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**Submission to the Special Rapporteur on Adequate Housing**

**COVID-19 and the Right to Housing in Delhi**

This document has been prepared by the **Delhi Housing Rights Task Force (DHRTF)** – a collective of organizations and individuals working to promote the human right to adequate housing and other allied rights, with a focus on the National Capital Region of Delhi.[[1]](#footnote-1)

**1. In your country or local context, which social groups are most at risk of marginalization due to the impacts of the COVID-19 crisis on the right to housing?**

The present submission deals with increased marginalization of the urban poor in India’s National Capital Region of Delhi (NCR) – which includes New Delhi, and neighbouring districts of three other Indian states. NCR, [the second most crowded city](https://population.un.org/wup/Publications/Files/WUP2018-Report.pdf) in the world, is currently one of the worst-hit places in India by the COVID-19 pandemic, with cases still rising every day. While the federal government in India makes decisions on macro strategies to fight the pandemic, the state governments implement it with state-specific amendments. On 24.03.2020, the Ministry of Home Affairs, by Order No. [40-3/2020-DM-I(A)](https://www.mha.gov.in/sites/default/files/MHAorder%20copy.pdf) issued the first of its many guidelines for containment of the COVID-19 disease in the country, in effect imposing the [world’s largest lockdown](http://nytimes.com/2020/03/25/world/asia/india-lockdown-coronavirus.html), bringing all but movement of “essential services”, goods and personnel to a halt.

This sudden and arguably [poorly planned](https://theprint.in/opinion/modis-poorly-planned-lockdown-wont-save-us-from-coronavirus-but-will-kill-economy/388056/) disruption had severe socio-economic consequences, disproportionately affecting the poorest of the country. Different social groups have suffered differently in the pandemic. Cities saw the complete breakdown of economic supply and demand chains, placing the [urban poor](https://www.orfonline.org/expert-speak/lockdown-urban-poor-64213/) in severe hardship. In addition to the marginalisation faced by the urban poor, some of the worst impacted groups in NCR include:

1. **Marginalization owing to work and employment status (specifically, migrant workers, daily-wage earners, domestic workers and sex workers)**

Informal workers in NCR, which includes a large number of inter-state migrant workers, are one of the most vulnerable groups who faced heightened and unimaginable marginalization. This category [includes](https://igsss.org/wp-content/uploads/2020/05/Analysis-of-Informal-Sector-Circulars_COVID.pdf) construction workers, street vendors, domestic workers, sex workers and daily wage earners. Government action in India lacked foresight and failed to address the immediate unemployment and lack of services that an extended lockdown brought, resulting in severe reverse migration of workers from urban to rural areas. This extreme precariousness has been highlighted in the national and international [media](https://www.nytimes.com/2020/03/29/world/asia/coronavirus-india-migrants.html).

1. **Homeless persons, women, and sexual minorities:**

The elongated lockdown left many homeless and LGBTQIA+ people stranded on the streets facing harsh realities like starvation and increased risk of exposure. Lack of government identification documents and restrictions on mobility meant that many of them could not access the government’s special hunger relief centres.

The lockdown severely affected Delhi’s estimated [150,000–200,000](https://www.sundayguardianlive.com/news/delhi-govt-needs-take-steps-protect-homeless-virus) homeless people, who already suffer from high morbidity rates on account of poor health and low levels of nutrition, and thus are at great risk of contracting the COVID-19 virus. While Delhi has about 200 shelters for homeless persons—the highest number in the country— which can accommodate around 16,500 people, they still cater to only a fraction of the city’s homeless population. As a result of the pandemic, attempts to adhere to the policy directive of “staying home/indoors” led to the forced relocation, and in many instances without prior information, consultation, and consent, of homeless persons living on the streets to schools and community halls, designated as temporary shelters. . These sudden actions, thus, resulted in the loss of belongings and important documents of several homeless persons, and in some cases, separation from family members. In addition to shelter, access to other socio-economic rights was extremely scarce and rare, in many cases, and less than one-tenth of all shelters were reserved for vulnerable groups like women, children, and families[.](https://www.cprindia.org/research/papers/slipping-through-cracks-demolition-government-homeless-shelter-informal-settlement)

Enforcing physical distancing in these shelters resulted in a further reduced capacity. This led to many homeless persons sleeping outdoors, near shelters. Many of the temporary shelters for migrant workers and other homeless persons, reportedly, did not have adequate facilities, especially for water and sanitation. Residents complained of [dismal living conditions](https://thewire.in/rights/ground-report-why-migrants-think-theyre-being-held-captive-at-delhi-shelter-homes). Though soap, masks and other essential items were supplied to shelters, distribution was often on an ad-hoc basis, resulting in shortages in some shelters. Despite the easing of lockdown restrictions, those living in homelessness are still not able to find work and are faced with the threat of hunger and increased destitution.

Older persons, persons with disabilities, and pregnant women living in homelessness, faced additional challenges during the lockdown on account of their inability to access healthcare and medical facilities. Transgender persons reported facing [discrimination and abuse](https://www.hindustantimes.com/cities/transpersons-in-delhi-shelter-homes-tackle-abuse-prejudice/story-nIZt1ZqMBgJue5EuxdisDI.html) while accessing shelters, as many occupants refused to share space with them. The lack of dedicated shelters for the transgender community pushed them to further marginalization and abuse even while they were already struggling from lack of work due to the lockdown, which compelled groups to approach the Delhi High Courts for [judicial intervention](https://www.timesnownews.com/mirror-now/in-focus/article/plea-in-delhi-hc-over-plight-of-sex-workers-and-transgender-community-during-lockdown/589917).

The pandemic exacerbated the marginalization of women; there was a dangerous spike in incidents of [maternal mortality rate](https://www.tribuneindia.com/news/archive/delhi/city-records-rise-in-maternal-mortality-rate-446321), [domestic violence](https://www.thehindu.com/news/national/ncw-records-sharp-spike-in-domestic-violence-amid-lockdown/article31835105.ece), and women workers were pushed to the [frontlines](https://amnesty.org.in/the-women-warriors-fighting-covid-19-at-the-frontline-asha-workers-left-without-hope/).

1. **Religious minorities, particularly Muslims, and Dalits living below the poverty line:**

In February-March 2020, northeast Delhi was affected by incidents of communal violence, which led to extensive destruction, loss of property, and displacement. Many of those [affected](https://www.aljazeera.com/news/2020/04/coronavirus-pandemic-leaves-delhi-riots-victims-displaced-200420064216443.html) are Muslims. When the pandemic intensified, they were still reeling from impacts of this destruction and were living in relief camps, with limited access to essential items like food, water and sanitation. However, a large relief camp set up by the Delhi government was closed in the wake of the COVID-19 outbreak, with uncertainty over the fate of over [600 people](https://indianexpress.com/article/coronavirus/coronavirus-delhis-eidgah-relief-camp-cleared-out-riot-hit-victims-hunt-for-another-shelter-6329782/) housed there.

The breakdown of already burdened service delivery systems, and the heightened food insecurity, pushed these groups and many others into further marginalization. While the pandemic exacerbated the vulnerabilities of several communities, this submission, being made by the Delhi Housing Rights Task Force, details the exacerbated marginalization of NCR’s urban poor. They lacked access to adequate housing even before the pandemic, and continue to live on the fringes of the city. It is important to note that different aspects of a person’s social and group identity work towards exacerbating these social and economic impacts, and there is significant overlap between the aforementioned social groups by virtue of their employment status, their socio-economic status, and religious and cultural identity.

**2. What measures (if any) have been taken to protect persons in informal settlements, in refugee or IDP camps, or in the situation of overcrowding from COVID-19?**

**Informal Settlements and IDP Camps**

Overcrowded and inadequate urban infrastructure coupled with insufficient government action put millions of people living in poverty in Delhi at an increased risk of community transmission, especially migrant workers, persons residing in informal settlements, and Internally Displaced Persons (IDPs). The government did take several measures to provide relief, but some of these were either not well-targeted or insufficient.

**The Delhi Government:**

1. Created a Central Rapid Response Team (CRRT) and [Corona Foot Warriors Containment and Surveillance Teams (CFWCST)](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid%2B19%2Ball%2Borders/order-38) to limit community transmission. Their responsibilities included, but were not limited to:
* Conducting telephonic follow-ups in their jurisdictions;
* Informing residents about preventive measures;
* Carrying out community follow-ups in informal settlements and ‘unauthorized colonies’ to ensure distancing; and
* Facilitating transportation of patients to quarantine facilities and identifying containment clusters.
1. Issued [action points](https://nidm.gov.in/covid19/PDF/covid19/state/Delhi/94.pdf) to be ensured by various state agencies for the implementation of the containment plan and surveillance measures, which included:
* Strict isolation and management of suspected cases;
* Carrying out ‘confidence-building measures’ involving community leaders and influencers.

However, these well-meaning yet vague directives proved largely ineffective, with cases in NCR [continuing to rise](https://www.cbsnews.com/news/coronavirus-in-india-delhi-cases-surge-train-cars-and-hotels-converted-emergency-hospital-2020-06-17/), with more than 240 ‘containment zones’ having been [notified](http://revenue.delhi.gov.in/wps/wcm/connect/344111004eac7e20b246b75dc9149193/cz160620.pdf?MOD=AJPERES&lmod=-1117205376&CACHEID=344111004eac7e20b246b75dc9149193).

1. In particularly vulnerable areas housing migrant labour and homeless persons, the Delhi government issued [orders for shelter and other basic amenities to be made available](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid%2B19%2Ball%2Borders/order-48), including:
* Security being provided by the District Government;
* Food and other basic amenities;
* Sanitation services, electricity and water and general medical facilities; and
* Visits of councillors to these shelters.

While the Delhi government issued guidelines for providing [cooked food](https://prsindia.org/files/covid19/notifications/3314.DL_cooked_food_apr_26.pdf) at government schools and shelters, they had to ramp up their community kitchens to serve a larger number of people often without additional resources, thereby, with [support from CSOs](https://www.cprindia.org/research/reports/crisis-hunger-ground-report-repercussions-covid-19-related-lockdown-delhi%E2%80%99s).

**Distressed ‘Reverse Migration’**

With thousands of migrant workers stranded in the city after the lockdown was declared, many of whom lived at their respective places of work such as factories and shops, thousands were rendered homeless and faced heightened risk of exposure in government shelters. With the easing of the lockdown, NCR saw a [mass exodus](https://thewire.in/rights/covid-19-lockdown-migrant-workers-bus) of workers. The large numbers of people struggling to reach home in buses and trains rendered physical distancing an impossibility and inevitably put thousands at risk, and they were forced into government quarantine facilities upon reaching their home states.

The Supreme Court of India initially [refused](https://www.deccanherald.com/national/coronavirus-lockdown-30-supreme-court-refuses-to-pass-any-order-on-travel-of-migrant-workers-833799.html) to intervene in India’s migrant workers crisis, and [rejected](https://www.deccanherald.com/national/coronavirus-lockdown-30-supreme-court-refuses-to-pass-any-order-on-travel-of-migrant-workers-833799.html) pleas for turning hotels into shelters. The Delhi government also failed to pass orders for safe travel of stranded persons from Delhi until [May 2020](https://prsindia.org/covid-19/notifications). The Government of India similarly, in [May 2020](https://prsindia.org/files/covid19/notifications/4358.IND_Rail_Shramik%20Special%20Trains_May_01.pdf), launched "Shramik Special" trains for the migrant workers and others stranded. The Supreme Court followed suit and [directed the state to provide transport to stranded migrant workers to their native places within 15 days](https://main.sci.gov.in/supremecourt/2020/11706/11706_2020_34_1501_22499_Order_09-Jun-2020.pdf) in June. However, due to poor planning, these operations resulted in [chaos](https://caravanmagazine.in/health/chaos-shramik-trains-repeats-poor-planning-that-marked-india-pandemic-response) and even many [deaths](https://www.deccanherald.com/national/80-passengers-of-shramik-special-trains-die-between-may-9-and-27-843689.html) in transit.

**3. What measures have been taken by the national or local government to protect persons living in institutions such as prisons, shelters for homeless, women or children, persons with disabilities, older persons, or collective accommodation for refugees, asylum seekers or migrant workers, including staff working in these institutions from the COVID-19?**

**Government of Delhi**

1. Prisons

The Delhi government failed to pass any directives for incarcerated persons living in prisons. However, in March, the Supreme Court of India [directed all states and Union Territories](https://www.livelaw.in/top-stories/covid-19-sc-directs-statesuts-to-consider-granting-parole-to-prisoners-in-lesser-offences-to-de-congest-prisons-154233) to set up high-level committees to determine the class of prisoners who could be released on parole for four to six weeks to avoid overcrowding in prisons in the wake of COVID-19 pandemic, which resulted in the Delhi government introducing [emergency parole and special furlough](https://www.scconline.com/blog/post/2020/03/25/delhi-govt-notifies-provision-of-emergency-parole-in-emergent-situations-like-threat-of-epidemic/) in prison rules, and the release of more than [400 prisoners](https://scroll.in/latest/957606/coronavirus-tihar-jail-releases-over-400-prisoners-in-bid-to-decongest-prisons) from Delhi’s Tihar Jail in late March.

1. Shelters for homeless, women and children

With regard to temporary and permanent government shelters, the Delhi government issued orders for the [medical examination](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid-19/orders%2Bof%2Bddma%2Bon%2Bcovid%2B19/order127) of all individuals of temporary shelter homes/night shelters for COVID-19 and non-COVID-19 reasons. It also issued guidelines for measures to be taken to prevent COVID-19 in [Child Protection Homes](http://it.delhigovt.nic.in/writereaddata/Odr2020731395.pdf) in compliance with the [Supreme Court orders](https://main.sci.gov.in/pdf/cir/covid19_14032020.pdf), including regular screenings of residents and preventing incidents of gender-based violence and discrimination. Lastly, it directed visits of counsellors and community group leaders to shelter homes and [institutions](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid%2B19%2Ball%2Borders/covid%2B16) set up for migrants during the lockdown.

1. Persons with disabilities

The Delhi government issued orders regarding measures to be taken for [Persons with Disabilities](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid%2B19%2Ball%2Borders/covid%2Border%2B20) and ordered the state to ensure [basic physical accessibility features](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid-19/orders%2Bof%2Bddma%2Bon%2Bcovid%2B19/divcom2704) to them at healthcare institutions.

1. Older persons

The Delhi government issued [advisories](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid-19/orders%2Bof%2Bddma%2Bon%2Bcovid%2B19/covid%2B73) for the protection of older persons/senior citizens aged above 60 years, through a [Standard Operating Procedure](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid-19/orders%2Bof%2Bddma%2Bon%2Bcovid%2B19/order215) for the pre-emptive identification and protection of senior citizens from COVID-19 and set up a [COVID-19 Helpline](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid-19/orders%2Bof%2Bddma%2Bon%2Bcovid%2B19/order115) specifically for senior citizens.

1. Personnel and staff working at these institutions

It empowered the State to take [penal action](http://health.delhigovt.nic.in/wps/wcm/connect/95096c804dacdc9595abf7982ee7a5c7/oLand.pdf?MOD=AJPERES&lmod=276494546&CACHEID=95096c804dacdc9595abf7982ee7a5c7) against landlords evicting healthcare professionals, and provided for [compensation](http://health.delhigovt.nic.in/wps/wcm/connect/905944004dd5fe348b42ff982ee7a5c7/OC.pdf?MOD=AJPERES&lmod=1434075025&CACHEID=905944004dd5fe348b42ff982ee7a5c7) to be awarded to families in the event of death of frontline workers. The Supreme Court of India directed the central and state governments to [ensure safety gear, PPE and police protection](https://main.sci.gov.in/supremecourt/2020/10795/10795_2020_0_5_21591_Order_08-Apr-2020.pdf) for healthcare professionals, medical staff and frontline workers in April. The Delhi government also announced a one-time [financial assistance](http://pucc.delhi.gov.in/cvfa/#:~:text=One%20time%20Financial%20Assistance%20of,accounts%20only%20of%20the%20applicants.) of Rs. 5000/- to Holders of Public Service Vehicles (PSV) Badge with valid Driving License of Para Transit Public Service Vehicles.

A major failure was that frontline government health workers, often residents of informal settlements, were expected to continue their work of door-to-door community visits and continue the collection of data. However, they were provided with [no protective gear](https://www.newsclick.in/Frontline-Battle-COVID-19-ASHA-Forced-Work-Without-Safety-Gear), sanitizer or any other equipment to secure their health and reduce their risk of exposure.

**Government of India**

The Government of India announced relief measures for vulnerable groups a few days after the lockdown had been imposed; further, these measures lacked adequate foresight and proved to be [largely ineffective](https://www.businessinsider.in/india/news/coronavirus-updates-in-india-and-steps-taken-by-narendra-modi-government/articleshow/74723667.cms):

1. Migrant workers: The first set of major relief policies, were [announced](https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1608345) in late March, under Pradhan Mantri Garib Kalyan Yojana (PMGKY), with special attention to vulnerable groups - migrants, women and informal sector workers. While these schemes were intended for [migrant workers](https://indianexpress.com/article/explained/coronavirus-india-lockdown-unpacking-the-garib-kalyan-package-6333494/), the Government was simultaneously adamant that their mobility should be restricted to prevent the spread of coronavirus, arguing that since ‘rural India’ had at that time ‘remained safe from this infection,’ migration would be ‘a serious and imminent potential of the infection penetrating in rural India.’ The Government discredited the increasing media coverage on reverse migration as ‘fake news’, and in this context, strategies to provide food, shelter and healthcare facilities to migrant workers at sites where they were known to be stranded were formulated. They calculated that by late March, 666,291 people had been provided shelter and 2,288,279 had been provided food, as per an [affidavit submitted by the Government of India](https://drive.google.com/file/d/1o-bpHXsPUUI6R2WxnDID0ABNNl_w6LvA/view) in the Supreme Court in March 2020.
2. Housing schemes: Subsequently, the Government of India announced [schemes](https://pmay-urban.gov.in/assets/nw-pdf/ARHC.pdf) for the development of Affordable Rental Housing Complexes to accommodate migrant workers and the urban poor in collaboration with the private sector and employers, as an additional component to the existing housing scheme Pradhan Mantri Awas Yojna (PMAY). However, no guidelines have been issued yet and the scheme, which is a long-term measure, will not provide immediate relief for migrants living in substandard housing or facing housing uncertainty in the Delhi NCR.
3. Aatma Nirbhar Bharat Abhiyan: In May, the government announced reforms and enablers across seven sectors under [Aatma Nirbhar Bharat Abhiyaan](https://www.prsindia.org/report-summaries/summary-announcements-aatma-nirbhar-bharat-abhiyaan) (Self Reliant India Campaign). The overarching scheme of the Campaign was to address the hardships caused to the poor because of the pandemic, and the government purported to spend Rs 20 lakh crore, including on provision of food grains, subsidized cooking gas cylinders for women, and some limited cash transfers. However, the actual amount being incurred by the Indian Exchequer is calculated to be less than [Rs 3 lakh crore](https://indianexpress.com/article/explained/atmanirbhar-package-full-break-up-of-rs-20-lakh-crore-nirmala-sitharaman-lockdown-6414044/), with most reforms focusing on liquidity.
4. PM-CARES Fund: The Prime Minister’s Citizen Assistance and Relief in Emergency Situations Fund ([PM-CARES Fund](https://www.pmcares.gov.in/en/)), a parallel fund to the Prime Minister’s National Relief Fund, was created in late March to deal with any emergency posed by the COVID-19 pandemic. It was deemed to [not be a ‘public authority’](https://thewire.in/government/pm-cares-fund-not-a-public-authority-rti-act-pmo), despite the Prime Minister being the ex-officio chairman of the trust, and three cabinet ministers its trustees, and remains [beset by lack of transparency](https://thewire.in/government/pm-cares-fund-now-has-independent-auditor-but-remains-beset-by-lack-of-transparency).

Most schemes and actions by the central government have been poorly thought through, inflated, and are yet to show any real impact on the ground.

**4. What social support has been made available to persons who live in informal settlements or who have relied on informal work as income for their survival, food, and housing? (for example persons informally working as domestic workers, persons informally employed in the care of children or older persons, in restaurants, on construction sites, or in other sectors of the informal economy including migrant labour)**

A [2018 report](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_626831.pdf) by the International Labour Organization indicates that more than 80 per cent of all employed persons in India work in the informal sector, with only 6.5 per cent in the formal sector and 0.8 per cent in the household sector, including domestic workers, and construction workers, including migrant labour. With over [70](https://medium.com/%40MIT_CREATE/new-delhis-exposed-informal-economy-a-case-and-space-study-1bec84aa5f8f) per cent of NCR’s workforce engaged in the informal sector, the COVID crisis and lockdown saw sudden unemployment, food insecurity and housing crisis for this [this group.](https://www.bbc.com/news/world-asia-india-52086274)

**Delhi Government**

There was no specific support provided for workers of the informal sector, and the Government failed to increase the capacity of community spaces to address the growing need of informal sector workers who now faced eviction and unemployment.

1. Food Security: The monthly entitlements of subsidised food grains (Ration entitlement), was made free with a 50 per cent increase in quantity, and is said to have been provided to 72 lakh existing beneficiaries. The Government also set up [food centres, community kitchens](https://sites.google.com/view/delhihungerrelief), and temporary shelters. In an attempt to address the hunger crisis in the city, the Delhi government took notable steps and set up over 200 emergency ‘[hunger relief centres](https://timesofindia.indiatimes.com/city/delhi/govt-to-give-2-meals-a-day-to-4-lakh-people-says-kejriwal/articleshow/74855058.cms?from=mdr)’ across the city. It also provided free lunch and dinner at existing homeless shelters and temporary shelters during the lockdown. ‘Hunger Helplines’ were also set up in all districts to address the food crisis being faced by many communities. The additional food entitlement under the [e-coupon system](https://ration.jantasamvad.org/ration/) was highly beneficial, however, these entitlements were linked to the Aadhar card, which resulted in the exclusion of many migrants and urban poor who lacked documentation. This lack of documentation from NCR, resulted in migrants facing large scale exclusion and [discrimination](https://thewire.in/rights/ground-report-why-migrants-think-theyre-being-held-captive-at-delhi-shelter-homes), compelling the Delhi High Court to [order](https://www.livelaw.in/news-updates/delhi-hc-directs-delhi-govt-to-ensure-that-ration-is-provided-to-every-person-in-need-regardless-of-e-coupon-system-156327) the Delhi Government to ensure that every person in need be provided ration without bureaucratic hurdles of 'e-coupons'. To mitigate food scarcity for residents who did not have identity proofs, and lacked access to the internet, the Delhi Government started a [SOS dry ration service](https://www.indiachinainstitute.org/2020/06/17/messy-does-it/?fbclid=IwAR2LVd6JjFvl9TTcgiB4ObbZaXtVALQiCo5hDdA7yVLzp12aqIgYJCQGJds) which reached out to food insecure households. Further each Member of the State Legislative Assembly (MLA) was given 2000 food coupons to distribute to people without identity cards in their constituencies.

Despite these measures, many homeless people continued to face a severe hunger crisis during the lockdown because of their distance from food distribution centres, the long waiting time to receive a meal, and non-availability of breakfast, tea, and milk for children. With advocacy by civil society organizations, many of these issues were considerably resolved by the government during the lockdown. Efforts of civil society have resulted in the Delhi government agreeing to provide free meals in homeless shelters until 30 June 2020.

1. Pension benefits were also announced for 8.5 lakh beneficiaries and a [Rs 5000 grant](https://www.hindustantimes.com/india-news/delhi-govt-to-give-rs-5000-to-construction-workers-hit-by-covid-19-lockdown/story-8jYMR2HdwrpNxabB8KaeWM.html) to construction workers registered with the Construction Workers Welfare Board was declared.

However, state responses proved [grossly inadequate](https://www.thehindu.com/news/resources/article31442220.ece/binary/Lockdown-and-Distress_Report-by-Stranded-Workers-Action-Network.pdf) as they failed to make provisions for medicines and other essential healthcare services, including maternal and child care. Some [community-level isolation facilities](http://health.delhigovt.nic.in/wps/wcm/connect/6831b8004e156866b4a9f7d194e333e1/16.04.2020.pdf?MOD=AJPERES&lmod=-1075883995&CACHEID=6831b8004e156866b4a9f7d194e333e1\) were set up, but the Delhi government remained overwhelmed by a large number of residents facing starvation during the lockdown, and failed to adapt to the changing employment and housing crisis. Additionally, with exorbitant delays in processing applications for relief entitlements due to reduced government workforce, current data is unavailable on the efficacy of the service delivery system.

**Central Government**

In May, The Government of India announced [short term and long-term measures](https://pib.gov.in/PressReleasePage.aspx?PRID=1623862) for supporting the poor, including migrants, farmers, small businesses and street vendors. It also directed the regional labour commissioners to make [provision for shelter and food](https://drive.google.com/file/d/1sFizUTZm0TEZ8yAXrc-0Okj17U2TKImB/view) for informal sector workers. However, there have been no implementation guidelines or directives to monitor the delivery of these services and entitlements.

**Civil Society Action**

Measures for the protection of vulnerable groups were not limited to government action and policies. Civil Society organizations have been at the [forefront](https://www.mei.edu/publications/civil-society-and-covid-19-india-unassuming-heroes) of mitigating the heightened vulnerabilities arising from the pandemic. With government services suddenly overwhelmed with increased demands on an unprepared system, NGOs, student networks and independent activists rallied, and fulfilled needs from ensuring adequate food supply for communities to providing basic necessities such as essential items and medical care during the lockdown. Despite these efforts, overcrowding was unavoidable in many densely populated areas of NCR. The city also saw several instances of [police brutality](http://www.rfi.fr/en/international/20200329-modi-apologises-for-harsh-coronavirus-lockdown-amid-violent-police-enforcement-beatings-covid-19)and [discrimination](https://www.telegraphindia.com/states/delhi/police-terrorising-north-east-delhi-neighbourhoods-in-name-of-probe/cid/1762831).

**5. Have there been evictions of individuals or communities during the pandemic? If so, please provide details (number affected persons, date, location and background information).**

India witnessed at least [22 reported incidents](https://www.hlrn.org.in/documents/Press_Release_Evictions_COVID19_June_2020.pdf) of forced eviction and home demolitions, across the country during the COVID lockdown, despite court orders and state/central government advisories prohibiting evictions. In Delhi, families living in [Shakur Basti](https://www.hlrn.org.in/documents/Press_Release_Evictions_COVID19_June_2020.pdf) were forced to demolish their own houses by officials of the Indian Railways after being threatened with eviction in early June.

The Government of India issued a circular dated [29.03.2020](https://www.mha.gov.in/sites/default/files/MHA%20Order%20restricting%20movement%20of%20migrants%20and%20strict%20enforement%20of%20lockdown%20measures%20-%2029.03.2020.pdf) and the Delhi Government, an order dated [22.04.2020](https://prsindia.org/files/covid19/notifications/4197.DL_rents_landlords_apr_22.pdf) stating that no migrant, labourer or student shall be evicted from their rented accommodation during the lockdown. However, landlords used the ambiguous language of these circulars, to pressurise and manipulate students into immediately paying rent. In gross violation of these orders, many social groups faced an unprecedented housing crisis, with little to no access to legal remedies.

* + - 1. In Delhi NCR, one such affected group was the **student population** which received threats of eviction and harassment over payment of rentals during the lockdown. Many students in Delhi have been unable to pay rent during the lockdown because their family incomes have been affected in these times. A [survey](https://www.thehindu.com/news/cities/Delhi/students-forced-to-pay-rent/article31627380.ece) conducted by a [student-led group](https://studelhi.org/) formed in response to the COVID-19 with 1069 students in Delhi, out of which 62.8 per cent were women respondents. The results indicate that 69.3 per cent students were forced to pay rent during the lockdown, and 28.1 per cent students were threatened with eviction for non-payment of rent. 34.3 per cent of these students were threatened with forfeiture of their security deposit for not being able to pay rent immediately. A vast majority of these students (93.5 per cent) depend on their family incomes to fund their educational expenses, including the expense on rent. Another 8.8 per cent are having to work part-time in Delhi to fund their expenses on college and rent. A total of 56.7 per cent students responded saying that they cannot afford to pay rent during this time and 19.3% students said that they are at the risk of dropping out from their colleges and universities if they are asked to pay the full rent for all the months within the period of lockdown, after the lockdown is lifted.
			2. In Gurugram, a recently released [report](https://drive.google.com/file/d/1CSAq67-Xa5TZ9w5YFZWlTCQMMY0KS0y5/view) based on telephonic surveys found that while most of the **renters** have not been pressured by landlords for rent, landlords still do expect the rents. When they try to leave for home, they are expected to pay rents in full, with no considerations to the present economic distress. Testimonies from the field indicate that renters commonly experience surveillance, threats and violence from landlords, not just for rent, but in order to implement the mobility restrictions of the lockdown.
			3. Similarly, **residents of informal settlements** who are currently awaiting resettlement have also been severely affected; some of them have been awaiting resettlement for almost 10 years now. These include families who were evicted in the past and are currently residing in temporary make-shift accommodation/relocation camps, with their resettlement indefinitely stalled. These include residents of Kathputli Colony, East Kidwai Nagar and Gole Market. Over 60 families who lived in Gole Market, New Delhi, whose jhuggis were demolished in 2010. Despite multiple court orders for their resettlement, as of June 2020, they continue to live in the “temporary” transit accommodation which was provided them in 2010, by the Delhi government - one small “night shelter” which has been serving as their home for over 10 years now. Currently, 19 families are living in a small space, with nothing but cloth and pieces of cardboard separating one family’s dwelling from another’s. In November 2019, the High Court of Delhi had passed an order for the resettlement of 289 families in the East Kidwai Nagar slum by the end of April 2020. Out of the 289 residents, most have already deposited the resettlement amount as prescribed under the Delhi government’s policy. However, the process has not been initiated yet and residents continue to live in miserable conditions. The situation has become worse during the lockdown, as one of the residents tested positive for COVID-19. The area is congested and remains damp due to the overflowing drain water which enters the *basti* (settlement) and making the residents prone to infections and diseases. There have been no heath check-ups or tests, no provision of providing masks/gloves to the residents and no sanitation of the area, which further increases the risk to exposure and transmission. Owing to the current situation, the residents of the settlement in East Kidwai Nagar are terrified. This is the situation in many such settlements across Delhi, where living conditions are inadequate.

Thousands of families in Delhi have lost their **homes as a result of disasters** such as floods, heavy rain, and fires. Hundreds of low-income homes were also [gutted by fires](https://www.newsclick.in/delhi-behind-gutted-settlements-scant-regard-rights-poor) across Delhi NCR during the lockdown, including in areas such as Kalyanpuri, Tughlaqabad and Kirti Nagar. However, they have received little to no assistance from the government.

**6. Have there been any cut-offs of utility (heat, water etc.) for any community or individuals during the pandemic? If so, please provide details (date, number, location etc.)**

The sudden imposition of the lockdown resulted in the interrupted delivery of many essential services and utilities to the residents of Delhi NCR during COVID. The worst impacts of the restrictions on movement were faced by the low-income communities of Delhi, which are heavily reliant on government services and subsidies for survival. In addition to utility cut offs, essential government services also came to a screeching halt during the initial lockdown period, exacerbating the vulnerabilities of these communities.

1. Many communities in northeast Delhi which relied on **water tankers** through the Delhi government, experienced irregular supply of water during the lockdown. This included drinking water for the residents as well as water for sanitation needs. This interruption put lives and health of many residents as risk, both from lack of access to clean drinking water and also by effectively preventing them from following guidelines to prevent community transmission. However, upon lodging a complaint with the government’s formal telephonic complaint mechanism, supply was restored within a few days.
2. With government departments working at reduced capacity, many residents faced inordinate delays in receiving government aid and assistance for utilities such as **gas and ration (food) entitlements**. The Delhi government also closed down the over 10,000 **Anganwadi Centres** (AWCs) i.e. government-mandated and run mother-child nutrition centres, which also double as crèches, which fulfilled the food and nutritional requirements of over 400,000 children and 100,000 pregnant and lactating women across the NCR. For many families, the supplementary nutrition given in AWCs was their only reliable source of nutrition. The Government of India in early April [clarified](https://www.mha.gov.in/sites/default/files/PR_HS_LetteronclarificationsonAYUSH_03042020.pdf) that Anganwadi workers were to deliver food to the houses of beneficiaries every 15 days to avoid crowding at AWCs. However, implementation proved to be a big challenge in ensuring delivery of these food and nutritional supplements. Parents too were unable to provide their children with other essential staples like milk because of the absence of any disposable income in their hands.
3. **Mohalla clinics** (community level primary healthcare centres) were also [reported](https://www.thehindu.com/news/cities/Delhi/coronavirus-staff-unable-to-reach-150-mohalla-clinics-shut-in-delhi/article31284197.ece) to be closed during the lockdown. These are the nearest, and often only medical services, available to many of Delhi’s most marginalized informal settlements. The unofficial closure of these during a global pandemic, resulted not only in the complete lack of access to basic health services, but also panic amongst many communities. Anganwadi Workers and Accredited Social Health Activists (ASHA) (primary community health workers) were [called upon](https://amnesty.org.in/the-women-warriors-fighting-covid-19-at-the-frontline-asha-workers-left-without-hope/) by the government to collect data from communities and carry out sensitization drives in their communities. This shift in priorities increased the workload and risk of exposure, and prevented community healthcare workers from delivering essential healthcare services during this period, to some of the most marginalized communities. The lack of a social security net and a poor public health infrastructure due to inadequate budgetary allocations added to lack of access to public healthcare.

**7. Has a prohibition of evictions and/or utility cut-offs been declared? If yes, please provide more details, to whom it applies, and if possible the official regulation governing it (URL or use upload field at the end of the questionnaire).**

Many of these notifications are discussed in detail in the preceding answers. Specifically, some additional ones are listed below:

1. The Government of India and the Delhi government issued advisories prohibiting evictions of **migrant, labourer or student** from any rented accommodation by their landlords during the lockdown period on any ground whatsoever.
2. The Delhi government also empowered the District Magistrates and Municipal Commissioners to take [penal action](http://health.delhigovt.nic.in/wps/wcm/connect/95096c804dacdc9595abf7982ee7a5c7/oLand.pdf?MOD=AJPERES&lmod=276494546&CACHEID=95096c804dacdc9595abf7982ee7a5c7) against landlords indulging in evacuation of **healthcare professional** tenants**.**
3. The Delhi Electricity Regulatory Commission also issued a *suo-moto* order for mitigation of the impact of COVID-19 on [electricity distribution licensees and consumers](http://www.derc.gov.in/ordersPetitions/orders/Misc/2020/DERC%20COVID%2019%20ORDER.pdf) in Delhi, including extending the due date for payment of electricity bills raised during the period starting from March 24 2020 till June 30 2020 by another two weeks, over and above their scheduled due date without any Late Payment Surcharge.
4. The Government of Delhi also issued orders for ensuring [basic amenities](http://ddma.delhigovt.nic.in/wps/wcm/connect/DOIT_DM/dm/home/covid%2B19%2Ball%2Borders/order-48) to people residing in **government shelters and night shelters.**

**8. Can you provide details about any measures taken by your national or local government to assist tenants or mortgage payers, to pay their rent or mortgage during and after the pandemic? If possible, please also provide the text of the regulations governing these measures (URL, or use upload field at the end).**

While both the Delhi government as well as the Government of India issued orders prohibiting landlords from demanding rent from or evicting migrant labourers and students, the [Supreme Court of India](https://www.livelaw.in/top-stories/covid-19-sc-dismisses-plea-for-restraining-landlords-from-demanding-rent-from-students-labour-class-tenants-as-per-mha-order-156245) declined to entertain pleas seeking implementation of the Government of India’s order restraining eviction of students and migrant labourers on grounds of non-payment of rent. The majority of rental housing in India being informal, i.e. without signed or registered rental agreements, also rendered such directives unenforceable.

No financial aid was announced to facilitate rent or mortgage payments during and after the pandemic. The increased unemployment owing to COVID has also forced residents into depleting their lives’ saving and, payments such as EMI payments, payments to Government Nodal Agencies for relocation and resettlement, as well as deposits under various Central and State Government housing schemes continues to loom over communities in Delhi NCR.

Many of New Delhi’s urban poor families face constant government evictions from their informal settlements (*jhuggis*), where their families have resided for generations. The practiced post-eviction process - which should in law be complied with before eviction - is that their eligibility for resettlement is decided upon through a rigorous bureaucratic determination process. Even after being declared eligible, families have to pay Rs 142,000 to receive a home and resettlement. During this process they continue to live in make-shift housing, sometimes provided by the government and sometimes not, with no guarantee of receiving housing. In a huge systemic failure, no relief or government measures have been announced for families of Gole Market, as mentioned above, and many others like them who should have been allotted a home, years ago, and may not be able to afford this large payment, after the economic distress from the pandemic.

Links to Compilations of Relief Measures and Government Notifications Related to COVID-19 and India’s Lockdown:

1. [PRS Legislative Research](https://prsindia.org/covid-19/notifications)
2. [COVID-19 Database](https://covid-india.in/)
3. [Housing and Land Rights Network](https://hlrn.org.in/documents/HLRN_COVID19_State_Response_India.pdf)
4. [BehanBox](http://covid19indiaresponse.behanbox.com/)
5. [Centre for Social Justice](https://centreforsocialjustice.net)
1. This report has been prepared and submitted on behalf of the following members of DHRTF: [Centre for Policy Research](https://www.cprindia.org/), [Indian Institute of Human Settlements](http://iihs.co.in/), [iProbono](https://i-probono.com/), [Housing and Land Rights Network](https://www.hlrn.org.in/), [Human Rights Law Network](https://hrln.org/) and [Nazdeek](http://nazdeek.org/). [↑](#footnote-ref-1)