to ensure random sampling, in order to address the pertinent question of representation. It is to be noted that these families had faced evictions earlier even though they had been living in the area for the last 30 years.

Immediately after the eviction, the displaced families moved to over 10 different locations across Kolkata. These include Allah Bharosa Bazar, Darapara, Loha Pool, Haddi Bagan, Garia, Kalikapur, Dhap Dhapi, Malikpur, Jibontala, Punjabi Para, Subhash Gram, Sonarpur, Bagha Jatin, Lakshmikantpur, Kalikapur, Ghutarisarif, and Taldi. Families that have relocated to Ghutarisarif are living very close to brothels along

the railway tracks. Their poverty and vicinity to the organized sex industry make them highly vulnerable to being trafficked. While some of the new sites of residence such as Allah Bharosa Bazar, Darapara, and Loha Pool are located within a 2-3 kilometre radius from Topsia, other areas such as Subhash Gram, Ghutarisarif are at a considerable distance from Topsia. The chart on facing page shows the distance of the locations covered in the sample from Topsia.

The survey team visited all the identified sites to cover the sample size of 200 families. Many families that had moved to distant locations, however, could not be traced. On investigation, it was revealed by locals that although some of the evicted families had lived in these areas for some time, they had again shifted to other locations that were not known. Some of the families returned to areas near their original place of residence, i.e. No. 4 Bridge, Topsia. Despite logistical difficulties, the survey team ultimately managed to reach out to 200 respondents.

SAMPLING PLAN FOR THE SURVEY				
	Area	Number of Families		
		Number of Families that Moved	Original Sampling Plan	Actual Sampling
1	Loha Pool	25	25	46
2	Subhash Gram	40	30	9
3	Darapara	150	55	60
4	Ghutarisarif	50-60	40	25
5	Jibontala	10		
6	Malikpur	25	25	26
7	Garia	12-15		
8	Kalikapur	10-12		2
9	Dhap Dhapi	4		
10	Allah Bharosa Bazar	30	25	29
11	Haddi Bagan	10-12		
12	Lakshmikantpur			1
13	Punjabi Para			2
	TOTAL	383	200	200

Study Findings at a Glance

LOSS OF ASSETS DURING DEMOLITION (In Indian Rupees – INR)			
Items	Original purchase price	Current market / replacement price	
Household items	4,756,597	8,159,627	
Food items	177,329		
Inviolable/priceless assets	4,093		
Jewellery and cash	545,775		
Construction	4,029,160		
Vital documents	497,324		
EXPENDITURE ON HEALTHCARE (INR)			
During eviction	325,742		
Post-eviction	337,006		
RECONSTRUCTION OF HOUSING (INR)			
RECONSTRUCTION COST	1,149,287		
INCREASE IN MONTHLY EXPENDITURE (INR)			
Item	Before Eviction	After Eviction	Increase
Boys’ education	607	761	25%
Girls’ education	530	716	35%
Transport	203	384	89%
Average household expenditure on food	2,667	3,623	36%
Average per capita expenditure on food	535	745	39%
Electricity	239	359	50%
Water	27	26	-5%

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12	Lakshmikantpur			1
13	Punjabi Para			2
	TOTAL	383	200	200

RELATIVE DECREASE IN SAVINGS POST-EVICTION	
Food	39%
Transportation	89%
Electricity	50%
Education	35% (girls), 25% (boys)

Detailed Findings of the Eviction Impact Assessment Study

Profile of Affected Households

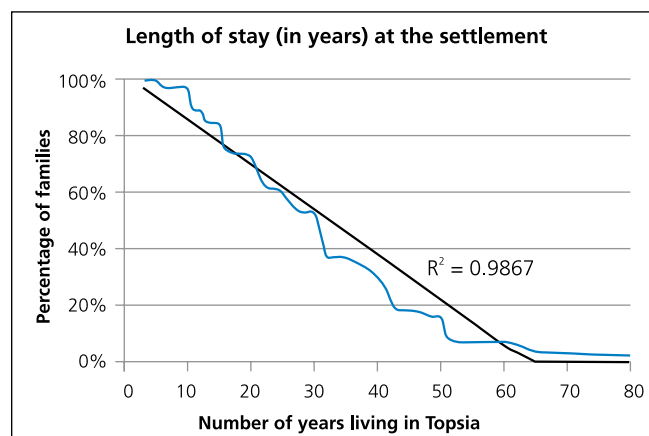
a. Median Length of Stay

The settlement at Topsia was one of the oldest 'slums' of Kolkata with a large part of its population residing there for generations. Four families in the sample were found to have been living there for over 80 years, prior to their eviction. The mean value of the number of years of stay in Topsia is estimated at 30 years. The median too is estimated at 30 years, which implies that 50 per cent of the families started living in the settlement at least 30 years ago. Seventyfive per cent of the families came to the site at least 17 years ago and 96 per cent at least 10 years before the eviction. However, additional families were constantly arriving at regular intervals. The trend of arrival of new families is best estimated by a quadratic curve ($R^2 = 0.9867$). The ones who came most recently arrived there three years ago. The graph in next column indicates the continuous flow of families to Topsia.

b. Caste

Of the 200 families covered in the survey, 186 have been identified as Other Backward Classes (OBC), six families as Scheduled Caste (SC) and eight families are classified as general castes. On the basis of the Government of West Bengal's Freed/Denotified Tribes list, six of these caste groups are also Denotified Tribes. They are: Fakir (OBC and nomadic tribe), Sain (OBC and nomadic tribe), Chamar (SC and nomadic tribe), Mallah/Malo (SC and nomadic tribe), Muchi (SC and nomadic tribe) and Dhukre/Dhekaru (Freed/Denotified tribe).

The OBC category castes are: Jhola (Ansari- Momin), Fakir/Sain, Muslim Sardar, Mallick, Muslim Laskar, Muchi/Chamar Muslim, Muslim Mondal, Muslim Mol-la, Muslim Piyada, Seikh/Sekh/SK, Khan, Mistri, Haj-jam, Dhukre (Muslim), Basni/Bosni (Muslim), Gayen (Muslim, Muslim Jamadar, Majhi/Patni Muslim, Muslim Haldar, Muslim Darji/Ostagar/Idrishi, Muslim Rajmistri, Dhali (Muslim), and Muslim Barujibi/Barui; The SC categories are: Ghasi, Mallah, Namasudra, Sunri, Jhala Malo, and Malo.

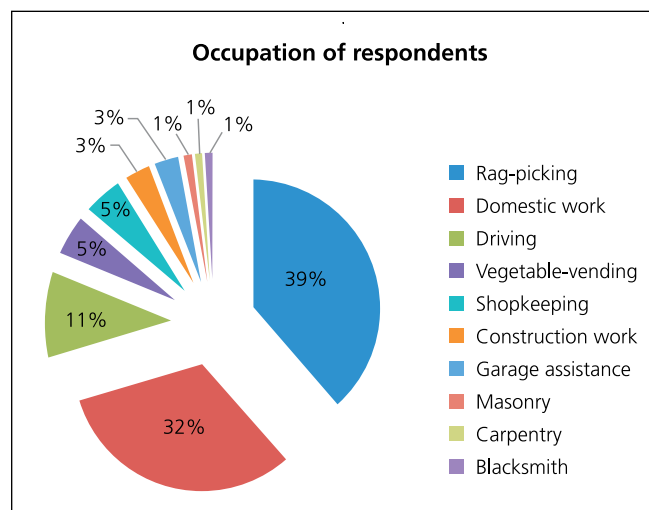


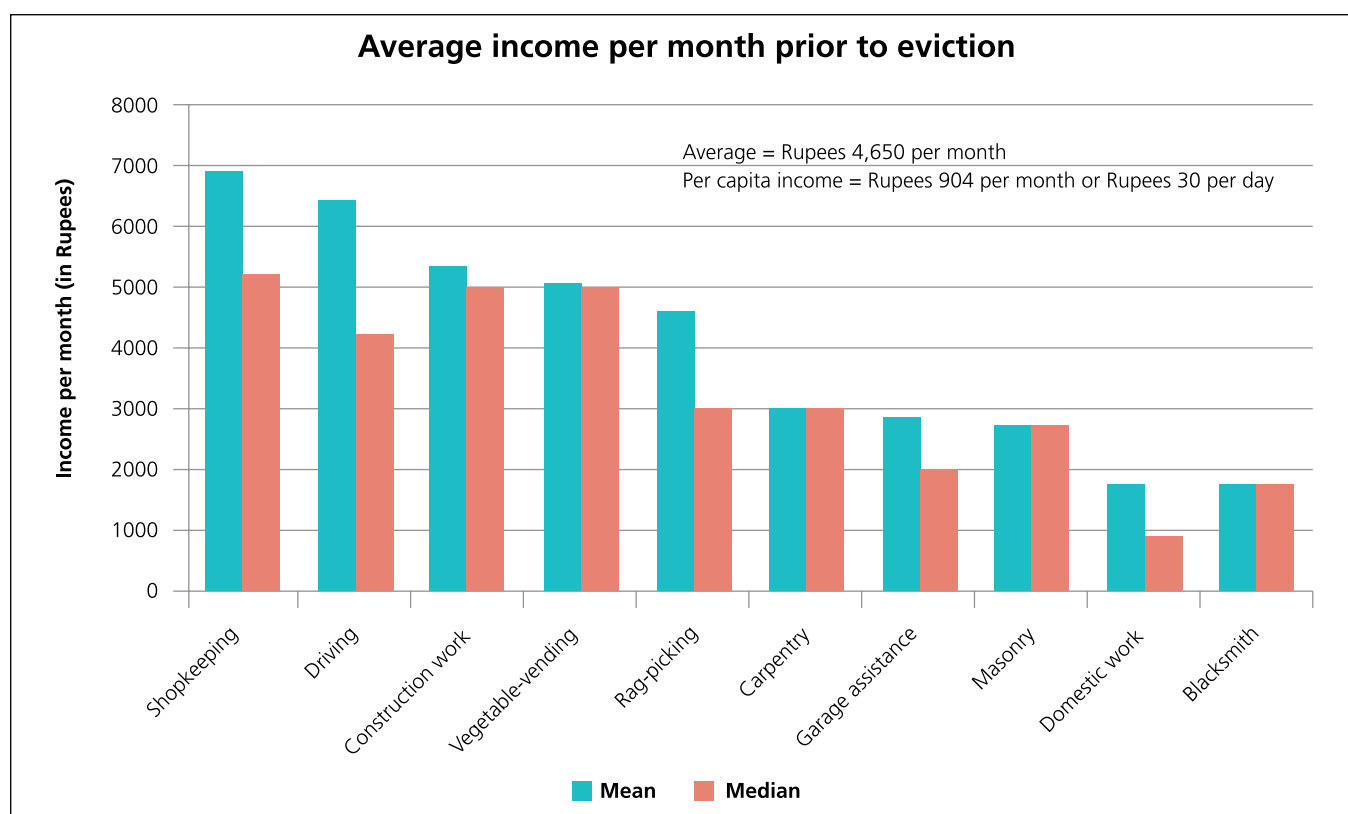
Ninety-one per cent of the families were Muslims. The average family size was estimated at 5.14 (median = 5).

CASTE DETAILS OF SURVEYED POPULATION	
Caste	Percentage
OBC	92%
SC	4%

c. Livelihood

The majority of the working population (39%) at Topsia was engaged in rag-picking. Women's participation in the workforce was high. Rag-pickers included both men and women. Thirty-two per cent of the working population consisted of domestic workers (all of them were women or girls), 11 per cent were drivers, five per cent were engaged in vegetable vending and another five per cent were running small shops. Other residents were construction workers, garage mechanics, masons, carpenters, blacksmiths,





daily wage earners, rickshaw pullers, and some even engaged in garbage recycling, while a few others were engaged in leather processing work.

Eviction reports from all over the world cite how the eviction process results in the loss of livelihoods, especially when the distance from the work site for the relocated/rehabilitated population is considerable.

The average pre-eviction earning of a rag-picker was estimated at Rs 4,600 per month (median Rs 3,000) and that of a domestic worker was estimated at Rs 1,777 (median Rs 900). The highest income was recorded among those who had their own shops (mean Rs 6,900 per month, median Rs 5,250), followed by drivers (mean Rs 6,450 per month, median Rs 4,250), construction workers (mean Rs 5,375 per month, median Rs 5,000 per month), and vegetable vendors (mean Rs 5,071 per month, median Rs 5,000). The chart above depicts these pre-eviction earnings of the former residents of the settlement at Topsia.

The average income of a family was Rs 4,650 per month (median Rs 3,000). Given the average family size of 5.14, the average per capita income was estimated at Rs 904 per month or Rs 30 per day.

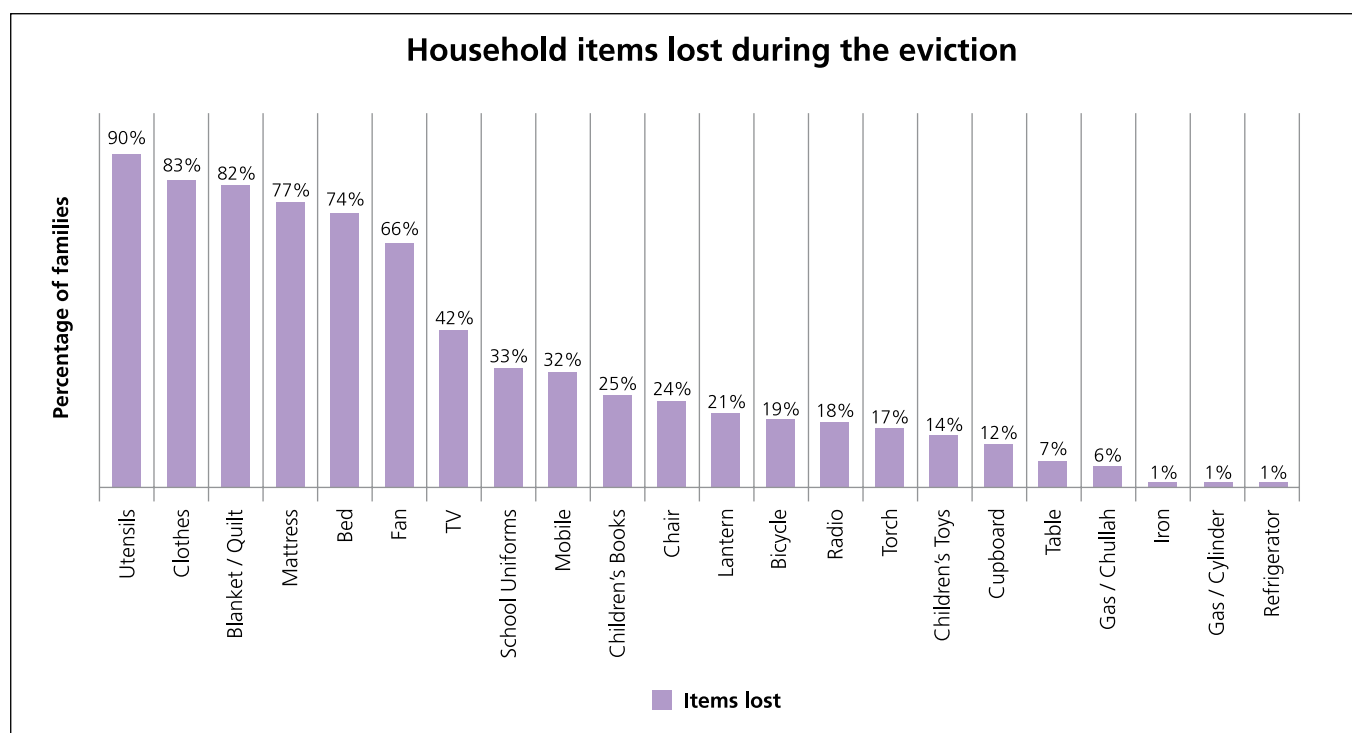
Loss of Household Items During the Eviction

The affected families lost a range of personal items during the process of eviction. Ninety per cent of the families lost their utensils, 83 per cent lost some clothes, 82 per cent lost blankets or quilts, 77 per cent lost mattresses and 74 per cent lost their beds.

Fans, second-hand televisions, mobile phones, and bicycles were lost by 62 per cent, 42 per cent, 32 per cent and 19 per cent of the families, respectively. If the families had to purchase the same set of utensils now, they would have to pay double the amount they paid before. Incorporating inflation rates, clothes would cost 70 per cent more, televisions 30 per cent more and mobile phones seven per cent more. People also lost electric cables; tin trunks; bamboo, jute, and cement sheets; mosquito nets; cycles; and, rickshaws.

Some items had sentimental value attached to them, which cannot be measured in terms of money. Some residents bought their beds after a wedding in the family. One woman lamented, "The chair I lost was made by me." Another woman mourned, "A foreigner gifted me a TV set, which I lost."

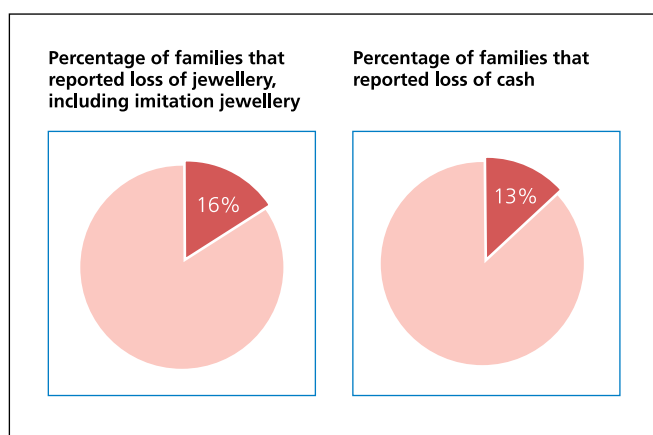
The total value of all household items lost by the 200 families interviewed for this study, is estimated at Rs 24,83,863 at the purchase price; the replace-



ment cost at the current market price will be Rs 42,60,902. The average loss of each family with respect to household items is valued at Rs 12,419 at purchase price and Rs 21,305 at the current market price of the items, indicating that the replacement cost witnesses an average increase of 72 per cent. Applying this average, it is estimated that the eviction process has damaged or destroyed household items worth Rs 47,56,597 at purchase price, with a current value of Rs 81,59,627 (Table 1, Annexure 1).

Loss of Jewellery and Cash

Sixteen per cent of the respondent families reported loss of jewellery, with a median value of loss of Rs 5,000, while 13 per cent of the families lost cash (median value Rs 500). Applying the median, the total value of jewellery and cash lost during the eviction is estimated at Rs 5,45,775 (Table 3, Annexure 1).



Most of the families who reported loss of jewellery had earlier mortgaged their assets (including gold chains, ear-rings, and nose-pins) to local jewellery shops. They were also paying interest on the principal amount they received from the jewellery shop. The interest rate varied from 2–5 per cent per month (Rs 30 to Rs 400 per month in absolute terms). The families do not expect to gain their assets from the moneylenders, as they have lost contact with the shops. Also, many of them lost the receipts, given by the jewellery shop for the mortgaged items, during the eviction process.

Loss of Invaluable and Priceless Assets

The eviction process also resulted in the loss of invaluable items, which cannot be quantified. These include objects of sentimental value, family heirlooms, and children's medals and awards. Three per cent of the families reported a loss of medals and 5 per cent reported loss of some other items, which they had received as awards. The monetary value of these items is not very high. The total loss for 200 families was reported at Rs 2,138. But the emotional value attached to these items is immeasurable.

Children had received medals as accolades for sports and other school events. Other lost items included textbooks, tiffin boxes, school bags, water bottles, pencil boxes, and steel utensils that children had won at different events such as local sports competitions, drawing competitions and other events.

"My son got a tiffin box from his school as an appreciation for his hand-writing. I could not recover it from the debris after my house was demolished."

– Comment of a respondent

Loss of Vital Documents

The eviction process also resulted in the affected families losing vital documents, which are difficult to replace. Three vital documents lost by most of the families were ration cards (39 per cent), voter cards (38 per cent) and birth certificates (31 per cent). Besides, families lost PAN cards (12 per cent), marriage certificates (10 per cent), bank passbooks (nine per cent) and driving licences (two per cent). Among other documents lost were death certificates, job cards, bank ATM cards, gas cylinder booking cards, disability certificates, medical records, and school certificates. Though these documents are to be provided free of cost by the state, the reality is quite different. A family has to pay Rs 930, on average, for a ration card and around Rs 700 for a voter card, while birth certificates cost more than a thousand rupees. Many of the survey respondents could not mention the cost of replacing these documents. The total cost paid by the 200 families in the sample, for procuring these vital documents, however, is estimated to be around Rs 2,59,699 (Rs 1,298 per family). Applying this average, the total cost for replacing vital documents for the entire evicted population is estimated at Rs 4,97,324 (Table 4, Annexure I).

The loss of these documents not only translates into material costs for the victims but also losses in terms of the subsidies and services they received through these documents.

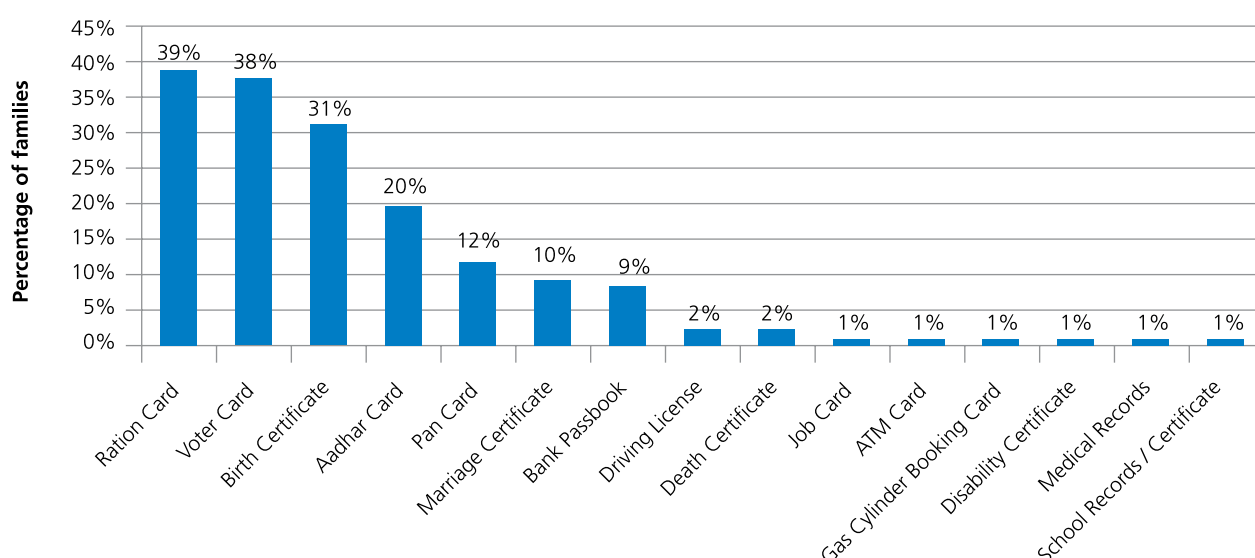
Loss of Food Items and Impact on the Human Right to Food

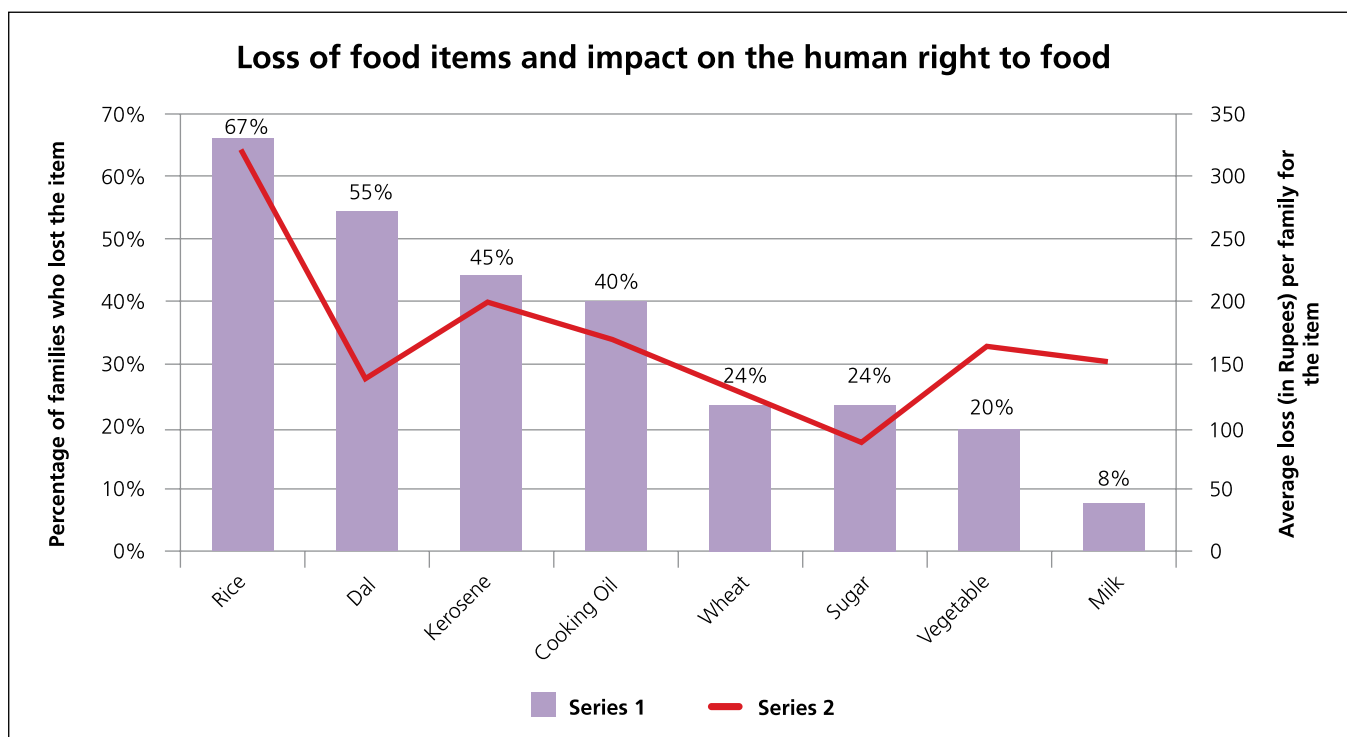
During the eviction process, all families lost food items stored in their houses. Many of the survey respondents reported that all members of the family, including children, experienced food insecurity after the eviction. Sixty-seven per cent of the families reported loss of rice. The amount of rice lost is estimated at 13 kilogrammes per family, costing around Rs 277 (median Rs 200). Fifty-five per cent of the families lost two kilogrammes of *dal* (lentils) each, which cost around Rs 90. Forty-five per cent of the families lost kerosene (five litres each, costing around Rs 150). Forty per cent of the families lost cooking oil, 24 per cent lost wheat, 24 per cent lost sugar and 20 per cent of the families reported loss of raw vegetables that they had procured for cooking. Eight per cent of the families reported loss of milk.

The total loss of 200 families in terms of food items was Rs 92,581 or Rs 463 per family. Applying this average, the total of loss of all 383 families with respect to food items is estimated at Rs 1,77,329 (Table 2, Annexure I).

Some families did not lose any food items because they did not have anything stored in the house at the time of the eviction. They are too poor to stock food-grains, even for a day. They buy food daily, depending on their day's earnings. Some families were registered with A.G. Bengal Church at Park Street, which would provide dry rations to them free of cost. A few families lost the rations they had received from the church.

Vital documents lost during the process of eviction





Given that the affected families are mostly daily wage earners with low incomes and almost no savings, the loss of food items greatly impacted their ability to eat, their nutritional intake, and thereby their health. While India has a National Food Security Act aimed at providing subsidized food to marginalized groups, such actions of the government violate not just the Act, but also the internationally recognized human right to food. The failure of the government to provide compensation and free food in the aftermath of the eviction further violates the human right to food of the affected residents.

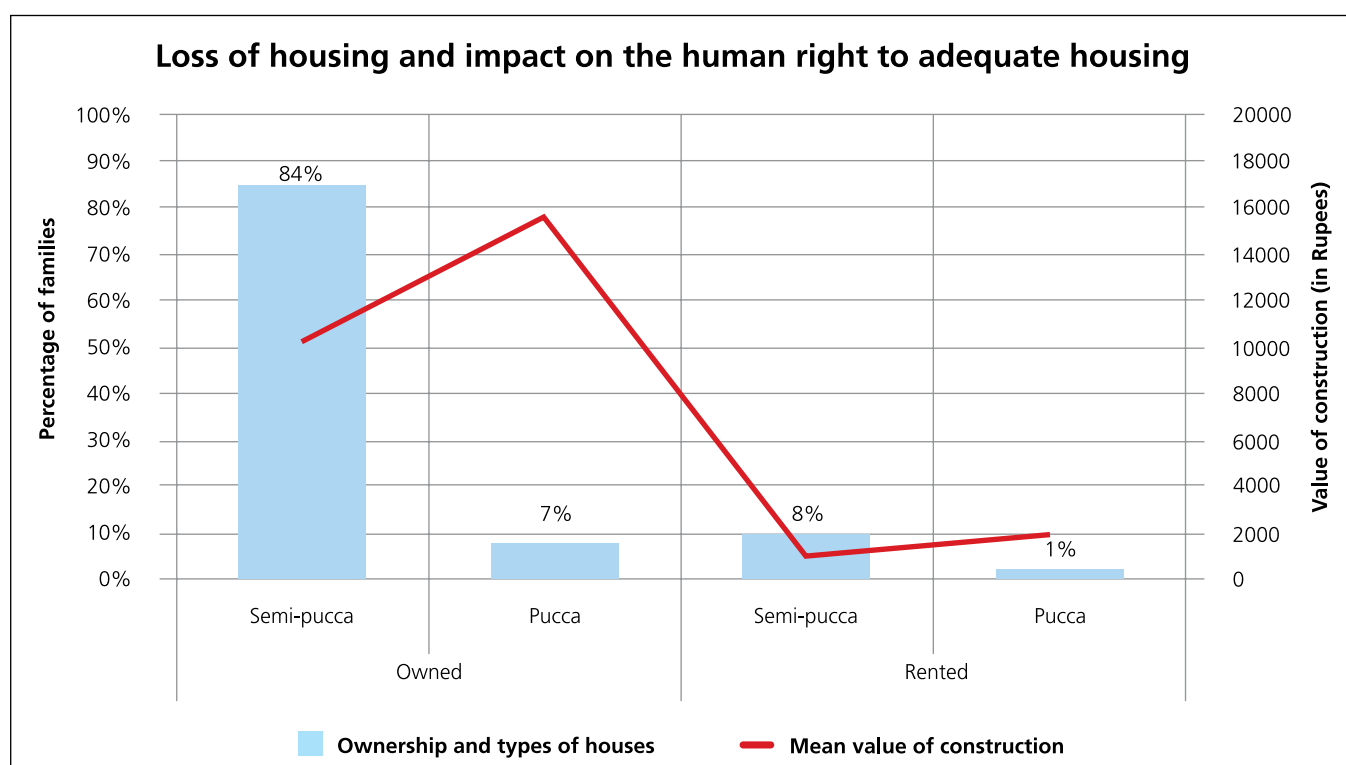
Loss of Social and Community Assets

The evicted families also suffered a loss of assets identified by AAWW's Last Girl Asset-based Community Development Anti-Sex Trafficking Tool. These assets are social capital and they include the loss of a 'safe space': their homes; the Assembly of God Church at Topsia, which provided them with hot lunch every day; CINI Asha that used to run classes for their children; the loss of a safe space where AAWW, CINI Asha, and Calcutta Samaritan used to conduct vocational training, story-telling, karate, and dance classes, and post-traumatic stress disorder (PTSD) treatment sessions, and group meetings. It also includes the loss of legal support (lawyers from AAWW and CINI Asha used to help protect the women in Topsia from alcoholic husbands, gang members, and traffickers) as well as the loss of solidarity networks.

Loss of Housing and Impact on the Human Right to Adequate Housing

All the families in Topsia were living there on a regular basis. Ninety-one per cent of the families in the sample stated that they had developed a feeling of ownership over the space they occupied and had invested a considerable amount in the construction of their houses. The remaining nine per cent of the respondent families were living in a rented house. Ninety-two per cent of the families (84 per cent were living in their own house and eight per cent in rented accommodation) were residing in semi-pucca (semi-permanent) or *kutcha* (temporary: mud was the key constituent of construction) houses. Eight per cent of the families lived in *pucca* (made of brick and cement) houses. Owners of *pucca* houses invested Rs 3,000 to Rs 50,000 in construction (mean Rs 17,643 and median Rs 15,000).

Owners of the semi-*pucca* and *kutcha* houses reportedly made an investment of between Rs 700 and Rs 70,000 (mean Rs 10,956 and median Rs 7,250) in their houses. Many of the houses were made of plastic sheets; however, those were also not cheap. In most of the cases, the construction cost reflects only the material costs. Labour for construction was provided by the family members themselves. The cost of labour is thus not estimable. The tenants too invested considerable amounts in repairing and renovating their houses. Those who rented a *pucca* house reportedly spent between Rs 1,500



Note: Semi-pucca means semi-permanent and/or kutcha (temporary, with mud as the key constituent of construction) house

and Rs 2,000 (mean Rs 1,750 and median Rs 1,750) and those who rented a semi-pucca or kutcha house spent Rs 150 to Rs 4,000 (mean Rs 966 and median Rs 700).

Expenditure on construction of housing was not available for six families of the sample. The total spending of 194 families is estimated at Rs 20,40,900, with an average of Rs 10,520 per family (median Rs 7,000). Applying this average for the entire evicted population, it is estimated that the eviction process demolished housing worth above Rs 40,00,000 (Table 5, Annexure 1).

The destruction and loss of housing of the affected families not only violates their human right to adequate housing but also resulted in the violation of several other basic needs and human rights. The displaced families were forced to move in search of alternative accommodation to diverse locations across Kolkata.

This resulted in the breakdown of community ties, and most severely impacted women and children. While some families were able to find alternative rental housing, others had to live on the streets, in makeshift housing, for a long time. This affected livelihoods, the education of children, and also adversely impacted their physical and mental health.

Impact on the Human Right to Health and Healthcare

The survey respondents mentioned that in addition to physical injuries suffered during the eviction, they also suffered from shock, psychological trauma, and increased vulnerability to diseases, resulting in a loss of health and well-being after the eviction. Many families reported threats from residents of neighbouring settlements (who reportedly supported the eviction process), which affected their mental health. A pregnant woman suffered severe trauma and delivered a sick baby after the eviction. The baby died after three months. Four pregnant women were reportedly hurt during the eviction process.

Twenty-one per cent of the respondent families reported physical injuries during the process of eviction. One person lost his teeth, another was beaten mercilessly. The total cost of treatment and medical care, as a result of adverse health impacts suffered from the eviction, is estimated at Rs 1,70,100, with an average cost of Rs 851 incurred per family. This implies an estimated total cost of Rs 3,25,742 on healthcare for the entire evicted population (Table 6, Annexure 1).

A number of displaced persons suffered physical injuries and other health problems (which are attributed to the eviction) at their newly found locations,



and had to spend large amounts of money for treatment of the same. Five per cent of the families reported physical injuries; two per cent of the families reported heart-related problems; one per cent reported high blood pressure; and one per cent reported psychological and mental disorders. Inadequate conditions, including living out in the open, resulted in 20 per cent of the families contracting malaria at their new sites of residence. Incidence of malaria was mostly reported from Ghutarisarif, Darapara, Loha Pool, and Mallikpur. The average cost of treatment of malaria was estimated at Rs 1,114 per family. The total cost of medical care and treatment of post-eviction health disorders is estimated at Rs 337,006 for the entire evicted population of 383 families. (Table 7, Annexure 1).

“My husband had chronic TB (tuberculosis). We used to buy medicines worth Rs 2,000 per month. He died after the eviction.”

– Comment of an evicted woman

Sixteen families (eight per cent of the sample) had chronically ill family members; one per cent reportedly had cancer, two per cent had a physical disability, three per cent had heart-related ailments, and two per cent suffered from tuberculosis.

None of the families, however, received any medical assistance or compensation from the state government for loss of health and increased expenditure on healthcare, as a direct result of the eviction.

Increased Vulnerability to Child Labour, Sexual Violence, and Human Trafficking

The survey reveals that many of the displaced families have been compelled to live in rented accommodation in remote areas such as Subhash Gram, Sonarpur, Bagha Jatin, Lakshmikantpur, Kalikapur, Ghutarisarif, and Taldi, as they could not afford the



rents in and around Topsia. They, therefore, had to shift to areas very far from their original homes and sources of livelihood. Those families that have relocated to Ghutarisarif are living very close to brothels along the railway tracks. Their poverty and vicinity to the organized sex industry make them highly vulnerable to being trafficked.

After the eviction, ten children went missing around November-December 2012. Subsequently nine children were traced; but two-and-a-half-year-old Maina Khatoon is still missing. In the course of the six months following the demolition, four children and one woman have gone missing, and at least one woman, reportedly, has been murdered. These cases should be investigated immediately, especially to determine if they are instances of trafficking for child labour and sexual exploitation. Cases of sick persons and the hospitalized were also not considered.

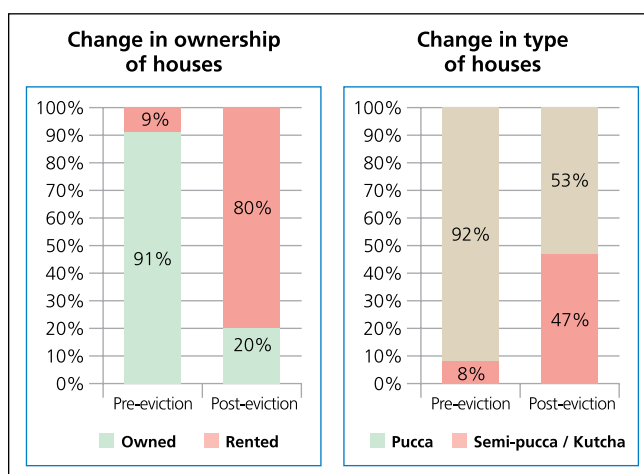
After the eviction, an increase in child marriages has been reported, as parents are keen to protect their young daughters from sexual violence on the streets. There has also been an increase in debt and debt bondage since the eviction, as a result of increased expenses and decreased income.

Pre-Eviction and Post-Eviction Living Conditions of the Affected Families: A Comparative Assessment

Change in House Ownership

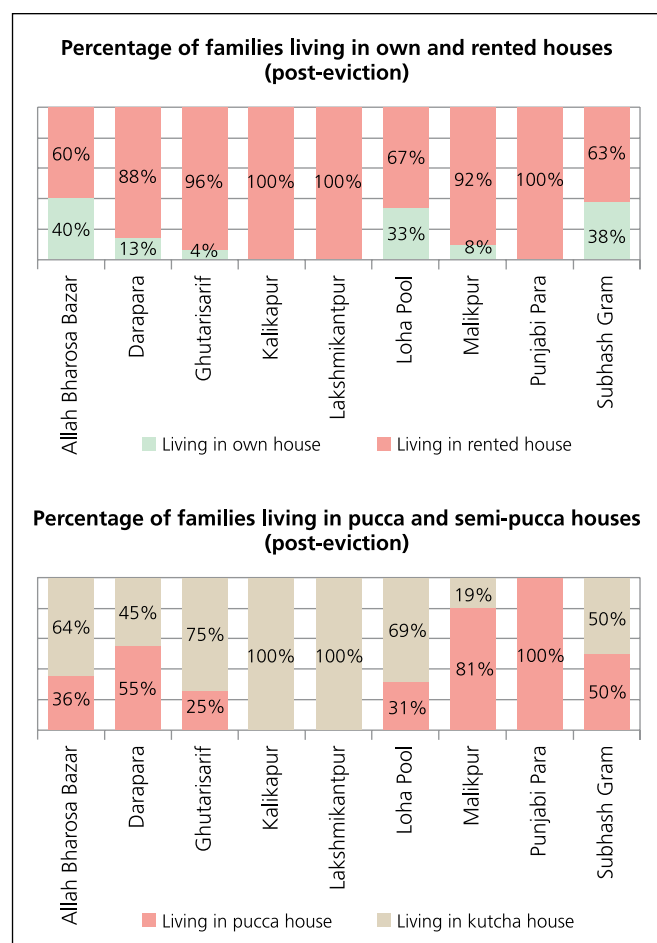
Ninety-one per cent of the respondent families lived in their own house before the eviction. After the demolition of their homes, 80 per cent of the families had to shift to rented accommodation, pavements, and railway tracks. Of them, 60 per cent of the families shifted to Allah Bharosa Bazaar, 88 per cent to Darapara, and 67 per cent to Loha Pool, all of which are relatively close to Topsia. Ninety-six per cent of the families shifted to Ghutarisarif (which has two kinds of brothel systems), 92 per cent to Mallikpur and 63 per cent to Subhash Gram. Ninety-two percent of those who moved to Mallikpur, 63 per cent of those in Subhash Gram and 100 per cent of those living in Kalikapur, Lakshmikantpur, and Punjabi Para were living in a rented house (mostly *kutchha*) at the time of this survey.

Another change observed is that while only eight per cent of the families were living in *pucca* houses



es before the eviction, 47 per cent of the families moved to *pucca* houses after the eviction. Apparently though this may indicate an improved living condition, the displaced families had no other option except this relatively expensive alternative, as most of the houses available on rent are *pucca* houses. Almost all respondents stated that they did not want to shift from their original location because of its proximity to their places of work/sources of livelihood. The distance of their work places from their current sites of residence is high; this results in them spending a very high proportion of their income on rent, thereby compromising other immediate needs like food, health, and education of their children.

"We live in plastic tents. We can't get electricity here (new location)."
– Comment of a survey participant



All evicted families, however, were not able to find alternative housing. At the time of this survey, some families were living on pavements and railway platforms. Several families returned to Topsia and started living in plastic tents along the railway line. A few respondents reported that they were able to construct a house in their new locations. These better-off families did not relocate far from Topsia and managed to find accommodation in Allah Bharosa Bazar and Loha Pool. Twenty per cent of the families spent Rs 10,950 per family, on average, for the reconstruction of their new house. The total value of reconstruction for the entire population is thus estimated at Rs 8,43,150 (Table 8, Annexure 1).

Change in Income

The average monthly family income increased by 12 per cent, from Rs 4,837 in the pre-eviction period to Rs 5,424 in the post-eviction period. Although this increase is attributed to an increase in wages due to general inflation (the survey was conducted one year after the eviction), the change was also not statistically significant (p-value 0.127). Data on both pre- and post-eviction family income was provided by 96 families. This apparent rise in income, however, is grossly insufficient to meet the increased expenditure on rent, food, electricity, healthcare, and transport. At their new sites of residence, families reported an increase in their monthly expenditure on food by 39 per cent, on transportation by 89 per cent, on electricity by 50 per cent, and on education for girls by 35 per cent and that of boys by 25 per cent. Also, the loss of ration cards and subsidies may have implications on increased debt, which needs to be surveyed and addressed.

While these numbers are representative of changes in Gross Family Income, in order to best reflect the changes in the standard of living, the use of Per Capita Income as the indicator has been justified.

The average monthly per capita income was the lowest in Punjabi Para (Rs 333) followed by Kalikapur (Rs 367), Ghutarisarif (Rs 452), Subhash Gram (Rs 729), Mallikpur (Rs 864), Loha Pool (Rs 943) and Darapara (Rs 1,002). The families living in Allah Bharosa Bazar were relatively better-off, with an average monthly per capita income of Rs 1,889. Subhash

Gram was the only place which recorded a sharp decline in monthly per capita income of the residents. Located far from the city, Subhash Gram offers very few employment opportunities. Most of the families who initially moved to Subhash Gram, therefore, eventually shifted to other sites.

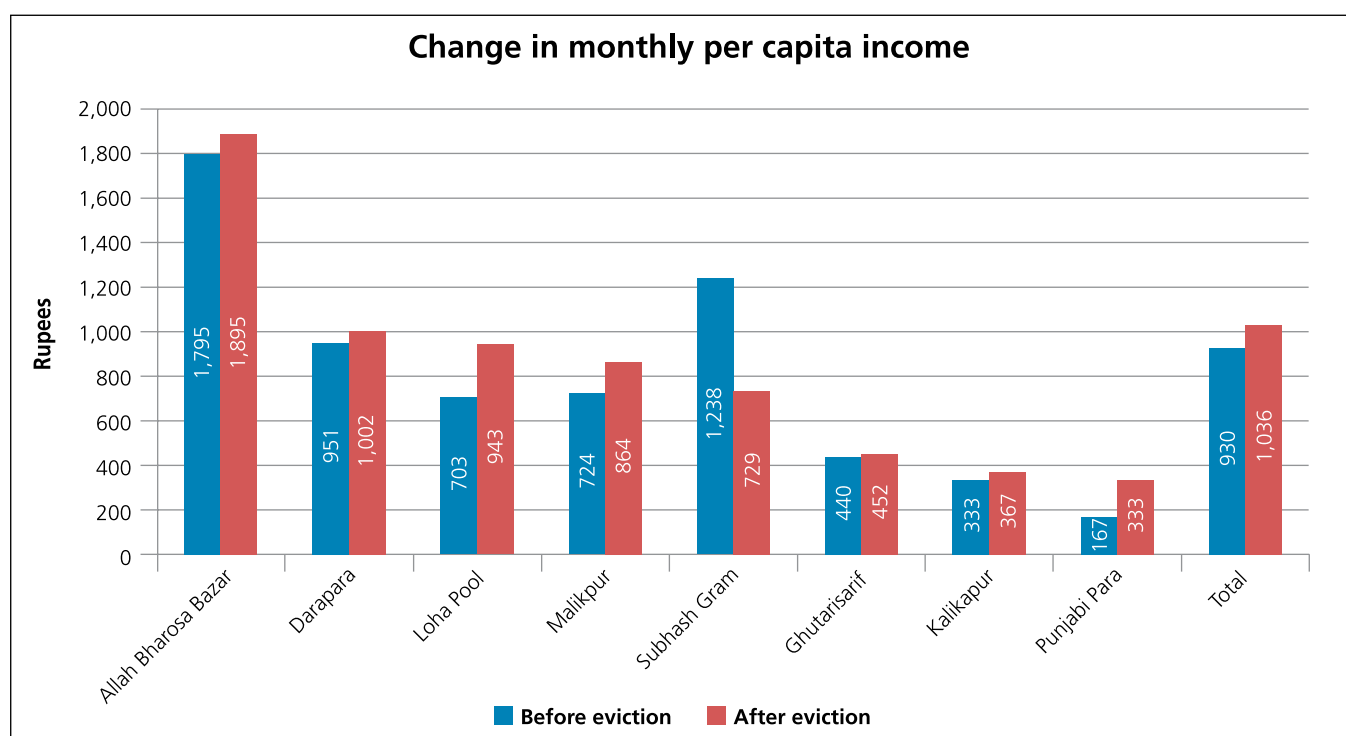
"Most of our income is spent on rent and electricity. We do not get food every day. Sometimes we borrow money from our neighbours. We could not get our children admitted to school here."

– Comment of an interviewee

Change in Expenditure on Food

The survey findings reveal a 39 per cent increase in expenditure on food. The highest increase was observed in Punjabi Para at 102 per cent and in Kalikapur at 79 per cent. It is important to mention that only a total of three families in the sample were found to be residing in these areas. In other places, the increase in food expenditure varied between 20 and 54 per cent.

The lowest per capita expenditure on food, Rs 435, was observed in Subhash Gram. However, this does not seem to be due to a lower inflation rate or lower food prices in Subhash Gram since these families also had the lowest expenditure on food before the eviction. This implies that the poorest families probably moved to Subhash Gram after the eviction. They were mostly from the following castes: Muslim Sardar, Seikh/Sekh/SK, Piyada, and Molla.

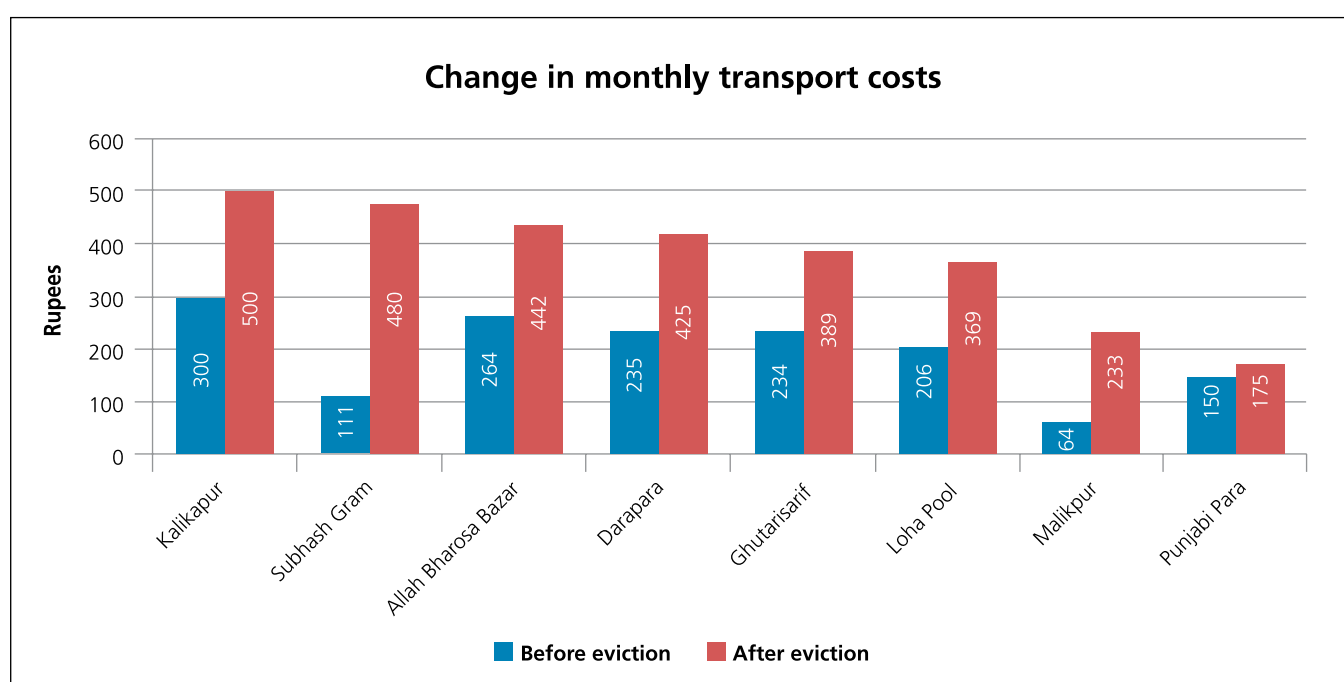
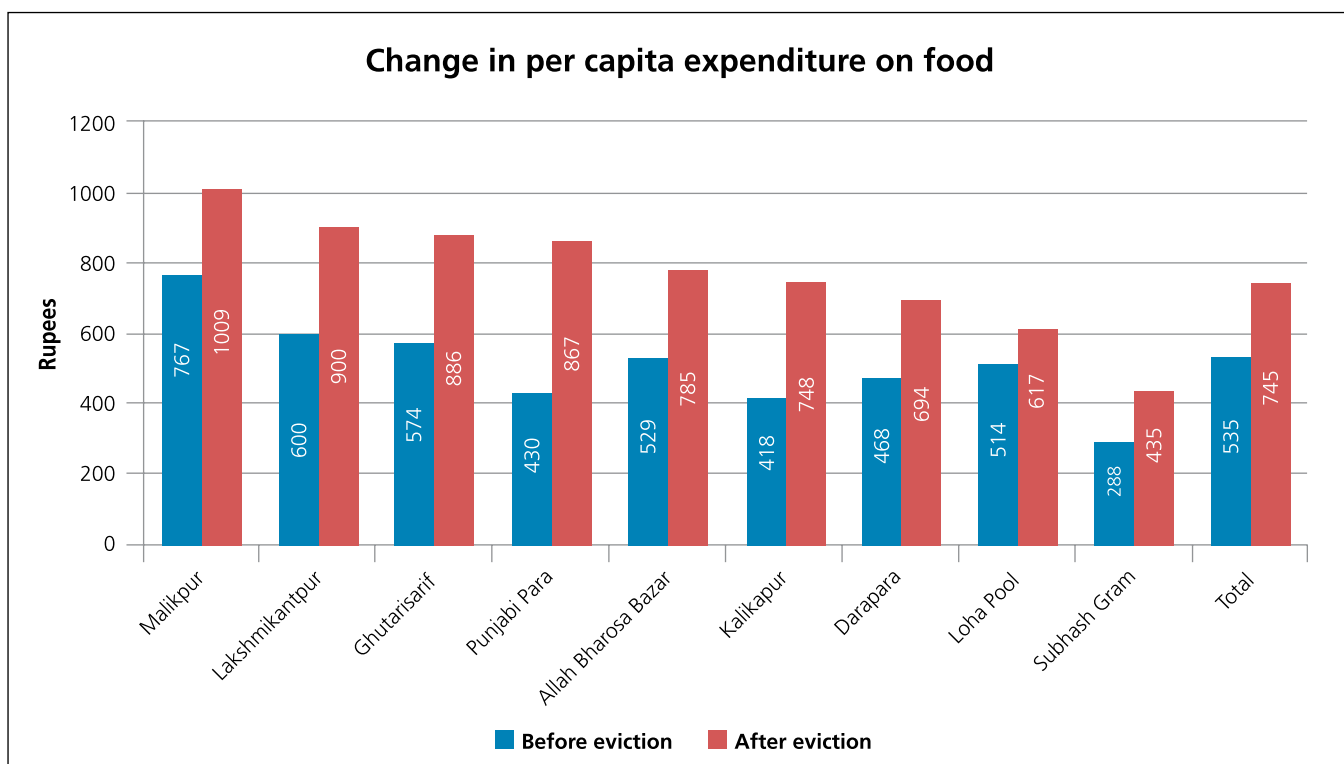


The highest per capita expenditure on food is observed in Malikpur at Rs 1,009. The average per capita expenditure on food for all the families surveyed is estimated at Rs 745 in the post-eviction period, as against Rs 535 in the pre-eviction period.

Data on monthly food expenditure before and after the eviction was available for 169 families. The average per family expenditure on food increased from Rs 2,667 before the eviction to Rs 3,623 after the eviction. This difference is found to be statistically

significant (p-value = 0.000) (Table 9, Annexure 1). In addition to this, the evicted families have faced a loss of subsidized food by losing their ration cards and also because they were registered at the ration shops in Topsia and are, therefore, unable to avail of rations at the new sites.

The eviction has also distanced the affected families from the regular food provided to them by the Assembly of God Church and NGOs.



Change in Expenditure on Transportation

The forced eviction and resulting relocation of families resulted in a significant change in expenditure on transportation. The study revealed an overall increase of 89 per cent in transportation costs.

The highest increase in monthly transport cost was recorded in Subhash Gram at 332 per cent and in Mallikpur at 262 per cent. The percentage increase in monthly expenditure on transport varied between 17 per cent and 81 per cent in other locations.

The highest monthly expenditure on transport was recorded in Kalikapur (Rs 500) and the lowest in Punjabi Para. As a result of the increased distance from work places after relocation, more people started using trains to go to work after the eviction. The average monthly expenditure on train fares thus doubled from Rs 100 to Rs 200 (Tables 10 and 11, Annexure 1). The increase in the average monthly transport cost from Rs 203 in the pre-eviction period to Rs 384 in the post-eviction period was statistically significant (p-value = 0.090).

Change in Expenditure on Water and Electricity

Although the state provides free water, quality drinking water is scarce in the settlements of Kolkata, especially in 'unauthorized' ones. Residents thus have to rely on other sources of drinking water, including water tankers from the Public Works Department (PWD), and private water tankers, and these are not free. Moreover, the residents have to contribute to the cost of repairing public water points when they do not work. On average, a family living in Topsia

used to spend Rs 27 per month for water before the eviction. After the eviction, the reported monthly expenditure on water is Rs 26, which is not significantly different.

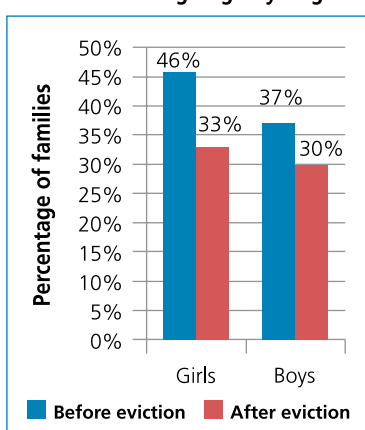
The cost of electricity has gone up 50 per cent from Rs 239 a month in the pre-eviction period to Rs 359 a month in the post-eviction period. However, many families do not yet have electricity in their houses after the eviction, as they live on pavements or under plastic tents (Tables 12 and 13, Annexure 1).

Change in School Enrolment and Impact on the Human Right to Education

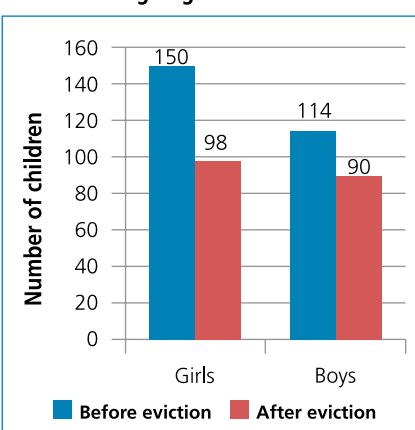
The eviction at Topsia has had serious negative impacts on children's education, especially as most of them were first generation learners. Given the background they came from and their impoverishment, retaining them in school was already a challenge. As a result of the eviction, at least 52 girls and 24 boys have dropped out of school. While 150 girls and 114 boys were going to school from the sampled families before the eviction, the numbers dropped to 98 and 90 respectively for girls and boys in the post-eviction period. For the entire evicted population, the total number of school drop-outs would be much higher. While 46 per cent of the families sent their girls and 37 per cent of the families sent their boys to school in the pre-eviction period, only 33 per cent of the families sent their girls and 30 per cent of the families sent their boys to school in the post-eviction period. With significant losses incurred during the eviction and an increased overall monthly expenditure and a higher cost of living after the eviction, the affected families find it hard to pay for the education

Impact on the Right to Education

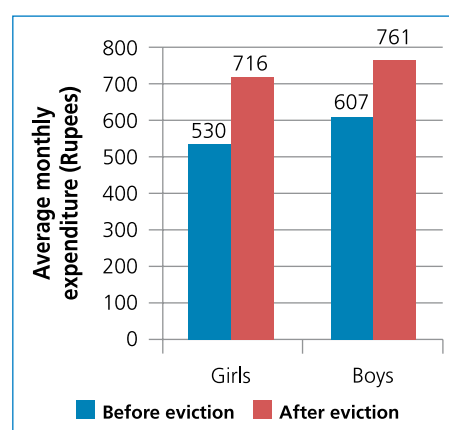
Percentage of families with a school-going boy or girl



Number of boys and girls going to school



Average monthly expenditure on children's education



of their children. It appears that girls' education has suffered more than that of boys. This study reveals a 35 per cent increase in the monthly expenditure on girls' education and a 25 per cent increase in expenditure on boys' education. Families with school-going girls in both the pre-eviction and post-eviction period report that their monthly expenditure on girls' education has gone up from Rs 530 to Rs 716 per month. And families with school-going boys in the pre-eviction and post-eviction period report that their monthly expenditure for boys' education has gone up from Rs 607 a month to Rs 761 per month (Tables 14 and 15, Annexure 1).

It is thus apparent that the right to education of the affected children, which is a Fundamental Right guaranteed by the Constitution of India, has been violated by the state authorities. While on one hand, the government claims to be taking steps to implement the Right to Education Act 2009, on the other, it carries out acts of commission which directly prevent children from continuing with their education.

Impact on Debt

The expenditure pattern of the evicted families has seen a rise at their new sites of residence with a reported increase in monthly expenses related to food (by 39 per cent), rent, electricity (by 50 per cent), transportation (by 89 per cent) and education (by 35 per cent for girls and 25 per cent for boys). The loss of livelihoods resulting from the increased distance from work places as well as the loss of vital documents like ration cards and increased distance from shops where families were registered for their food and cooking fuel subsidies, has undoubtedly translated into increased debt for the evicted families, which needs to be assessed.

Impact on Women's Rights

The loss of livelihood and the impacts on health and well-being of evicted families, especially on the earning members, can result in severe long-term impacts, including economic costs and post-traumatic stress disorder. These impacts are most severely witnessed by women. Inadequate living conditions and the loss of social safety nets compounded with the material losses of the evicted families and increasing costs that they are now subjected to vis-à-vis food, electricity, transportation, healthcare, and housing, result in women finding themselves more vulnerable to livelihood loss, sexual violence, trafficking, and sex work.

The larger eviction-induced impacts on the lives of affected persons cannot be ignored. The forced eviction in Topsia has violated the fundamental right to life and personal freedom of the affected persons; its economic consequences are leading to increased impoverishment and marginalisation due to child labour, child marriage, forced sex work, and sexual violence. The impact of the downward economic spiral for the family may lead to inter-generational prostitution, slavery, indebtedness, and the feminisation of poverty. The feminisation of poverty is not just about the lack of income but encompasses capabilities, livelihoods, subjectivities, and social exclusion. If poverty is to be seen as a denial of human rights, it should be recognized that the women among the poor suffer more on account of gender inequality as well as on account of poverty.

The forced eviction in Topsia, including the increased destitution that it has pushed families into, has severely impacted the human rights of the affected women.

Recommendations

This report highlights the multiple basic needs and human rights violations as well as the extensive losses and negative impacts that the forced eviction at Topsia has had on the lives and living conditions of the displaced families. Apne Aap Women Worldwide and Housing and Land Rights Network, would therefore, like to present the following recommendations to the authorities concerned:

- Immediately provide evicted families with monetary compensation, commensurate with the actual losses, as recorded.
- Provide, on an immediate basis, adequate alternative housing with security of tenure, near the original site of residence, to all affected families.
- Facilitate the enrolment of children into local schools, preferably boarding schools near their places of residence.
- Provide, on an immediate basis, birth certificates, caste certificates, below poverty line (BPL) cards, ration cards, and voter cards (for adults) to all members of the 383 evicted families.
- Ensure that all displaced persons have access to all state-sponsored schemes, entitlements, and subsidies. Link children to government subsidized education schemes such as Sarva Shiksha Abhiyan or any other government subsidized boarding school with proper counselling.



- Conduct immediate health check-ups for all evicted persons and ensure adequate medical treatment and adequate access to healthcare for all, especially women and children.
- Start kitchens and Integrated Child Development Services (ICDS) centres/anganwadis to ensure access to food and child protection in the ten sites where the families are currently residing.
- Provide monthly bus passes to all displaced persons to enable them to access their places of work, study, worship, and healthcare.
- Conduct an objective study to gather data on the missing and trafficked children from the displaced families and work toward restoration of these children.
- Conduct training workshops on human rights standards as well as on Section 370 of the Indian Penal Code in local police stations.
- Conduct an immediate investigation into the violence that accompanied the eviction and ensure that the perpetrators are tried by due process of the law.
- Launch a time-bound search for the missing child and woman.
- Institute a criminal case, name the officials responsible for the eviction, and demand their prosecution.
- Implement national and international human rights law as well as progressive judgements of the Supreme Court of India that uphold the human right to adequate housing as an integral component of the right to life.
- Implement international human rights guidelines, including the Basic Principles and Guidelines on Development-based Evictions and Displacement.
- Develop a comprehensive human-rights based national and state policy that incorporates the Eviction Impact Assessment Tool and the Last Girl Asset-based Tool to adequately assess the short-term and long-term impacts of an eviction; to determine the real monetary and non-monetary costs and losses; to prevent evictions; and to provide just compensation to persons affected by forced evictions.
- Investigate the human rights violations resulting from this eviction, including by human rights institutions, at both the state and national level, and make strong recommendations aimed at providing justice to the evicted families.

Apne Aap Women Worldwide and Housing and Land Rights Network hope that the state government and responsible authorities pay heed to these recommendations, and take immediate steps to rehabilitate the displaced families, provide restitution for the violation of their human rights, and ensure that they are able to live with dignity.

Conclusion

Forced evictions and the involuntary removal of persons from their homes or lands constitute a gross violation of human rights, especially the human right to adequate housing.

The forced eviction of 383 families in Topsia and the demolition of their homes without adherence to due process, including standards stipulated in international guidelines, violated multiple human rights of the affected families. The residents, with the help of some civil society organizations, tried to resist the demolition of their homes and seek justice, but their efforts were in vain. Since the state did not provide any rehabilitation, the already marginalized community was forced to fend for itself and was further impoverished. Families were dispersed to different locations across the city; most of them lost their livelihoods, children lost educational opportunities, and the standard of living of all affected families was severely impacted.

This Eviction Impact Assessment study is an attempt to quantify the actual losses of the affected families in monetary terms while revealing the gross violations of basic needs and human rights. **The eviction at Topsia destroyed assets worth more than one crore rupees (Rs 10,000,000).**

The state government, however, paid only 282 families a paltry sum of Rs 12,000 as compensation, while 101 families received nothing. Some of those families that were reportedly paid compensation stated that they actually received half of the stated amount or

nothing at all. The amount paid is grossly insufficient to compensate the losses suffered by the 383 families. The impacts of a forced eviction are long-term and severe, and cannot be measured only in monetary terms. The figure presented here, does not capture the stress, trauma, and anguish that the families suffered before, during, and after the eviction. The affected families not only witnessed the destruction of their homes and assets, which they had accumulated and built gradually over many years, but they also suffered a severe loss in their economic, social, physical, mental and psychological well-being. The impacts of the eviction, including the loss of livelihoods and the breakdown of social ties and the community fabric, is felt most by women and children. The total compensation should, therefore, take into account the qualitative and non-material losses as well.

All these negative impacts of the eviction could have been avoided through a proper basic needs and human rights impact assessment, including an analysis of impoverishment risk, before evicting the families.

Apne Aap Women Worldwide and Housing and Land Rights Network hope that this report, through the documentation and assessment of the devastating and long-term impacts of the forced eviction on the families living at Topsia, will help pressure the state government to provide adequate rehabilitation and compensation to the affected families, and to prevent the future occurrence of such forced evictions in the state of West Bengal and around the country.

Photo: Giovanni Porzio



Mumtaz Begum's house in Topsia before the eviction



An image from Mumtaz Begum's daily life

Photo: Giovanni Porzio

Statistical Tables of Findings from the Study

TABLE 1 : LOSS OF HOUSEHOLD ITEMS

Item	No. of households (HHs) that lost items	% of HHs that lost items	Mean purchase price in Rupees	Mean current price in Rupees	Increase
Utensils	179	90%	1,575	3,141	100%
Clothes	165	83%	3,425	5,868	71%
Blankets/Quilts	163	82%	1,286	2,613	103%
Mattresses	153	77%	461	721	56%
Beds	147	74%	2,523	5,560	120%
Fans	132	66%	1,087	1,838	69%
Televisions	84	42%	4,067	5,245	29%
School Uniforms	65	33%	923	1,513	64%
Mobile Phones	64	32%	2,986	3,205	7%
Children's Books	50	25%	1,529	1,817	19%
Chairs	47	24%	573	1,081	89%
Lanterns	41	21%	68	130	90%
Bicycles	37	19%	1,660	3,122	88%
Radios	36	18%	469	874	86%
Torches	33	17%	212	287	36%
Children's Toys	28	14%	345	483	40%
Cupboards	23	12%	1,010	1,164	15%
Tables	14	7%	616	1,393	126%
Gas Chullah	12	6%	433	770	78%
Irons	3	2%	550	1,250	127%
Gas Cylinders	2	1%	3,600	5,000	39%
Refrigerators	1	1%	2,500	4,000	60%
TOTAL LOSS OF 200 FAMILIES			2,483,863	4,260,902	
MEAN LOSS PER FAMILY ON THE ABOVE ITEMS			12,419	21,305	72%
ESTIMATED TOTAL LOSS (383 FAMILIES)			4,756,597	8,159,627	

TABLE 2 : LOSS OF FOOD ITEMS

Food Items	# of HHs that lost this item	% HHs that lost this item	Unit	Quantity lost				Value of loss in Rupees		
				Mini-mum	Maxi-mum	Mean	Median	Mean	Median	Total value of loss
Rice	133	67%	Kg	1	60	13	10	277	200	36,846
Dal	109	55%	Kg	0	10	2	2	118	90	12,885
Kerosene	89	45%	Litre	1	15	5	4	170	150	15,166
Cooking Oil	80	40%	Kg	0	15	2	1	145	100	11,580
Wheat	47	24%	Kg	1	12	5	5	109	80	5,143
Sugar	47	24%	Kg	0	5	2	2	76	60	3,557
Vegetables	39	20%	Kg	1	25	6	5	140	100	5,462
Milk	15	8%	Kg	0	3	1	1	129	30	1,942
TOTAL LOSS OF FOOD ITEMS IN 200 SAMPLED FAMILIES										92,581
AVERAGE LOSS OF FOOD ITEMS PER FAMILY										463
ESTIMATED TOTAL LOSS FOR THE ENTIRE EVICTED POPULATION										177,329

TABLE 3 : LOSS OF JEWELLERY AND CASH							
Item	# of HHs that lost this item	% of HHs that lost this item	VALUE OF LOSS IN RUPEES				
			Minimum	Maximum	Mean	Median	Total Loss in Terms of Median
Jewellery	31	16%	500	50,000	7,513	5,000	1,55,000
Cash	26	13%	300	1,50,000	13,065	5,000	130,000
TOTAL LOSS OF JEWELLERY AND CASH IN 200 SAMPLED FAMILIES							2,85,000
AVERAGE LOSS PER FAMILY							1,425
ESTIMATED TOTAL LOSS FOR THE ENTIRE EVICTED POPULATION							5,45,775

TABLE 4 : LOSS OF VITAL DOCUMENTS						
Vital documents	# of HHs that lost this item	% of HHs that lost this item	Original mean cost of document in Rupees	Mean cost of replacing document in Rupees	Total (original cost) in Rupees	Expected total cost of replacement in Rupees
Ration card	77	39%	930	1809	71,610	1,39,293
Voter card	75	38%	699	122	52,425	9,150
Birth certificate	62	31%	1,307	0	81,034	0
PAN card	23	12%	1,218	300	28,014	6,900
Marriage certificate	19	10%	786	0	14,934	0
Bank passbook	17	9%	210	30	3,570	510
Driving license	4	2%	1,518	3,000	6,072	12,000
Death certificate	4	2%	440	501	1,760	2,004
Job card	2	1%	20	50	40	100
ATM card	1	1%	0	0	0	0
Gas cylinder booking card	1	1%	40	100	40	100
Disability certificate	1	1%	50	0	50	0
Medical records	1	1%	150	0	150	0
School records / certificates	1	1%	0	0	0	0
TOTAL LOSS IN THE SAMPLED FAMILIES					2,59,699	1,70,057
AVERAGE LOSS PER FAMILY					1,298	850
TOTAL ESTIMATED LOSS FOR THE ENTIRE EVICTED POPULATION					4,97,324	3,25,659

TABLE 5 : LOSS OF HOUSING IN RUPEES								
Ownership	Type of house	# of HHs	% of HHs	Value of housing in Rupees				
				Mean	Median	Minimum	Maximum	Sum
Owned	Semi-pucca	162	84%	10,956	7,250	700	70,000	17,74,950
	Pucca	14	7%	17,643	15,000	3,000	50,000	2,47,000
Rented	Semi-pucca	16	8%	966	700	150	4,000	15,450
	Pucca	2	1%	1,750	1,750	1,500	2,000	3,500
TOTAL		194		10,520	7,000	150	70,000	20,40,900
TOTAL VALUE OF LOSS FOR THE ENTIRE EVICTED POPULATION								4,029,160

TABLE 6 : TOTAL COST OF ADVERSE HEALTH IMPACTS (DURING EVICTION) IN RUPEES				
Health impacts during eviction	INCIDENCE REPORTED BY		COST OF TREATMENT	
	# HHs	% HHs	Mean	Median
Physical injury	42	21%	3,800	1,000
Impacts on pregnant women	4	2%	2,625	2,750
Total cost of treatment (of 200 families)			1,70,100	53,000
Average cost per family			851	265
Estimated total cost of health impact for the entire population			3,25,742	1,01,495

TABLE 7 : TOTAL COST OF ADVERSE HEALTH IMPACT (POST-EVICTION) IN RUPEES				
Health impacts during eviction	INCIDENCE REPORTED BY		COST OF TREATMENT	
	# HHs	% HHs	Mean	Median
Physical Injury	9	5%	10,812	1,000
Heart-related health issues	3	2%	3,000	3,000
Psychological / Mental disorders	1	1%	25,000	25,000
Blood pressure	1	1%	100	100
Malaria / fever	40	20%	1,114	500
Total cost of treatment (of 200 families)			1,75,982	63,100
Average cost per family			880	316
Estimated total cost of health impact for the entire population			3,37,006	1,20,837

TABLE 8 : COST OF RECONSTRUCTION OF HOUSING IN RUPEES						
Area	Mean	Median	Minimum	Maximum	Sum	# Families
Allah Bharosa Bazar	18,500	8,500	7,000	50,000	74,000	4
Darapara	6,900	2,500	500	30,000	41,400	6
Loha Pool	10,800	11,000	1,500	18,000	1,08,000	10
Mallikpur	2,500	2,500	2,500	2,500	2,500	1
Subhash Gram	15,000	15,000	15,000	15,000	15,000	1
Total cost of reconstruction of own house					2,40,900	22
Average cost of reconstruction per family					10,950	
Proportion of families that reconstructed their own house					20%	
Estimated number of families who have reconstructed their own houses (out of 383 evicted families)					77	
Estimated total cost of reconstruction					8,43,150	

TABLE 9 : EXPENDITURE ON FOOD BEFORE AND AFTER EVICTION (IN RUPEES)					
	Average family expenditure on food		Average per capita expenditure on food		Increase (monthly per capita food expenditure)
	Before eviction	After eviction	Before eviction	After eviction	
Malikpur	3,352	4,312	767	1,009	32%
Laxmikantapur	3,000	4,500	600	900	50%
Ghutarisarif	3,311	4,016	574	886	54%
Punjabi Para	2,580	5,200	430	867	102%
Allah Bharosa Bazar	2,278	3,360	529	785	48%
Kalikapur	2,645	4,703	418	748	79%
Darapara	2,221	3,300	468	694	48%
Loha Pool	2,910	3,801	514	617	20%
Subhash Gram	1,723	2,436	288	435	51%
Total	2,667	3,623	535	745	39%

Table 10 : UTILISATION OF TRANSPORT BEFORE AND AFTER EVICTION

Mode of transport	BEFORE EVICTION						AFTER EVICTION						In-crease
	# HHs	% HHs	Mini-mum	Maxi-mum	Mean	Me-dian	# HHs	% HHs	Mini-mum	Maxi-mum	Mean	Me-dian	
Metro	4	2%	5	1,000	356	210	5	3%	12	1,500	572	100	61%
Bus	47	24%	5	2,000	354	200	51	26%	10	3,000	507	300	43%
Train	75	38%	6	1,000	167	100	92	46%	5	2,000	335	200	101%
Auto-rickshaw	35	18%	5	1,800	240	150	45	23%	7	2,400	321	100	34%
Rickshaw	14	7%	6	420	124	45	14	7%	10	600	203	65	63%
ALL COMBINED					203						384		89%

TABLE 11 : INCREASE IN TRANSPORT COST (IN RUPEES)

Area	Number of HHs	Before Eviction	After Eviction	Increase
Kalikapur	2	300	500	67%
Subhash Gram	9	111	480	332%
Allah Bharosa Bazar	30	264	442	68%
Darapara	60	235	425	81%
Ghutarisarif	25	234	389	66%
Loha Pool	45	206	369	79%
Malikpur	26	64	233	262%
Punjabi Para	2	150	175	17%
Total	199	203	384	89%

TABLE 12 : COST OF WATER (IN RUPEES)

Water source	BEFORE EVICTION						AFTER EVICTION						In-crease
	# HHs	% HHs	Mini-mum	Maxi-mum	Mean	Me-dian	# HHs	% HHs	Mini-mum	Maxi-mum	Mean	Me-dian	
Municipal tap	116	58%	5	600	41	20	69	35%	10	500	68	25	66%
Rickshaw-water tanker	1	1%	600	600	600	600	1	1%	300	300	300	300	-50%
PWD water tanker	2	1%	5	20	13	13	1	1%	100	100	100	100	700%
ALL	119	60%			45		71	36%			72		59%
AVERAGE COST / FAMILY					27						26		-5%

TABLE 13 : COST OF ELECTRICITY (BEFORE AND AFTER EVICTION) (IN RUPEES)

Electricity bill	BEFORE EVICTION						AFTER EVICTION						In-crease
	# HHs	% HHs	Mini-mum	Maxi-mum	Mean	Me-dian	# HHs	% HHs	Mini-mum	Maxi-mum	Mean	Me-dian	
Electricity bill	139	70%	50	1500	239	200	109	55%	100	1000	359	300	50%

TABLE 14 : CHANGE IN NUMBERS OF SCHOOL-GOING BOYS AND GIRLS																		
Area	# HHs in the sam-ple	BEFORE EVICTION						AFTER EVICTION						Increase/ Decrease in number of school going children				
		SCHOOL GOING GIRLS			SCHOOL GOING BOYS			Total num-ber of school going chil-dren	SCHOOL GOING GIRLS			SCHOOL GOING BOYS					Total num-ber of school going chil-dren	
		# HHs	% HHs	# Girls going to school	# HHs	% HHs	# Boys going to school		# HHs	% HHs	# Girls going to school	# HHs	% HHs	# Boys go-ing to school				
			30	10	33%	17	8		27%	12	29	6	20%	8	9	30%		15
Darapara	60	28	47%	51	26	43%	40	91	20	33%	37	20	33%	29	66	-27%	-28%	-27%
Ghutarisarif	25	13	52%	19	6	24%	6	25	6	24%	9	1	4%	1	10	-53%	-83%	-60%
Kalikapur	2	1	50%	1	0	0%		1	0	0%		0	0%	0	0	-100%		-100%
Lakshmikantpur	1	0	0%		1	100%	2	2	0	0%		1	100%	3	3		50%	50%
Loha Pool	45	29	64%	49	22	49%	39	88	24	53%	33	18	40%	28	61	-33%	-28%	-31%
Mallikpur	26	4	15%	6	4	15%	4	10	5	19%	5	5	19%	5	10	-17%	25%	0%
Punjabi Para	2	1	50%	1	2	100%	6	7	1	50%	2	2	100%	5	7	100%	-17%	0%
Subhash Gram	9	5	56%	6	4	44%	5	11	4	44%	4	3	33%	4	8	-33%	-20%	-27%
TOTAL	200	91	46%	150	73	37%	114	264	66	33%	98	59	30%	90	188	-35%	-21%	-29%

TABLE 15 : MONTHLY EXPENDITURE ON EDUCATION								
		BEFORE EVICTION			AFTER EVICTION			Increase / Decrease
		# HHS reported	Mean	Median	# HHS reported	Mean	Median	
Girls		71	530	300	55	716	500	35%
Boys		75	607	300	59	761	500	25%

Eviction Impact Assessment (EvIA) Tool Used for the Study

Eviction Impact Assessment Tool						
Topsia, West Bengal						
Name of surveyor:						
Mobile number and E-mail:						
Name of respondent:						
Age:						
Address:						
Caste:						
No. of family members:						
No. of years living at Topsia:						
POST-EVICTION LOSSES/COSTS						
S. No.	Item					
	Contents - Household	Quantity	Year of purchase	Purchase price	Current market price	Comments
(i)	TV					
(ii)	Refrigerator					
(iii)	Bed					
(iv)	Mattress					
(v)	Chair					
(vi)	Table					
(vii)	Utensils					
(viii)	Clothes					
(ix)	Mixer & Grinder					
(x)	Radio					
(xi)	Bicycle					
(xii)	Motor bike					
(xiii)	Fan					
(xiv)	Gas chulha					
(xv)	Gas cylinder					
(xvi)	Torch					
(xvii)	Lantern					
(xviii)	Iron					
(xix)	Mobile handset					
(xx)	Jewellery					
(xxi)	Cupboard					
(xxii)	Blanket/quilt					
(xxiii)	Sheets					
(xxiii)	School uniforms					
(xxiv)	Children's books					
(xxiv)	Children's toys					
(xxv)	Pet animals					
(xxvi)	Others					
Sub total						

	FOOD ITEMS LOST DURING DEMOLITION					
		Qty (kg./litres)			Cost /Value	Comments
(i)	Rice					
(ii)	Dal					
(iii)	Wheat					
(iv)	Kerosene					
(v)	Sugar					
(vi)	Milk					
(vii)	Vegetables					
(viii)	Cooking oil					
(ix)	Other					
Sub-total						
	INVIOLEATE/ PRICELESS ASSETS					
		Item description			Cost /Value	Comments
(i)	Award					
(ii)	Medals					
(iii)	Certificate					
(iv)	Memento					
(v)	Other					
(vii)						
Sub total						
	MORTGAGE/ OTHER DEBT PENALTIES					
					Value	Comments
(i)	Land					
(ii)	Jewellery					
(iii)	Immovable property					
(iv)	Other property					
(v)	Cash					
(vi)	Other					
Sub total						
	SHOP/COMMERCIAL ENTERPRISE					
					Value	Comments
(i)	Items lost					
(ii)	Livestock / cattle/ poultry					
(iii)	Other					
	PLOT	check mark			Value	Comments
(i)	Living purpose					
(ii)	Rental purpose					
(iii)	Other					
Sub total						
	STRUCTURE (DWELLING/HOUSE)					
		Owned	Rented		Value / cost of house construction	Comments
(i)	Pucca					
(ii)	Kutcha					
(iii)	Semi-pucca					

(iv)	Kutchra with thatched roof						
Sub total							
	VITAL DOCUMENTS						
		Quantity			Cost of replacing document / original cost of document	Comments	
(i)	Caste certificate						
(ii)	Bank passbook						
(iii)	Voter ID						
(iv)	Driving license						
(v)	Birth certificate						
(vi)	Death certificate						
(vii)	Ration card						
(viii)	Marriage certificate						
(ix)	Job card						
(x)	ATM card						
(xi)	PAN card						
(xii)	Gas cylinder booking card						
(xiii)	Disability certificate						
(xiv)	Lease record/ documents						
(xv)	Medical records						
(xvi)	School records/ certificates						
(xvii)	Senior citizen card						
(xviii)	Others						
Sub total							
	WATER SOURCE						
		Household's monthly expenditure BEFORE eviction			Household's monthly expenditure AFTER eviction	Comments	
(i)	Municipal tap						
(ii)	Rickshaw-water tanker						
(iii)	PWD water tanker						
(iii)	Other						
Sub total							
	WORK / LIVELIHOOD LOSS						
		No. of family members employed			Monthly income BEFORE eviction	Monthly income AFTER eviction	
(i)	Daily wagers - construction work etc.						
(iii)	Carpenter						
(iv)	Blacksmith						
(v)	Garage assistance						

(vi)	Driver						
(vii)	Vegetable vendor						
(viii)	Mason						
(viii)	Shopkeeper						
(ix)	Domestic worker						
(x)	Rag picker						
(xi)	Others						
Sub total							
ADVOCACY EXPENDITURE							
					Actual expenses - AFTER eviction	Comments	
(i)	Survey						
(ii)	Networking						
(iii)	Public hearing						
(iv)	Public action						
(v)	Demonstration						
(vi)	Community meeting						
(vii)	Court/ Legal fees						
(viii)	Others						
Sub total							
ALTERNATIVE HOUSING/ RECONSTRUCTION							
		Reconstruction	Newly rented		Actual Expenses - AFTER demolition	Comments	
(i)	Pucca						
(ii)	Kutcha						
(iii)	Semi-pucca reconstruction						
(iv)	Kutcha with thatched roof						
(v)	Others						
Sub total							
BUREAUCRATIC / LEGAL FEES							
		BEFORE eviction			Actual Expenses- AFTER eviction	Comments	
(i)	Electricity bill						
(ii)	Bribes / Extortion						
(iii)	Others						
Sub total							
FOOD EXPENDITURE							
		Monthly Quantity BEFORE eviction	Monthly expenditure BEFORE eviction		Monthly expenditure AFTER eviction	Comments/ Reason for Increase in Expenditure	
(i)	Rice						
(ii)	Lentil/pulses						
(ii)	Flour						
(iv)	Sugar						
(v)	Milk						

(vi)	Vegetables						
(vii)	Edible oil						
(viii)	Fruit						
(ix)	Meat						
(x)	Chicken						
(xi)	Fish						
(xii)	Eggs						
(xiii)	Others						
Sub total							
	HEALTH EXPENDITURE						
	Health Impacts DURING Eviction	Description			Cost of Treatment	Comments	
(i)	Physical injury						
(ii)	Impacts on pregnant women						
(iii)	Other						
Sub total							
	Health impacts AFTER eviction	Description			Cost of Treatment	Comments	
(i)	Physical injury						
(ii)	Health impacts on pregnant women						
(iii)	Heart-related health issues						
(iv)	Psychological/ mental disorders						
(v)	Blood pressure						
(vi)	Water-borne diseases						
(vii)	Malaria/fever						
(viii)	Other						
	Sub-total						
	Chronic Health Issues	Monthly expenditure on treatment BEFORE eviction			Monthly expenditure on treatment AFTER eviction	Comments	
(i)	Cancer						
(ii)	Disability						
(iii)	Heart-related ailments						
(iv)	HIV/AIDS						
(v)	TB						
(vi)	Skin Diseases						
(vii)	Other						
	Sub-total						

	EDUCATION						
		BEFORE eviction			AFTER eviction	Comments	
(i)	No. of girls going to school in family						
(ii)	No. of boys going to school in family						
(iii)	Monthly expenditure on education of Boy						
(iv)	Monthly expenditure on education of girl child						
(v)	No. of days boy child missed school						
(vi)	No. of days girl child missed school						
Sub total							
	TRANSPORTATION						
	Public transport	Monthly expenditure BEFORE eviction			Monthly Expenditure AFTER eviction	Comments	
(i)	Metro						
(ii)	Bus						
(iii)	Local train						
(iv)	Auto rickshaw						
(v)	Rickshaw						
(vi)	Others						
Sub total							
	Private transport	Monthly expenditure BEFORE eviction			Monthly expenditure AFTER eviction	Comments	
	Bicycle						
	Cycle rickshaw						
	Thela						
	Other						
Sub total							
TOTAL POST-EVICTION LOSS (Rs.)							

Response to the RTI (filed by Apne Aap Women Worldwide) from KMDA

KMDA

Kolkata Metropolitan Development Authority

Prashasan Bhavan, Plot No. DD-1, Sector -1, Bidhannagar, Kolkata - 700 064

Phone No
2359-7915/7917/4578/7988
(Extn. 277)

No. /KMDA/PR-416/1/2006(IR - 1886) Dated 05-01-2013

From: **The Public Information Officer, KMDA.**

To : **The Chief Engineer
T&T Sector, KMDA.**

Sub: Application dated 24.01.2013 received on 29.01.2013 from Tinku Khanna under section 6 of RTI Act, 2005.

Ref: Section 5 (4) & (5) of the RTI Act, 2005.

Sir/Madam

Kindly find enclosed copy of the application which will speak for itself. If the desired information is available with his Section/Unit/Sector he is requested to provide information as sought for to the applicant through the P.I.O, KMDA within two weeks or at the latest positively to comply with the time stipulation in terms of the Right to Information Act, 2005.

2. If the desired information is not available or undeliverable under section 8 of the said Act, please inform the undersigned as per prohibition of RTI Act 2005.
3. Kindly treat this extremely urgent in view of the obligation of the Public Authority to maintain time stipulation in furnishing information in terms of the provision of the Act.
4. Kindly acknowledge the receipt.

Encl. As stated.

sd/-
Public Information Officer,
KMDA.

No. 3/1 /KMDA/PR-416/1/2006(IR - 1886) Dated2013

Copy forwarded for information to:

✓ Tinku Khanna
"Krishnalaya", Purbapara
Lashkarpur
Garia Main Road
Kolkata-700153

sd/-
Public Information Officer,
KMDA.

Second RTI sent to KMDA

To,

The Public Information Officer,
Kolkata Metropolitan Development Authority,
Pouro (Prashasan) Bhavan,
DD-1, Sector-1, Salt Lake City,
Kolkata – 700064.



Sub:- Seeking information about evicted people for construction of flyover from Parama to Park Circus under Right to Information Act – 2005.

Respected Sir,

I, Mumtaz Begum, citizen of India, requesting you to provide the following information:-

- How many families were evicted for construction of flyover from Parama to Park Circus?
- How many families were evicted from Topsia 4 No Bridge area for constructing the above mentioned flyover?
- Whether any adequate compensation package or proper rehabilitation was provided to those evicted families? If so how many families received that adhoc compensation or rehabilitation package?
- Name and Address of those evicted people of Topsia 4 No Bridge area who received adhoc compensation.
- Is there any plan of KMDA / Government for final adequate compensation or proper rehabilitation programme for the evicted people of Topsia 4 No Bridge area (who were evicted for construction of flyover Parama to Park Circus)?

The required fee has been paid along with the petition as per provision of RTI Act- 2005. If any further expense is incurred while collecting the required information, I will bear the same.

Kindly provide the information within the stipulated period as per provision of this Act.

Thanking you,

~~MUMTAZ BEGUM~~
(Mumtaz Begum) 21/07/2014

C/O – Apne Aap Women Worldwide,
1, Sasitala Road, Khidderpore,
Kolkata – 700023.

Response to RTI from KMDA - providing no information

CMD

URGENT
RIGHT TO INFORMATION
ACT 2005

**Kolkata
Metropolitan
Development
Authority**

Phone No
2359-7915/7917/4578/7988
(Extn. 277)

No. /KMDA/PR-416/1/2006(IR-2617) Dated 25-07-2014

From: The Public Information Officer,
KMDA.

To: The Chief Engineer
T & T Sector, KMDA,
Unnayan Bhavan

Spl. Messenger
Courier Speed Post

Sub: Application dated 21.07.2014 received on 23.07.2014
from Mumtaz Begum under section 6 of RTI Act, 2005.

Ref: Section 5 (4) & (5) of the RTI Act, 2005.

Sir Madam,

Kindly find enclosed copy of the application which will speak for itself. If the desired information is available with his Section/Unit/Sector he is requested to provide information as sought for to the applicant through the P.I.O. KMDA within the stipulated time as per provision of the Right to Information Act, 2005.

- If the desired information is not available or undeliverable under section 8 of the said Act, please inform the undersigned as per provision of RTI Act 2005.
- Kindly treat this extremely urgent in view of the obligation of the Public Authority to maintain time stipulation in furnishing information in terms of the provision of the Act.
- Kindly acknowledge the receipt.

Encl. As stated.

Yours faithfully,
[Signature]
Public Information Officer,
KMDA.

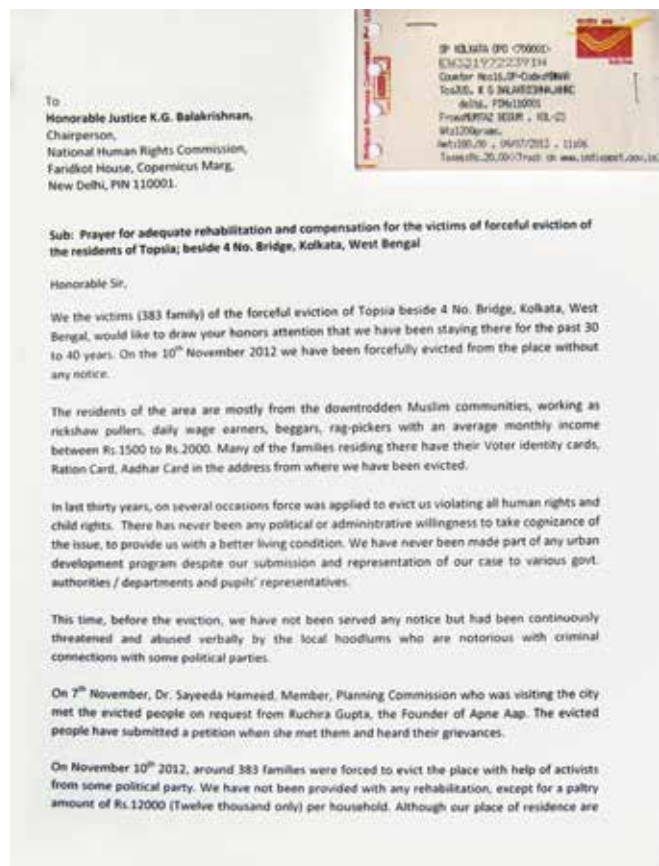
No. 1023/1 /KMDA/PR-416/1/2006(IR-2617) Dated2014

Copy forwarded for information to:

✓ Mumtaz Begum
C/o- Apne Aap Women Worldwide
1, Sastitala Road, Khidderpore
Kolkata-700023

[Signature]
24.7.14
Public Information Officer,
KMDA.

Letter to the National Human Rights Commission



enlisted under the jurisdiction of Karaya Police Station, but we were forced to make all financial transactions (Rs. 12,000/- per household) in Topsisia Police Station. There were huge irregularities during these financial transactions.

We have not been able to find any place to stay and are currently living under the open sky with constant threats of being raped and trafficked. We have also received threats of being murdered from the local hoodlums and criminals. Ever since the eviction, the children were forced to drop out from the schools. Many of the children have been found missing. Incidents of trafficking have increased manifold. Moreover, women sleeping on the streets were lynched and killed on the suspicion that they were child kidnappers.

After the initial shock, we the evicted women have decided that we will fight for justice. We have knocked the doors of every government body and authority to consider our rehabilitation, but we have been met with suspicion, hostility and non-recognition of our issues. We are seeking justice from your honors end.

We have organized a Public Hearing with the help of an NGO named Apne Aap Women Worldwide, 1, Sastitala Road, PS-Watgunge, Khidderpore, Kolkata-700023; on 6th June 2013 at Rotary Sadan.

Sir, in this circumstances we would earnestly pray before your honor to take necessary actions regarding our rehabilitation and compensation at the earliest.

We shall be highly obliged if your honor solve our matter as early as possible

With regards

Yours faithfully


MUMTAZ BEGUM

Mumtaz Begum
(One of the evicted victims of Topsisia)
31/1 Tiljala Road
Kolkata-700046

C/O Apne Aap Women Worldwide
1, Sastitala Road
PS-Watgunge
Khidderpore
Kolkata-700023

Letter to the West Bengal Minorities Commission

Shri Intaj Ali Shah
Chairman
West Bengal Minorities Commission
Bhawani Bhawan (2nd Floor West), Alipore
Kolkata – 700027

 Dated: 25th June 2013

Sub: Prayer for adequate rehabilitation and compensation for the victims of forcible eviction of the residents of Topsia; beside 4 No. Bridge, Kolkata, West Bengal

Honorable Sir,

We the victims (383 family) of the forcible eviction of Topsia beside 4 No. Bridge, Kolkata, West Bengal, would like to draw your honors attention that we have been staying there for the past 30 to 40 years. On the 10th November 2012 we have been forcefully evicted from the place without any notice.

The residents of the area are mostly from the downtrodden Muslim communities, working as rickshaw pullers, daily wage earners, beggars, rag-pickers with an average monthly income between Rs.1500 to Rs.2000. Many of the families residing there have their Voter identity cards, Ration Card, Aadhar Card in the address from where we have been evicted.

In last thirty years, on several occasions force was applied to evict us violating all human rights and child rights. There has never been any political or administrative willingness to take cognizance of the issue, to provide us with a better living condition. We have never been made part of any urban development program despite our submission and representation of our case to various govt. authorities / departments and pupils' representatives.

This time, before the eviction, we have not been served any notice but had been continuously threatened and abused verbally by the local hoodlums who are notorious with criminal connections with some political parties.

On 7th November, Dr. Sayeeda Hameed, Member, Planning Commission who was visiting the city met the evicted people on request from Ruchira Gupta, the Founder of Apne Aap. The evicted people have submitted a petition when she met them and heard their grievances.

On November 10th 2012, around 383 families were forced to evict the place with help of activists from some political party. We have not been provided with any rehabilitation, except for a paltry amount of Rs.12000 (Twelve thousand only) per household. Although our place of residence are enlisted under the jurisdiction of Karaya Police Station, but we were forced to make all financial

transactions (Rs. 12,000/- per household) in Topsia Police Station. There were huge irregularities during these financial transactions.

We have not been able to find any place to stay and are currently living under the open sky with constant threats of being raped and trafficked. We have also received threats of being murdered from the local hoodlums and criminals. Ever since the eviction, the children were forced to drop out from the schools. Many of the children have been found missing. Incidents of trafficking have increased manifold. Moreover, women sleeping on the streets were lynched and killed on the suspicion that they were child kidnappers.

After the initial shock, we the evicted women have decided that we will fight for justice. We have knocked the doors of every government body and authority to consider our rehabilitation, but we have been met with suspicion, hostility and non-recognition of our issues. We are seeking justice from your honors end.

We have organized a Public Hearing with the help of an NGO named Apne Aap Women Worldwide, 1, Sastitala Road, PS-Watgunge, Khidderpore, Kolkata-700023; on 6th June 2013 at Rotary Sadan.

Sir, in this circumstances we would earnestly pray before your honor to take necessary actions regarding our rehabilitation and compensation at the earliest.

We shall be highly obliged if your honor solve our matter as early as possible

With regards


Yours faithfully


Mumtaz Begum
(One of the evicted victims of Topsia)
31/1 Tiljala Road
WARD No: 64
Kolkata-700046

C/O Apne Aap Women Worldwide
1, Sastitala Road
PS-Watgunge
Khidderpore
Kolkata-700023

Letter to the West Bengal Human Rights Commission

Honorable Justice Ashok Kumar Ganguly
Chairman
West Bengal Human Rights Commission
Bhawani Bhawan, Alipore
Kolkata – 700027

 Dated: 25th June 2013

Sub: Prayer for adequate rehabilitation and compensation for the victims of forcible eviction of the residents of Topsia; beside 4 No. Bridge, Kolkata, West Bengal

Honorable Sir,

We the victims (383 family) of the forcible eviction of Topsia beside 4 No. Bridge, Kolkata, West Bengal, would like to draw your honors attention that we have been staying there for the past 30 to 40 years. On the 10th November 2012 we have been forcefully evicted from the place without any notice.

The residents of the area are mostly from the downtrodden Muslim communities, working as rickshaw pullers, daily wage earners, beggars, rag-pickers with an average monthly income between Rs.1500 to Rs.2000. Many of the families residing there have their Voter identity cards, Ration Card, Aadhar Card in the address from where we have been evicted.

In last thirty years, on several occasions force was applied to evict us violating all human rights and child rights. There has never been any political or administrative willingness to take cognizance of the issue, to provide us with a better living condition. We have never been made part of any urban development program despite our submission and representation of our case to various govt. authorities / departments and pupils' representatives.

This time, before the eviction, we have not been served any notice but had been continuously threatened and abused verbally by the local hoodlums who are notorious with criminal connections with some political parties.

On 7th November, Dr. Sayeeda Hameed, Member, Planning Commission who was visiting the city met the evicted people on request from Ruchira Gupta, the Founder of Apne Aap. The evicted people have submitted a petition when she met them and heard their grievances.

On November 10th 2012, around 383 families were forced to evict the place with help of activists from some political party. We have not been provided with any rehabilitation, except for a paltry amount of Rs.12000 (Twelve thousand only) per household. Although our place of residence are enlisted under the jurisdiction of Karaya Police Station, but we were forced to make all financial

transactions (Rs. 12,000/- per household) in Topsia Police Station. There were huge irregularities during these financial transactions.

We have not been able to find any place to stay and are currently living under the open sky with constant threats of being raped and trafficked. We have also received threats of being murdered from the local hoodlums and criminals. Ever since the eviction, the children were forced to drop out from the schools. Many of the children have been found missing. Incidents of trafficking have increased manifold. Moreover, women sleeping on the streets were lynched and killed on the suspicion that they were child kidnappers.

After the initial shock, we the evicted women have decided that we will fight for justice. We have knocked the doors of every government body and authority to consider our rehabilitation, but we have been met with suspicion, hostility and non-recognition of our issues. We are seeking justice from your honors end.

We have organized a Public Hearing with the help of an NGO named Apne Aap Women Worldwide, 1, Sastitala Road, PS-Watgunge, Khidderpore, Kolkata-700023; on 6th June 2013 at Rotary Sadan.

Sir, in this circumstances we would earnestly pray before your honor to take necessary actions regarding our rehabilitation, compensation and protection at the earliest.

We shall be highly obliged if your honor solve our matter as early as possible

With regards

Yours faithfully


Mumtaz Begum
(One of the evicted victims of Topsia)
31/1 Tiljala Road
WARD No: 64
Kolkata-700046

C/O Apne Aap Women Worldwide
1, Sastitala Road
PS-Watgunge
Khidderpore
Kolkata-700023

Letter to the Chief Secretary, Government of West Bengal



Letters Submitted to Different Government and Political Authorities for Adequate Rehabilitation and Compensation

Prayer for proper rehabilitation and compensation were submitted by victims of the forced eviction to the following government and political bodies			
Authority	Date of Sending the Letter (through Speed Post)	Date of Delivery (as per India Post tracking system)	Response
The Minister-in-Charge, Municipal Affairs and Urban Development, Government of West Bengal	02/02/2013	04/02/2013	No response from the department
The Chairman, Kolkata Metropolitan Development Authority	02/02/2013	05/02/2013	No response from the department
The Chairman, Kolkata Metropolitan Development Authority	02/02/2013	05/02/2013	Not received and returned to the sender - Mumtaz Begum
The Deputy Mayor, Kolkata Municipal Corporation	28/01/2013	29/01/2013	No response
The Principal Secretary, Urban Development Department, Government of West Bengal	02/02/2013		No response
The Mayor, KMC, 5, S.N. Banerjee Road, Kolkata 700013	28/01/2013		No response
The Councillor, Word No. 64, Kolkata Municipal Corporation, 9 Congress Exhibition Road, Kolkata 700017	28/01/2013	29/01/2013	No response
The Councillor, Kolkata Municipal Corporation Word No. 59, 14 Gobra Road, Kolkata 700046	28/01/2013	29/01/2013	No response
The Officer In Charge, Karaya Police Station, 52 Karaya Road, Kolkata 700019	28/01/2013	29/01/2013	No response

First Response from NHRC

Assistant Registrar(LAW)
Tel. No.: 011-2338 5368
Fax No.: 011-2338 6521
Telegraphic Add.: "HUMANRIGHTS"
Home Page : <http://nhrc.nic.in>

Case No. 848/25/5/2013/US*

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)

FARIDKOT HOUSE
COPERNICUS MARG. NEW DELHI - 110 001

Dated: 17/07/2013

To
THE CHIEF SECRETARY
GOVERNMENT OF WEST BENGAL, KOLKATA

Sub : Complaint from
MUMTAZ BEGUM
C/O APNE AAP WOMEN WORLDWIDE, I, SASTITALA ROAD,
PS. WATGUNGE KIDDERPORE,
Kolkata, WEST BENGAL.

30 JUL 2013

Sir,

The complaint dated 03/07/2013, was placed before the Commission on 11/07/2013. Upon perusing the complaint, the Commission directed as follows.

The complaint be transmitted to Chief Secretary, Government of West Bengal, calling for action taken report within 06 weeks.

2. Accordingly, I am forwarding herewith a copy of the complaint for taking appropriate action in the matter as per the directions of the Commission. It is requested that an Action Taken Report be sent to the Commission within 6 weeks from the date of receipt of this letter.

Yours faithfully,

ASSISTANT REGISTRAR (LAW)

Encls: As above

CC to:

 **MUMTAZ BEGUM**
C/O APNE AAP WOMEN WORLDWIDE, I, SASTITALA ROAD, PS.
WATGUNGE KIDDERPORE,
Kolkata, WEST BENGAL.
(Pin Code - 700023)


ASSISTANT REGISTRAR (LAW)

Response from the West Bengal Minorities Commission



WEST BENGAL MINORITIES' COMMISSION
Bhawani Bhavan (2nd Floor, West) Alipore
Kolkata - 700 027

Phone : 2479-2894
2479-2895
Fax : 2439-8592
E-mail : wbmcommission@gmail.com

Memo No.504-MC-C-163-2013.

Date : 31/07/2013.

To
Mumtaz Begum,
C/o. Apne Aap,
Women Worldwide,
1, Sastitala Road,
P.S. – Watgunge, Kidderpore,
Kolkata – 700 023.

Enclosed please find herewith xerox copy of the report received from the Commissioner of Police, Kolkata & Joint Municipal Commissioner, K.M.C., vide Memo Nos.16436/RPT dt.23/07/2013 & JL/092/2013-14, dt.24/07/2013, in respect of your complaint for information.

Encl : As stated.


Member-Secretary.

Letter from the Kolkata Municipal Corporation in Response to the Letter by Applicants for Adequate Compensation and Rehabilitation

Tapas Chowdhury, WBCS (Exe.)
Joint Municipal Commissioner



THE KOLKATA MUNICIPAL CORPORATION
5, S. N. Banerjee Road, Kolkata - 700 013
Phone : (Office) : 2286 1271



Memo no: JL/02/2013-14
Date: 24.07.2013

To,

The Member Secretary
West Bengal Minorities' Commission
Bhawani Bhavan (2nd Floor, West)
Alipur
Kolkata- 700027

Sub: Prayer for adequate rehabilitation and compensation for the victims of forceful eviction of the resident of Topsia beside 4 no Bridge, Kolkata, West Bengal

Sir,

The Kolkata Municipal Corporation has received a complaint regarding the above mentioned matter.

The matter was forwarded to Solid Waste Management Deptt of KMC and based on their enquiry and office record no such evction drive was made by KMC at 4 no bridge, beside Topsia.

In this matter there is no question of rehabilitation and compensation.

Now you are requested to take necessary action from your end.

Thanking you,

Yours faithfully

(Tapas Chowdhury)
Joint Municipal Commissioner
The Kolkata Municipal Corporation

NHRC's Response to Mumtaz's Complaint

Recd

Assistant Registrar(LAW)
 Fax No: 011-24651332
 Home Page : <http://nhrc.nic.in>

Case No: 84825/3/2013
NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
 BHAWAN ADHAR BHAWAN, BLOCK-C, O.P.O. COMPLEX,
 INA, NEW DELHI-110023

Case No:- 84825/3/2013
 To
 MUMTAZ BEGUM
 C/O APNE AAP WOMEN WORLDWIDE, SATITALA
 ROAD, PS. WATGUNGH KIDDERPORE,
 KOLKATA, WEST BENGAL- 700023

Dated 19/12/2014
6 JAN 2015

Sir/Madam,

With reference to your complaint dated 09/07/2013, I am directed to inform you that the above mentioned complaint along with the report received from the concerned authorities were placed before the Commission on 17/12/2014. Upon perusing the same, the Commission has directed as follows:-

The Commission received a complaint dated 1.7.2013 from Ms. Mumtaz Begum, a resident of Kolkata, West Bengal that 383 families (victims) were forcibly evicted from Topra, besides 4 No. Bridge, Kolkata, on 10.11.2012 without adequate rehabilitation and compensation. The residents, mostly belonging to a downtrodden Muslim community were staying there for the past thirty years. They were evicted without notice. They were in possession of voter cards, ration cards, Aadhar Card etc. A proper was made for immediate intervention for rehabilitation, compensation and protection.

The Commission vide proceedings dated 07.11.2013, transmitted the report received from the State authorities to the complainant for her comments.

Vide proceedings dated 21.03.2014, the Commission considered the report from the Special Secretary, Home Department, Govt. of West Bengal which mentioned that 282 families including the family of the complainant were given a sum of Rs. 12,000/- each by KMDA Authority. All the evicted families left the place with their belongings peacefully for other places. Till date, no report or allegation was received at Topra police station about missing or trafficking of any minor child belonging to the evicted families. The eviction programme was taken up by KMDA Authority and the police had no role in it.

The complainant has re-iterated her allegations. A copy of the comments received from the complainant were sent to the Chief Secretary, Government of West Bengal for submitting a further report, on the aspects of compensation, missing children and rehabilitation of the victims.

In response, the Commission has received a communication dated 17.06.2014 from the Special Secretary, Home Department, Police Establishment Branch enclosing a

Enc: As stated above

1 of 2

report dated 29.05.2014 from the Chief Engineer, TNT Sector, Kolkata, Metropolitan Development Authority which mentions that the eviction programme of the slum was peacefully executed to facilitate a project.

The report dated 11.06.2014 from the Commissioner of Police, Kolkata mentions that during further inquiry it was revealed that 282 families including the family of the complainant were given a sum of Rs. 12,000/- each by the KMDA authority on adhoc basis from 07.11.2012 to 12.11.2012 at Topra PS under the supervision of Shri Jagdish Ganguly, Chief Engineer, KMDA and Shri Ashish Sen, Asst. Engineer, KMDA. All the evicted families left the place with their belongings peacefully for Mallickpur, Canning, Alra, Basanti etc. The complainant was further examined by the erstwhile AC (R), SED but she had no more grievances except for proper rehabilitation.

The eviction programme was undertaken by KMDA authority and police had only rendered assistance. Police was all along present on 07.11.2012 and 08.11.2012 and provided necessary assistance during the eviction process by KMDA authority. No local goons were present at the spot as alleged in the complaint dated 10.12.2013. Not even slightest force was reportedly used during eviction. Moreover, only 282 families were evicted from the said place and not 383 families as alleged in the complaint.


No specific complaint was received at police station with regard to missing of small children other than missing of one girl was, Mania Khatun at Topra PS area as alleged in the complaint dated 10.12.2013. On 10.12.2012, M/s. Usman s/o M/s. Shivan of 42B, Tiljala Road, PS Topra, Kolkata-46 lodged a complaint regarding missing Mania Khatun and a case vide Topra PS, Case No. 184 dated 20.12.2012 w/s 363 IPC was lodged and investigation is pending in this case.

The Commission has considered the material placed on record and directs:-

- 1. The Commissioner of Police, Kolkata to submit a further report as to the status of investigation in Case No. 184 dated 20.12.2012 w/s 363 IPC,*
- 2. that a copy of the report be sent to the complainant for her comments, if any.*

Response within four weeks.

Pursuant to the above directions, I am enclosing herewith a copy of the report for furnishing your comments, if any, by 23/01/2015 for consideration of the Commission.

Yours faithfully,

 ASSISTANT REGISTRAR (LAW)

Enc: As stated above

2 of 2

List of Missing and Traced Children

(50) (33)

LIST OF MISSING & TRACED OUT CHILDREN FOR THE MONTH OF NOVEMBER & DECEMBER 2012 IN TILJALA & TOPSIA P.S. AREA												STATUS
No.	NAME	S/o, D/o, W/o	ADDRESS	SEX	AGE / YEARS	DATE OF MISSING	P.S.	MISSING		TRACE		MISSING / TRACED OUT
								G.D.E. NO.	G.D.E. DATE	G.D.E. NO.	G.D.E. DATE	
1	SK. SABIR HOSSAIN	SAUKET HOSSAIN	1, TOPSIA ROAD, SOUTH, KOL - 6	MALE	10	01.11.12	TOPSIA	73	01.11.12	137	02.11.12	TRACED OUT
2	JEENAT KHATOON @ PRISCI	NOT MENTIONED	35/3H, TOPSIA ROAD, KOL - 39	FEMALE	8	04.11.12	TILJALA	506	06.11.12	1047	12.11.12	TRACED OUT
3	NITAM CHETRY	NARAYAN CHETRY	489, VIP NAGAR, KOL - 100	MALE	12	08.11.12	TILJALA	715	08.11.12	745	09.11.12	TRACED OUT
4	RITTICK SARKAR	DILIP SARKAR	372, VIP NAGAR, KOL - 100	MALE	11	08.11.12	TILJALA	716	08.11.12	746	09.11.12	TRACED OUT
5	MD. TOHID	MD. NAIM	53/23A, TILJALA RD, KOL - 46	MALE	10	22.11.12	TOPSIA	2145	23.11.12	2160	23.11.12	TRACED OUT
6	SUKIA RASHID	HARUN RASHID	212, TOPSIA ROAD, KOL - 39	FEMALE	10	26.11.12	TILJALA	2205	26.11.12	INFORMED BY HER FATHER		TRACED OUT
7	DILSHAD KHAN	NOUSHAD KHAN	2/2, TOPSIA ROAD, KOL - 39	MALE	7	26.11.12	TILJALA	2204	26.11.12	2272	27.11.12	TRACED OUT
8	SK. DANISH	ABDUL HAMID	42C/H/17, TILJALA RD, KOL - 46	MALE	8	10.12.12	TOPSIA	800	11.12.12	961	13.12.12	TRACED AS DEAD BODY
9	JANNATA HAQUE @ RIKSAR	MD. RASHIDUL HAQUE	8/5, TOPSIA RD, KOL - 39	FEMALE	11	17.12.12	TILJALA	1471	17.12.12	1629	19.12.12	TRACED OUT
10	MANIA KHATOON	MD. RAJA	50, TILJALA ROAD, KOL - 46	FEMALE	2 Yrs. 6 Month	18.12.12	TOPSIA	1376	18.12.12			MISSING

Letter from the Joint Secretary, Urban Development Department, Government of West Bengal to Chief Executive Officer, KMDA

Government of West Bengal

Urban Development Department

"NAGARAYAN", Block-Df,

Sector-I, Salt Lake, Kolkata-700 064

NO: 2121 - UD/O/M/SB/SE-1 /2013

Date: 3rd April, 2013

From: Joint Secretary to the
Government of West Bengal

To: The Chief Executive Officer,
Kolkata Metropolitan Development Authority,
Prashasan Bhavan, Plot no. DD-1,
Sector-I, Salt Lake,
Kolkata-700 064.

Subject: Rehabilitation of Basti on Dilkhusa Street in Topsiya

Sir,

I am directed to send herewith a copy of D.O.No. M (SH) /PC/18/13 dated 04.01.2013 alongwith its enclosure, since received from Dr. Syeda Hameed, Member, Planning Commission, Yojana Bhawan, on the subject noted above, addressed to Chief Secretary, Government of West Bengal, wherein she has expressed her deep concern over the fate of the inhabitants of the Basti on Dilkhusa Street in Topsiya. She has requested to look into the matter on humanitarian grounds alongwith a request to have a status report on the matter.

I am further directed to request you to kindly furnish a detailed report in this connection to this Department for onward transmission to her and to the Chief Secretary also.

Enclo: As stated.

Yours faithfully,

sd/-
Joint Secretary to the
Government of West Bengal

NO: 2121/1(2) - UD/O/M/SB/SE-1 /2013

Date: 3rd April, 2013

Copy forwarded for information to :

✓ i) Syeda Hameed, Member, Planning Commission, Yojana Bhawan, New Delhi- 110 001.

ii) The Chief Secretary to the Government of West Bengal, Writers' Buildings, Kolkata- 700 001.

sd/-
Joint Secretary to the
Government of West Bengal

Report of 6 June 2013 Public Hearing on the Topsia Eviction

Apne Aap Women Worldwide organised a public hearing in Kolata on 6 June 2013, to draw attention to the plight of the families evicted in Topsia.

The jury at the public hearing comprised of Professor Malini Bhattacharya, former Member of Parliament and former Chairperson, State Commission for Women, West Bengal; Mr Miloon Kothari, Founder, Housing and Land Rights Network (HLRN) and former UN Special Rapporteur on the Right to Adequate Housing; Ms Anuradha Talwar, anti-eviction activist and founder, *Shramajeevi Mahila Samity*; Mr Taj Mohammad, Advocate, Calcutta High Court; Ms Shivani Chaudhry, Executive Director, HLRN; and, Ms Ruchira Gupta, founder and President, Apne Aap Women Worldwide.

More than 70 people - mostly women - representing the evicted families attended the public hearing at Rotary Sadan.

It was revealed that many more would have participated, but after the news of the public hearing was broadcast, a political party - heretofore silent - had announced that it would hold a public meeting on the issue in that area on the very same day. Another political party had announced that it would hold a public meeting the next day. Clearly, Apne Aap Women Worldwide had stirred many to action!

Apne Aap Women Worldwide state co-ordinator, Mr Anupam Das, initiated the proceedings with a brief background of the sequence of events. Ms Ruchira Gupta gave a brief description of the situation and then the affected persons presented their testimonies. The first speaker, on behalf of the evicted families, was Mumtaz. She gave a detailed account of the eviction incident as well as the prolonged suffering and oppression they had been subject to. She said that eviction had been attempted quite a few times before November 2012 but each time the people had resisted and thwarted the attempts. This time too she had urged her neighbours to unite and resist but no one dared. Local hoodlums enjoying political patronage had been threatening them to evacuate their homes for quite some time. They were threatened with abduction and rape of their daughters. They were even threatened with murder. For some

days prior to the eviction, tough goons held sway over the entire area and terrorised the people with threats and intimidation. At the time of the demolition of their houses, there were no police or government representatives present.

On 10 November 2012, the families were given coupons and asked to go to Topsia Police Station where they would be given money (Rs 12,000). When the people went to collect the money, their homes were demolished. There was no police to help them. They watched helplessly as the hoodlums destroyed their homes and threw their belongings outside. They recognised many of the goons, as they were mostly from the local club. The hoodlums were all drunk and were threatening and abusing everyone. They

were all forced to spend the night under the open sky. Later, some of them sought temporary shelter at relatives' houses while others pitched

**There are 13 votes in my house.
They want our votes, but not us.**
Mumtaz

makeshift plastic tents by the railway tracks. Ever since the eviction, their lives have been in total disarray. They have to walk some distance to fetch water, and there they are abused by the local people who accuse them of crowding into their territory. Children have dropped out of school. Many have gone missing. When the women go out to work, the children remain vulnerable to all kinds of danger, as they have no shelter. She recounted that they are often told to send their children to work in other people's houses for a salary of say, Rs 1,000, but when they do send their children, they are trafficked. The police never accept their complaints. Mumtaz was very clear about what she wanted. "Give us back our place," she said, "and we will give you back the 12,000 rupees. We do not want money, we want our homes back."

After Mumtaz had spoken, the jury members asked for some clarifications. The first jurist to ask her questions was Mr Taj Mohammed. In reply to his questions, Mumtaz replied that she had got the money from the police station and that people from the Trinamool Congress (TMC) had given the money - they had said that the money was being given by the people who would build the bridge. She was not made to sign for receipt of the money. She does

not have a copy of the coupon as it had been taken from them after they had collected the money. In response to his queries, Mumtaz revealed that when members of their families died, they were taken to No. 1 or No. 2 burial ground and the family of the deceased gave the address as Bridge No. 4. When their children fell ill, they were taken to Chittaranjan hospital for treatment. She has a voter identity card and also the Aadhar card slip.

After Taj Mohammed, Shivani Chaudhry had some questions. Mumtaz told her that the evictors had come at around 12.00 - 12.30 p.m. They were people from the Trinamool Congress and there were no policemen with them.

In response to Miloon Kothari's questions, Mumtaz revealed that they were being told that they would be evicted ever since 1 November 2012. People from the Trinamool Congress came to their houses and told them so. At first they said they would give the families Rs 5,000 as compensation. Mumtaz and the others refused, saying what could they do with Rs 5,000? Then they hiked the amount to Rs 12,000. However, the slum dwellers were served no official notice.

Ruchira Gupta asked Mumtaz how she knew that the evictors were from the TMC. Mumtaz said that she knew them as they sat at the local office. Ms Gupta asked how many children had gone missing after the incident, to which Mumtaz replied that one 28-year-old woman and three male children had gone missing. Now that they lived in such unsafe conditions under the open sky, anything could happen at any time. Many children, Mumtaz said, had had to drop out of school because after the eviction people have been compelled to move to distant places like Subhash Gram. Their children used to study in Loreto, Adi Ballygunge, Apne Aap Women Worldwide. But after the eviction many have moved to other places and so their children had to drop out. Children cannot go to school because they have no homes. At many schools they are asking for a lot of money to get the children admitted.

Malini Bhattacharya and Anuradha Talwar wanted to know if this problem regarding schools did not exist previously. Mumtaz said, no, because Apne Aap Women Worldwide would help.

Ms Talwar wanted to know the name of the club from which the evictors came. Mumtaz said that it was not a club but a party office. She also said that she knew the people who evicted them and, if necessary,



The children are exposed to all kinds of danger due to homelessness

she could file a case against them mentioning their names. In response to a question from Ms Talwar, Mumtaz emphasised that there was a connection between trafficking and the eviction as since they had no homes now, the danger was greater.

The next speaker on behalf of the evictees was Laxmi Ray.

Her voice broke, as she recounted her suffering and that of her neighbours. She said that they were in dire straits. Drunken men had swaggered in and said that if they did not evacuate their homes, they would demolish everything. She rued that no media representatives had come to record their plight. At the police station they were told to take the money and pack their things and flee. She said that now she was staying with her two children by the railway tracks. Her husband remained drunk most of the time and had no job. She was a rag-picker and found it very difficult for her to keep her children in the accident-prone area of the railway tracks and go to work.

Malini Bhattacharya asked Laxmi where she was living now. She replied that she had put up a makeshift shanty on the railway tracks and was living there with her family. Earlier she lived under Bridge No. 4.

Shivani Chaudhry asked her how much compensation she had received. She replied that she had received Rs 12,000. When Ms Chaudhry asked how much money she needed as compensation, Laxmi replied that she wanted a small home. She had a terrible time during the rains, living in the middle of mud and water all around. After the eviction there had been an increase in the outbreak of diseases like fever, common cold and malaria. Previously, they used to get free food from Mullickbazar Church - rice and

dal. But now she could not leave her children by the railway track and fetch food from such a long distance. Rice is so costly. Sometimes they were given food at the Gurudwara. They were always scared of accidents and were somehow surviving with a plastic covering over their heads.

Tinku Seth, a young rickshaw puller, was the next speaker. Speaking with clarity and vigour, he recounted how they had been evicted more than six months ago after their homes were demolished by people belonging to the Trinamool Congress and led by a father-son duo, Asaful Miyan and his son Babu. Before the eviction they had continuously threatened to abduct the girls of the families and set fire to their homes. The threats began from 1 November as local rowdies started going to their houses and urged them to evacuate. First, they had said they would pay Rs 5,000 as compensation. But when everyone protested against such a paltry amount, they raised it to Rs 12,000. Tinku had raised the question why they should collect compensation money from Topsia Police Station when their residential area fell under the jurisdiction of Karaya Police Station. Needless to say, he had got no answer to his question. He said that he was on good terms with some policemen at Karaya Police Station and he had asked one of them - Sengupta Babu - if there was any eviction notice for their slum. But Sengupta Babu had categorically said that there was no such eviction notice. When the people went to collect the compensation money from the police station, the goons demolished their homes and threw their belongings outside. They even demolished their club.

Tinku Seth pointed out that in Nonadanga slum dwellers had been given flats - homes. So why should they not be given decent homes too? They have not been given homes, but ever since the eviction they are being flooded with threats. Since the demolition, Tinku's son has not been able to go to school. The child is under mental pressure and trauma. If he goes to school, others will say that his home has been destroyed.

Taj Mohammed asked Tinku if they had lodged a complaint with the police when the goons came and threatened them and spoke of abducting their girls. Tinku promptly replied that the police never paid any heed to their complaints. If they went to the police station with any complaints, they were shooed away. Mr Mohammed then asked if they had met the local councillor, MLA, MP for help. Tinku replied that they had written to all relevant officials.

Shivani Chaudhry then asked him who the local MLA was and from which party. Tinku replied that it was Mr Subrata Mukherjee from the Trinamool Congress. They had tried to meet him four times but each time they were told that he was not available. Mr Mohammed then interrupted to inform the other jurists - since he had been associated with their struggle for some time - that they had gone with deputations to the local councillor, MLA, Home Secretary, Chief Secretary, et al. But none had accepted the deputation. Everywhere they had been looked at with hostility and suspicion. Some had said that they would accept the deputation but would not give them a 'received copy'. So the petitions were sent to all these offices via registered A/D post. Many RTIs were done. But there was only one answer.

Malini Bhattacharya then wanted to know about the demolition of the club. Tinku replied that he had told the goons that the club - Allah Bharosa Club - was registered. He even showed them the papers. But the father-son duo refused to listen to anything. They went ahead and destroyed the club. Mr Mohammed wanted to know if he had gone to the police station to complain about the demolition of a registered club. But Tinku repeated that it would have been of no use because the police never listened to them.

Ruchira Gupta asked if he still had the Rs 12,000 with him. Is it possible, replied Tinku. Asked how many days the money lasted, Tinku replied may be four or five days. Most of it was spent buying stocks of rice, dal, and food. He affirmed that he had both a ration card as well as a voter identity card. He said that he was a rickshaw puller. He did not own a rickshaw. He pulled one on hire. He paid Rs 50 as rent for it every day. He kept in the Park Circus Maidan.

Anuradha Talwar then asked if there was any proof that they had taken the 12,000. Tinku replied that they had been made to sign for it at the police station. Then at the police station their photographs were taken in groups of three. She asked if all the evicted families had received the 12,000. Tinku replied that many had not.

At that point, another victim of the forced eviction called out from the audience that he had not received the compensation money. At that time he was in his village home. He came back to find that his house had been demolished but he had been deprived of the compensation money. When he enquired about it, he was asked to shut up. He complained that many people who had never lived there had collected the money instead.



Shelter after the eviction

Tinku said that many of the nearly 400 families had not received the compensation money. When asked if the authorities had a list of the total number of families, he replied that they had come and counted every house before the eviction. He said that the evictors had made a lot of money in the process. They could be seen splurging on *biryani* and liquor while the children of the evicted families slept under the open sky.

Monowara Bibi spoke up from the audience. She said that she had two houses - one in which she lived with her family and another in which her son and daughter-in-law lived. She had received compensation for only one. Ms Bhattacharya asked her if she had received two coupons. She replied that at the police station she was simply told that there was no more money and asked to leave. Monowara Bibi was requested to step up on the stage and answer other questions.

Ms Gupta asked her about her children. She said that she had four children and the night of the eviction they had all stayed under the open sky. One of her daughters is 14 and another 18. The 14-year-old worked as a domestic help; after the eviction she has begun to stay at her employer's house. The 18-year-old girl married around 15 days ago and moved away with her husband. That proved a relief because the local hoodlums often used to threaten to abduct the girls.

In response to Ms Gupta's query, Monowara Bibi said that she knew someone called Babu among those who came to evict them. At the time of the eviction, the climate was very cold. She also said that her eyes always watered. She needed the councillor's signature for proper treatment. But he has refused to sign the papers.

Ms Talwar then asked her about toilet facilities. She said that they went to Sulabh, where they charged Rs 2 to use the toilet and Rs 3 for a bath. She pointed out how expensive such a bare necessity was if one had many family members. Asked about drinking water, Monowara Bibi said that they used to use the 'time' tap water. But now that they had moved away they could not access it anymore. They have to go far for water, stand in queues and even quarrel. The original inhabitants of the place quarrel with them when they go to fetch water. When it rained, they used plastic sheets over their heads.

Ms Gupta asked whether they faced any threat from the hoodlums now that they were fighting for justice. Monowara Bibi said that they were often abused. Ms Bhattacharya asked if the hoodlums did not try to stop them from coming for the public hearing. Monowara Bibi replied that she and the others came and went for meetings on the sly, not in front of their eyes. Monowara Bibi further added that one Rukbanur Rahman had promised to build them 10 homes along the railway track. Encouraged, they had gone to several meetings. But nothing had materialised. But, she said, the TMC people by the railway track helped them. The evicted families have asked them to give them space to set up a school for the children.

Anuradha Talwar asked Tinku Seth how many people had come to demolish the homes. He said that there were 20-25, of whom he knew around 15 as they belonged to the locality - the rest were outsiders, rowdies brought from other places. Ruchira Gupta asked if he knew the names of the policemen who had distributed the money. Tinku said that he did not, since he was not familiar with the Topsis Police Station as they were never under its jurisdiction. Some were in uniform, some in civil dress. The money was given



A homeless child plays on the railway tracks, heedless of the danger

inside the police station, in the office. The process continued from 10 - 13 November. Tinku said that he had got the money on 13 November, while Mumtaz said that she had received it on 10 November.

Mohammed Fazl came up to the dais and gave his account. He said that his family had been living at the site in Topsia for generations and had in his possession *Kabaristan* certificates for all family members who had died. He also had a ration card and voter identity card. He recounted that first Farzana Chowdhury had come and asked them to vacate their homes. Then they had all joined the TMC, as it had promised to fight on their behalf. The TMC leaders had said that the bulldozers would first have to crush their party office before it could touch their homes. They had believed all those promises and today they had been betrayed. He also stressed the fact that the compensation money had been handed out to women only, and not the men. He said that a man was the guardian of the family and yet the men were kept away - they were told that the money would be given only to women.

Since this was a new point that cropped up in the middle of the hearing, Anuradha Talwar requested someone who had been at the police station and collected the money to come up and narrate the exact sequence of events.

Deepshikha Khan was one such woman who had personally collected the money and she described the process. The evictors had given her a coupon and asked her to go to the police station to take the Rs 12,000. They specified that only women should go and not men. At the police station, one man signed the cheque, one took down her name, and another encashed the cheque and handed over the money. She was told that they were all people from the bank. They were all sitting round a table executing the process. After every four women had collected the money they were taken outside and photographed together. When she came back from the police station with the money she saw that her home was being demolished.

Deepshikha said that she is a rag-picker. After her home was demolished, she moved with her children to her sister's house in Taldi, near Canning. But her sister could not accommodate them for long. She had to get back to her rag-picking and earn her living. She came back and started living in the market with a sari pitched up like a tent. She had kept her children at her sister's place and sent money regularly for their upkeep. Then she took the permission



After the eviction

of the Party people and put up a shanty by the railway tracks. She brought back her children from her sister's place. But she is always afraid. The place is terribly unsafe with drunken men all around. She has had to take her children out of school.

Malini Bhattacharya asked Deepshikha if the people who had given away the money were policemen. She replied that they were not policemen. They had said that they were all people from the bank. They had also said that the Officer-in-Charge of Topsia Police Station was away. There were no officers around. May be there were some policemen in civil dress - she could not tell.

The hearing was almost over. Mumtaz said in conclusion that they had sent deputations to Subrata Mukherjee, Farzana Chowdhury, Moni Das and Rukbanur Rahman. Subrata Mukherjee's Personal Assistant had told them to go to Kalighat and meet the chief minister's representative there. Around 200 people had signed the petition. It had been quite difficult to get all the signatures because many had dispersed after the eviction.

Jury's verdict

At the end of the public hearing, the six-member jury - comprising Miloon Kothari, Taj Mohammed, Malini Bhattacharya, Anuradha Talwar, Shivani Chaudhry and Ruchira Gupta - unequivocally condemned the gross violation of human rights that characterised the eviction of around 400 households in Topsia in November 2012 and the aftermath of the ruthless demolition drive.

Miloon Kothari ruled that, clearly, from both the national as well as international perspective, there had been a violation of human rights, at the time of and after the demolition. He affirmed that a detailed report would be prepared on the brutal incident.

He also assured the evicted families that he would write about this case and take matters forward. If required, he would also take up the issue at international forums. At the same time, he threw a question at the audience and asked each one to ponder on it – why was it that no political party had come forward in support of the affected people during the entire phase?

The second jury member **Taj Mohammed** stated that he had been aware of the threat of eviction facing the slum-dwellers for a long time since he is involved with Apne Aap Women Worldwide and has been part of their struggle. He asserted that there had been a gross violation of human rights, of the rights of the child, and physical and mental torture amounting to criminal offence. No UN protocol or appropriate procedures had been adhered to throughout the entire process of demolition and eviction. No guidelines laid down by the Supreme Court and other courts regarding eviction had been followed. He assured that the victims had a strong case and Apne Aap Women Worldwide would help them in their struggle for justice.

Malini Bhattacharya recalled that when Apne Aap Women Worldwide activist Tinku Khanna first told her about the plight of these people facing the threat of eviction, two or three people from her organization went there on a fact-finding mission. They did a primary survey but the second day they were supposed to go, the demolition took place. So her organisation had not been able to prepare a report as yet. She stressed that when the slum was there, there was one kind of struggle – that of resisting eviction. But after the demolition, the struggle has assumed a different dimension. With their homes in ruins, the people have got scattered. Now the challenge is to bring them together again in the struggle for justice.

Remarking that she had not seen many such instances where after the people had been dispersed, they had been brought together again to carry the struggle forward, she held that it was really encouraging that 140 signatures had been collected and deputations sent to so many places. She was positive that if the struggle was carried on together, something could be achieved.

Speaking of the impact the struggle already has had, she reminded the audience that after this public hearing was declared, a political meeting had been scheduled to take place at the site of the demolition on the same day. The day after, another political

meeting had been scheduled. There had been no political meetings or interventions all these days. But now, the public hearing had stirred many to action. It indicates that those in the administration have realised that these people cannot be chased off so easily, that they will not give up.

Reiterating that the affected people have the unstinted support of Apne Aap Women Worldwide, she expressed the hope that if the unity was maintained, then something could be done in the future. Since no legality was maintained during the eviction, she suggested legal action and requested Mr Taj Mohammed to explore the point. Expressing concern over the fact that children were dropping out of school or simply disappearing in the aftermath of the eviction, she suggested that a team be put together that would help the children to get back to school and ensure that no one fell prey to trafficking. In this, she promised all possible help from her side.

Anuradha Talwar said that she had seen many kinds of evictions, but nothing like the one that had happened in Topsia. No doubt all evictions are illegal and take place without the consent of the people concerned, but the Topsia eviction was worse in the sense that the government served no notice or displayed explicit involvement; the eviction was the handiwork of a few hoodlums.

She asserted that it was a matter for a criminal case. In most cases, the government has a plan, they serve an eviction notice, but in Topsia none of this happened. So the ground for battle is stronger for the affected people. She stated that there are many examples, especially today, in the age of the new government, where the mafia is being used to grab land, and Topsia is a similar example. The main problem in this case, according to her, was that the people were scattered.

She suggested that they build an organisation or a committee, which would bring them all together and help them to carry on the fight. Declaring that it was possible to bring pressure on the government through struggle, she reminded the audience of the Supreme Court order that said that shelter must be provided, at least night shelter, to the homeless. Since West Bengal is supposed to have 45 such night shelters, but there are only two-four, and since there is an apex court order, it was possible to fight and seize this right from the government. That would at least ensure that till they had all won the right to adequate housing, they would not have to sleep under open skies.

She assured that whatever the course of the struggle, the jurists would help the people and remain by their side.

Shivani Chaudhry stressed that multiple human rights had been violated in this case and the government had to be held responsible for this. Several court orders have ruled that the right to life is connected with the human right to adequate housing. So if the right to adequate housing is violated, the right to life stands violated as well. She suggested that proceedings be initiated to find out the identity of the perpetrators of the demolition, where they got their orders from, the role of the police and the extent of their collusion with the perpetrators. She requested the media to expose the blatantly illegal role of the police in abetting this heinous crime. She also suggested that a petition be filed with the National Human Rights Commission as well as the National Commission for Minorities. The demand for the implementation of the recommendations of the Justice Verma Commission and the Sachar Committee should be raised in this context. The case can even be taken up with the United Nations. She signed off with the hope that the struggle would be successful and the affected people would get adequate compensation and housing.

In conclusion, **Ruchira Gupta** thanked the jury members who had made the public hearing possible. She said that in her opinion Mumtaz was the leader of this struggle, but Mumtaz insisted that it was all the women fighting together! Upholding the achievement of collecting 140 signatures for the deputation to government officials, she reminded the people that they must not be afraid or give up. They had to go forward - Apne Aap Women Worldwide would be there by their side, helping to implement the recommendations of the jurists. With the public hearing, 5 more people (the 5 jurists) had joined the struggle now. The struggle must be carried forward to ensure that the people are rehabilitated and that they are never evicted ever again.

Detailed recommendations of the hearing

The public hearing made it clear that the eviction had taken place without any legality, without any official notification, and in the absence of any kind of government order. The government, it was clear, had abdicated its responsibility towards the people. A gang of hoodlums, belonging to the ruling party,

had led the eviction drive. The administration and the police stood by as silent spectators and the way in which the Tospia police station was used to disburse 'compensation' money to the affected, directly indicated collusion.

The evicted people, especially the women, re-organised and have been fighting for justice ever since. They have approached as many as 14 government officials and people's representatives but have not been granted a hearing in even a single instance. The lives and livelihoods of the people - a deprived and marginalized people mostly belonging to the minority community - are under threat, children and women are in danger of being sexually exploited and/or trafficked, children have dropped out of school, and the entire support system of the community has collapsed.

In the course of the six months following the demolition of the slum under the Tospia No. 4 Bridge, near Park Circus railway station, four children and one woman have gone

missing, and at least one woman has been murdered. The lives of nearly 400 families have been disrupted. While the struggle picks up, slowly but steadily, the affected people are looking for immediate relief and long-term rehabilitation. Under the circumstances, the **recommendations** put forward by the jury after the hearing can be summed up as:

They say they will build a bridge. A bridge is only for transport. What is the use of building bridges? Build us homes?

One evicted person

- **Conduct a comprehensive impact assessment and seek commensurate compensation.**
- **Demand immediate arrangement of shelters for the evicted people, as an interim and immediate measure, followed by adequate compensation.**
- **Demand adequate permanent housing, for all those whose homes have been destroyed, within a very short time.**
- **Demand immediate arrangement of crèches so that women can leave their children there when going to work.**
- **Put together a team to facilitate sending children back to school.**
- **Institute a criminal case requiring punitive action, naming the officials responsible and demanding their prosecution.**

- Seek identification of government officials, police personnel and political party-affiliated hoodlums responsible for all incidents related to the eviction, and demand their prosecution.
- Institute criminal proceedings against those who actually carried out the demolition (lodge FIRs naming all the known faces).
- File a public interest litigation (PIL) against violation of Article 21 of the Constitution and the law of the land.
- Bring pressure on the government and administration to implement Supreme Court orders on the right to housing.
- Bring pressure on the government and administration to implement the Sachar Committee report and Justice Verma Committee report in this context.
- Immediately move the State Human Rights Commission, Women's Commission, Minority Commission, National Human Rights Commission and National Commission for Women.



- Since there have been multiple evictions - eviction from home, livelihood, school; and multiple violations of human rights, demand adequate compensation for loss of home, security, livelihood, health and education.
- Take up the issue at international forums.
- Advocate with the media so that they take the case up and make it a national issue.



Last Girl Asset-based Community Development Anti-Sex Trafficking Tool

Apne Aap Women Worldwide has developed the 10 Asset Protection framework for at-risk girls and women to empower them. Apne Aap Assets Based Last Girl approach has been able to reduce expenses and increase life skills of girls at risk to trafficking and those already prostituted. As each girl gains the assets of space, education, self-confidence, becomes a documented citizen, has access to the government subsidies of food, clothing, shelter, health care and loans, her vulnerability to the trafficker goes down. As she learns about her rights, child protection mechanisms, gets legal support, learns bargaining power and has friends and networks, she is able to protect herself and file cases against those who exploit her. In this way those at risk are less vulnerable to traffickers and those who are trafficked become less dependent on the brothel system.

The ten assets are:

1. Safe space, 2. Education, 3. Self-confidence, 4. Political power, 5. Government IDs/citizenship documents, 6. Government subsidies (food, housing, loans, health care), 7. Savings and loans, 8. Skills development, 9.


Legal empowerment, 10. Membership and support of Apne Aap network.

Apne Aap Asset Based Last Girl approach is both a monitoring and implementation tool. We give each girl/woman an Asset card listing 10 assets she will gain as a member of Apne Aap in a period of three to five years. Apne Aap staff members also enter her into a computerised Asset Holder Database.

As a girl or a woman gains these 10 assets, Apne Aap staff members update the database. This helps us keep record of the number of beneficiaries we serve, their socio-economic profile and track our own and the girl's progress in the journey of empowerment.

Each card is also an identity card for the girl or woman with her photograph and signature on it. Both sign off on the card with the gaining of each Asset.

The consolidated Asset Holder Database is kept in our head office. It is updated by project officers weekly and verified by our monitoring team monthly through site visits.

 Apne Aap Women Worldwide (India) Trust India International Centre, 2nd Floor, Gate No. 3/4 40 Max Mueller Marg, Lodhi Estate New Delhi 110 003 India www.apneaap.org		PASTE PHOTOGRAPH	
MY ASSET CARD			
Name: _____		Age: _____ years Sex: _____	
S.No.	Asset List	Achievement	Date of Achievement
1	Safe Space	Community Centre	
		Hostel / Shelter	
		Low-cost house	
		Land	
2	Education	Adult Literacy/Bridge class	
		High School	
		Residential School	
		College	
3	Self-confidence	Articles in RLD	
		Speeches in open mikes	
		Media Interactions	
4	Political Power	Making 1 slogan, 1 poster, 1 song	
		Filing form/petition	
		Participation in Rally	
		Participation in tribunal/rally	
5	Government IDs	Birth Certificate	
		Voter ID Card	
		BPL Card	
		SC/ST/OBC Certificate	
		Ration Card	
		Passport	
		Pan Card	
Aadhar Card			

S.No.	Asset List	Achievement	Date of Achievement	Signature of Beneficiary
6	Government Subsidies	NREGA/MGNREGA		
		Indira Aawas Yojana		
		Subsidies Rations		
		Low-cost Loans		
		Land		
		Rashtriya Swasthiya Bima Yojana (RSBY)		
		Janani Suraksha Yojana		
		Integrated Child Development Scheme		
		Pardhan Mantri Jan Dhan Yojana (PMJDY)		
		Rajiv Awas Yojana (RAY)		
	Link with any other government schemes			
7	Savings & Loans	Savings Groups		
		Post office account		
		Bank account		
8	Livelihood linkage	Vocational Skills (Embroidery,Computers /BPO,bag, scarf and quilt making,dance & art)		
		Businesses (Sanitary towel, bakery/cooking, bags/scarf/ quilt making, base kitchen for vending)		
9	Legal Empowerment	Legal Training on rights		
		Police and judicial exposure visit		
		Escort to file police complaint		
		Lawyer to train to testify in court		
10	Self-empowerment Group (Nine Friends collectives)	Membership of a Apne Aap network		
		Membership of a self-empowerment group		
	Total	10x10		

Report of 13 January 2013 Public Hearing on Topsia Eviction

We have been working with groups of women in Topsia living on both sides of Topsia No. 4 Bridge area, near Park Circus Railway Station and the residents of the area in the vicinity of Tiljala Road, adjacent to Park Circus No. 4 Bridge as we found the community living there very vulnerable and we found incidences of trafficking from the area.

The area is under the purview of Kolkata Municipal Ward No. 64 and 59. The families were living in that area since the last 50-60 years and their economic condition is very bad as most of the people survive on rag picking and begging; a few of them pull rickshaws or work as daily wage labourers. The average monthly income of the families lived there within the range between Rs. 1,500 and Rs. 2,500 only. Most of them used to collect their mid-day meal from the Assembly of God Church situated nearby.

Within these severe economic conditions, with the help of few local NGOs and individuals they had started sending their children to local schools and they used to go there regularly.

However, since end of October, 2012, some local anti-socials and criminals have started intimidating them and creating pressure on them so that they vacate the place. They were even told that if they didn't listen to them they will put their houses on fire and will outrage the modesty of their women. They have also warned them that if the residents dare to go to the police station to lodge complaint against them they would face dire consequences.

These criminals, who boast about their connection with the ruling party bosses, have told them to accept the money offered and vacate the place. The



poor people of the area became very much afraid after this threat.

On 10 November 2012 with the help of some local goons, residents of Topsia No. 4 bridge area were sent to Topsia Police Station where the police authority along with some men issued one coupon per family and they were forced to accept Rs 12,000 against the coupon. When they returned their home from the police station they saw that their houses getting demolished in front of their eyes by those goons who were continuously threatening them.

Under this circumstance, they were forced to vacate that place even when they don't have any place to live. Some of them are living besides the railway tracks. Some of them have been forced to live in temporary rented place in Subhash Gram, Sonarpur, Baghajatin, Lakshmikantapur, Kalikapur, Ghutarisarif and Taldi. The rent which they are being forced to pay now is exorbitant and well beyond their means



as they are daily wage earners. Other than these there are still some families who are living on the street under the sky as they could not find any alternative place to stay.

As a result their children were forced to discontinue their schooling. Those who have gone to Lakshmi-kantapur, Santoshpur or Ghutarisarif cannot send their children to school. Many of them could not sit for the annual examination of the school as they could not collect their books and copies when their houses were getting demolished.

In this situation, the victims of eviction decided to resist. They thought of raising their voices at various public forums. As a part of it, they gathered for

a public hearing on 13 January 2013 at Birla Planetarium to share their pain and sufferings before the audience. On that day nearly 60 evicted people were present there. On that meeting Ruchira Gupta, Abhilasha, Apne Aap team members and some students from New York University were also present. The community people shared with the audience how they were evicted by the government agency with the help of political party, local goons and local police administration. They also expressed their demand that government should listen to them and make adequate compensation so that they can live with dignity as guaranteed under Article 21 of the Indian Constitution.



Chronology of Events

Event	Date
Mumtaz Begum and Topsia Mahila Mandal inform Apne Aap Women Worldwide about threat of eviction.	October 2012
Apne Aap Women Worldwide organises the first few meetings at Topsia to mobilise women and girls for making rehabilitation and compensation demands to the government. At the same time, political pressure and threats (including physical/sexual torture, rape and molestation) from local goons played a major role in the eviction.	October 2012
Compensation of Rs 5,000 announced by local goons for evicted families.	Last week of October 2012
Dr Syeda Hameed, then Member of the Planning Commission, and Ruchira Gupta, Founder, Apne Aap Women Worldwide visited Topsia and interacted with the women and girls who were under threat of eviction.	7 November 2012
Offer of Rs. 12000 from local goons/politicians.	Post 7 November 2012
Eviction on 10 - 12 November 2012, at about 7 a.m. onward (Letter of special secretary mentioned the eviction dates as 7-12 Nov 2012). On that morning one coupon was given to the female members of those families and they were told to collect the compensation amount from Topsia Police Station (although it was under Karaya Police Station). No male members were allowed to collect the compensation money from Topsia Police Station. When they returned to their homes, they found their houses demolished by local goons. Some families broke their own houses to save plastics/bamboos which can be used in another place to build their shanties after eviction. Some families also started shifting their adolescent girls/wives and valuable goods to safe places like their relatives houses, far away from Topsia (as a pre-emptive step based on earlier experience of eviction). (Note: It is to be mentioned here that of the total 383 families evicted, as per information from community and newspaper reports, ad hoc compensation was given to only 282 families.)	10 - 12 November 2012
Apne Aap Women Worldwide organised a public hearing at the Birla Planetarium in Kolkata where victims of the eviction gathered to share their pain and sufferings before the audience.	13 January 2013
First RTI by Tinku Khanna, Apne Aap Women Worldwide representative, to Kolkata Metropolitan Development Authority (KMDA).	24 January 2013 (received preliminary response on 5 February 2013)
Letter to the Deputy Mayor, Kolkata Municipal Corporation (KMC).	28 January 2013
Letter to the Mayor, KMC	28 January 2013
Letter to the Councillor, Ward NO-64, KMC	28 January 2013

Letter sent to the Councillor, KMC, Ward No. 59.	28 January 2013
Letter to the Officer in Charge, Karaya Police Station.	28 January 2013
Letter to the Minister-in-Charge, Municipal Affairs and Urban Development, Government of West Bengal.	2 February 2013
Letter to the Chairman, Kolkata Metropolitan Development Authority (KMDA).	2 February 2013
Letter to the Principal Secretary, Urban Development Department, Government of West Bengal.	2 February 2013
Letter to the Chairman, West Bengal Minorities Commission	2 February 2013
Apne Aap Women Worldwide organized a public hearing at Rotary Sadan in Kolkata, seeking an impartial assessment of the eviction case by key members of civil society.	6 June 2013
Letter to the Honourable Justice Ashok Kumar Ganguly, Chairman, West Bengal Human Rights Commission.	25 June 2013
Letter to Shri Intaj Ali Shah, Chairman, West Bengal Minorities Commission	25 June 2013
Letter to the Chief Secretary, Government of West Bengal.	28 June 2013
Letter to Smt Mamta Sharma, Chairperson, National Commission for Women.	3 July 2013
Letter to Smt Sunanda Mukherjee, Chairperson, West Bengal Commission for Women.	3 July 2013
Letter to the Honourable Justice K.G. Balakrishnan, Chairperson, National Human Rights Commission.	4 July 2013
Letter to Honourable Justice Altamas Kabir, Chief Justice of India, Supreme Court of India.	10 July 2013
Letter to the Joint Municipal Commissioner, KMC.	14 July 2013
Mumtaz Begum's response to Assistant Registrar (Law) of National Human Rights Commission.	12 December 2013
Second RTI by Mumtaz Begum, evicted person, to KMDA.	21 July 2014 (received preliminary response on 27 July 2014 (letter received on 31 July 2014)
Apne Aap Women Worldwide and HLRN Survey	December 2013
Apne Aap Women Worldwide has tried to mobilise the evicted population to fight for their rights. It has also worked on their IDs (Aadhar Card, Voter Card, BPL Card, Ration Card) to claim their rights, has tried to link them with government schemes and admit their children to school, etc.	Year since survey

Chronology of Correspondence with Concerned Authorities about the Topsia Eviction Initiated by AAWW

Addressed to	Sent through speed post	Delivered on (as per India Post tracking system)	Signed by evicted people of Topsia	Response
RTI to the Public information officer, Kolkata Metropolitan Development Authority, Prashasan Bhavan, DD-1, Sector-1, Salt lake City, Kolkata 700 064	24/01/2013			Preliminary response from the KMDA BY Public Information Officer addressed to Tinku Khanna Vide memo no. 143/1/KMDA/pr-416/1/2006 (ir-1886)
The Deputy Mayor, Kolkata Municipal Corporation (KMC), 5, S.N. Banerjee Road, Kolkata 700 013	28/01/2013	29/01/2013	Nearly 140 individuals	No response
The Mayor, KMC, 5, S.N. Banerjee Road, Kolkata 700 013	28/01/2013		Nearly 140 individuals	No response
The Councillor, Ward No. 64, KMC, 9 Congress Exhibition Road, Kolkata 700 017	28/01/2013	29/01/2013	Nearly 140 individuals	No response
The Councillor, KMC, Ward No. 59, 14 Gobra Road, Kolkata 700 046	28/01/2013	29/01/2013	Nearly 140 individuals	No response
The Officer-in-Charge, Karaya Police Station, 52 Karaya Road, Kolkata 700 019	28/01/2013	29/01/2013	Nearly 140 individuals	No response
The Minister-in-Charge, Municipal Affairs and Urban Development, Government of West Bengal, Writers Building, Kolkata 700 001	02/02/2013	04/02/2013	Nearly 140 individuals	No response from the department
The Chairman, Kolkata Metropolitan Development Authority, Unnayan Bhavan, Salt Lake, Kolkata 700 091	02/02/2013	05/02/2013	Nearly 140 individuals	No response from the department
The Chairman, Kolkata Metropolitan Development Authority, Prashan Bhavan, DD-1, Sector-1, Salt Lake City, Kolkata 700 061	02/02/2013	05/02/2013	Nearly 140 individuals	Not received and returned to evicted person Mumtaz Begum
The Principal Secretary, Urban Development Department, Government of West Bengal, Nagarayan, Sector-1, Block-DF-8, Bidhan Nagar, Kolkata 700 064	02/02/2013		Nearly 140 individuals	No response
The Chairman, West Bengal Minorities Commission, Bhawabni Bhawan, Second Floor, Alipore, Kolkata 700 027	02/02/2013	04/02/2013	Nearly 140 individuals	No response
Honourable Justice Ashok Kumar Ganguly, Chairman, West Bengal Human Rights Commission, Bhawani Bhawan, Alipore Kolkata 700 027	25/06/2013 (documents submitted personally by AAWW staff)			No response till date

Addressed to	Sent through speed post	Delivered on (as per India Post tracking system)	Signed by evicted people of Topsia	Response
Shri Intaj Ali Shah Chairman West Bengal Minorities Commission Bhawani Bhawan (Second Floor West), Alipore, Kolkata 700 027	25/06/2013 (delivered personally by AAWW staff)			On 3/07/2013, the Minority Commission issued a letter to the Commissioner of Police, Commissioner of Kolkata Municipal Corporation, and the Secretary of Urban Development Department seeking a report on the Topsia eviction (Memo No. 450-MC-O-163-2013 dated 3/07/2013)
The Chief Secretary, Government of West Bengal, Writers Building, Kolkata 700 001	On 28/06/2013 AAWW submitted the document to the Home Department for seeking permission to meet with the Chief Secretary			On 13/08/2013 the Chief Secretary refused to meet AAWW without mentioning any reason
Smt. Mamta Sharma, Chairperson, National Commission for Women, 4, Deen Dayal Upadhyaya Marg, New Delhi 110 002	3/07/2013	5/07/2013		No response till date
Smt. Sunanda Mukherjee Chairperson, West Bengal Commission for Women, Jalasampad Bhavan, (Ground & 10th Floor), Block-DF, Sector -I, Salt Lake City, Kolkata 700 091	3/07/2013	5/07/2013		No response till date
The Honourable Justice K.G. Balakrishnan, Chairperson, National Human Rights Commission, Faridkot House, Copernicus Marg, New Delhi 110 001	4/07/2013	5/07/2013		NHRC asked the Chief Secretary, Govt of West Bengal for a report on this issue within 6 weeks after receiving the letter. Vide Memo No. 848/25/5/13 dated 17/7/2013
Honourable Justice Altamas Kabir, Chief Justice of India, Supreme Court of India, Tilak Marg, New Delhi 110 001	10/07/2013	Delivered on 13/07/2013		No response till date

Addressed to	Sent through speed post	Delivered on (as per India Post tracking system)	Signed by evicted people of Topsia	Response
Commissioner of Police, Kolkata				In response to the Minority Commission's letter, Commissioner of Police, Kolkata, furnished an investigation report vide memo No. 16436/RPT dated 23/07/2013
Joint Municipal Commissioner, KMC	14/07/2013			In response to the Minority Commission's letter, Joint Municipal Commissioner of KMC submitted a report on 24/07/2013 vides Memo No. JL/092/2013-2014 on the Topsia eviction
National Human Rights Commission (received response on 05/11/2013)				Received response from National Human Rights Commission along with response of Mr M. K. Kundu, Special Secretary, Government of West Bengal (Memo No. 1879-HS/HRC/ Compl(N)/40/13 dated 3/10/2013) and Commissioner of Police (Vide Memo No. 19590/RTP R 3936/2013, ID-579207 dated 6/09/2013)
Sent Mumtaz Begum's response to Assistant Registrar (Law) of National Human Rights Commission	12/12/2013	14/12/2013		Pending before the NHRC

From Deprivation to Destitution: The Impact of Forced Eviction in Topsia, Kolkata is a report by Apne Aap Women Worldwide (AAWW) and Housing and Land Rights Network (HLRN). It reflects the findings of an Eviction Impact Assessment conducted after the forcible removal of 383 families belonging to an extremely marginalized community, from their homes, in Topsia, Kolkata. The study assesses the impact of the eviction on the basic needs and human rights of the affected community, especially women and children. It calculates the actual cost of the losses incurred by the families. The report presents recommendations to the state and central government to take immediate steps to provide restitution to the affected community, including adequate compensation based on the loss documented, and to prevent forced evictions in the future.

Apne Aap Women Worldwide is an Indian organisation working to end sex trafficking through advocacy and service delivery. The organisation mobilises the last, most marginalized at-risk and prostituted women and girls from red light areas and caste communities suffering from inter-generational prostitution to access their rights in the form of education, citizenship documents, government subsidies, livelihood skills, health care, legal protection, and friendship circles. Founded by Emmy award winning abolitionist, writer, feminist campaigner, and academic Ruchira Gupta and twenty-two prostituted women who had a vision for a world where no woman could be bought or sold, Apne Aap ('self-empowerment' in Hindi) has touched over 20,000 lives in Bihar, Delhi and West Bengal.

Housing and Land Rights Network (HLRN), India, works for the recognition, defence, promotion, and realisation of the human rights to adequate housing and land, which involves securing a safe and secure place for all individuals and communities, especially marginalized groups, to live in peace and dignity. A particular focus of our work is on promoting and protecting the equal rights of women to adequate housing, land, property, and inheritance. HLRN aims to achieve its goals through advocacy, research, human rights education, outreach, and network-building at local, national, and international levels.



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