

DEMOLITION WITHOUT DIGNITY:

AN APCR FACT-FINDING REPORT

On The Garib Nagar Demolitions,
Bandra, Mumbai



Association for
Protection of
Civil Rights

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ASSOCIATION FOR PROTECTION
OF CIVIL RIGHTS (APCR)

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INTRODUCTION

The Association for Protection of Civil Rights (APCR) constituted a fact-finding team comprising the members Mr. Shakir Shaikh, Adv. Imran Khan, Adv. Fazalurrehman, Mr. Mohammad Yaqub Khan, and Adv. ____ to visit Garib Nagar, Bandra (East), Mumbai, where the Railway Administration and other government agencies recently undertook a large-scale demolition drive.

The purpose of the visit was to ascertain the ground realities, interact with affected residents, collect relevant documents, understand the circumstances leading to the demolition, assess the humanitarian impact of the action, and examine the concerns raised by the affected persons regarding the implementation of the demolition process and rehabilitation measures.

The team visited the affected area from 19 March 2026 to 23 March 2026 and interacted with affected families, local residents, social workers, community representatives and other stakeholders.



METHODOLOGY

During the visit, the fact-finding team:

- ◆ Visited the affected areas of Garib Nagar, Bandra (East), Mumbai, where the demolition drive had been carried out;
- ◆ Conducted on-site observations of the demolished structures and the prevailing living conditions of the affected residents;
- ◆ Interacted with affected slum dwellers and their family members;
- ◆ Met local residents, community representatives, social workers and volunteers engaged in relief and rehabilitation efforts;
- ◆ Collected and examined documents produced by affected residents in support of their claims regarding residence, identity, eligibility and rehabilitation;
- ◆ Examined and verified available records and documents, including:
 01. Aadhaar Cards;
 02. Voter Identity Card
 03. Ration Cards;
 04. Electricity Bills;
 05. Residential Proofs and other government-issued documents;
 06. Survey and eligibility-related documents, wherever available;
 07. Representations and complaints submitted by affected residents before various government authorities;
 08. Judicial orders and court proceedings relating to the demolition drive;
 09. Newspaper reports and media publications concerning the demolition;
 10. Letters and representations submitted by public representatives seeking rehabilitation of affected residents;
 11. Photographs, videos, and other material were shown to the team by affected persons.

The findings recorded herein are based on oral statements made by affected residents and other stakeholders, documentary material presented to the team, judicial and public records reviewed by

the team, and observations made during the field visit. Wherever specific allegations, grievances, or factual assertions could not be independently verified, the same have been recorded as claims made by the concerned persons and should not be construed as conclusive findings.



LEGAL AND FACTUAL BACKGROUND OF THE DEMOLITION DRIVE

GARIB NAGAR SETTLEMENT AND RAILWAY LAND DISPUTE:

Garib Nagar, situated near Bandra (East) Railway Station, has for decades been inhabited by numerous economically weaker families living in structures on land claimed by the Western Railway. The dispute concerning the occupation of the land and the proposed removal of structures has been the subject matter of litigation before the Hon'ble Bombay High Court for several years.

The demolition drive carried out in May 2026 was undertaken pursuant to orders passed by the Hon'ble Bombay High Court in proceedings concerning unauthorized structures on railway land at Garib Nagar, Bandra (East).

BOMBAY HIGH COURT PROCEEDINGS

01. GNR Rahiwasi Welfare Sangh Society v. Union of India (Writ Petition (L) No. 8840 of 2026):

- ◆ In the above Writ Petition, the Hon'ble Division Bench comprising Justice Ajey S. Gadkari and Justice Kamal R. Khata, by order dated 29 April 2026, permitted Western Railway to continue its anti-encroachment drive, subject to protecting the interests of slum dwellers identified as eligible in the surveys conducted on 10 August 2021 and 11 August 2021. The Hon'ble Court recorded that approximately 100 structures identified as eligible during the survey process would remain protected, while demolition of the remaining unauthorized structures could proceed in accordance with law.
- ◆ The Hon'ble Court further noted that the proposed demolition was being undertaken in connection with infrastructure development and expansion works under the Mumbai Urban Transport Project (MUTP), including the proposed sixth railway line project, and expressly permitted the Railway Authorities to continue with the demolition drive.
- ◆ Subsequently, the orders of the Hon'ble Bombay High Court were challenged before the Hon'ble Supreme Court of India by certain affected residents and representative organizations. However, the challenge did not succeed, and the demolition drive continued in terms of the directions issued by the Hon'ble Bombay High Court.

The Fact-Finding Team notes that, while the legality of the demolition drive was, in principle, considered by the constitutional courts, several affected residents raised concerns regarding the manner of implementation of the demolition process, surveys and eligibility determinations, rehabilitation measures, and the humanitarian consequences of the action. These concerns are discussed in the subsequent chapters of this Report.

02. **Ekta Welfare Society v. The State of Maharashtra & Ors. Writ Petition (L) No. 9493 of 2026**

- ◆ Another significant challenge to the proposed demolition was instituted by Ekta Welfare Society, a residents' association representing certain occupants of Garib Nagar, through Writ Petition (L) No. 9493 of 2026 before the Hon'ble Bombay High Court.
- ◆ The matter came up before Justice N.J. Karnik on 29 April 2026, wherein the petitioners challenged notices issued by the Western Railway proposing demolition of structures situated on railway land. During the proceedings, it was contended on behalf of the petitioners that the demolition notices had been issued without providing adequate details regarding rehabilitation measures and without clearly disclosing the criteria adopted to determine the eligibility of occupants.
- ◆ The Hon'ble Court directed the parties to place the relevant records on record, including notices dated 13 March 2026 and 17 March 2026 issued by the Western Railway. However, the Hon'ble Court did not grant any interim protection against the proposed demolition action. The Court further observed that no infirmity was found in the issuance of four days' clear notice to the occupants.
- ◆ Subsequently, on 15 May 2026, the writ petition was rejected, with the result that no judicial restraint operated against the demolition drive proposed by the Railway Authorities.

The Fact-Finding Team notes that the proceedings in Ekta Welfare Society form an important part of the legal background of the demolition exercise, as issues relating to notice, rehabilitation and eligibility criteria were specifically raised before the Hon'ble Court, although no interim or final relief restraining the demolition was granted.

03. **Earlier Proceedings Relating to Garib Nagar**

- ◆ The legal dispute concerning structures situated on railway land at Garib Nagar predates the demolition drive of May 2026 and has been the subject matter of litigation before the Hon'ble Bombay High Court on multiple occasions.
- ◆ One such proceeding was **Ekta Welfare Society v. Union of India (Writ Petition No. 3572 of 2023)**, which came before Justice Ajey S. Gadkari. By an interim order dated 8 February 2023, the Hon'ble Court granted protection against demolition for a period of six weeks. It directed that any proposed demolition action be preceded by appropriate notice to the affected occupants.
- ◆ Pursuant to the said order, issues relating to service of notices and the proposed removal of structures continued to be litigated between the parties. Thereafter, by order dated 27 June 2023, the Hon'ble Bombay High Court recorded findings regarding suppression of material facts on the part of the petitioners and vacated the interim protection that had earlier been granted.

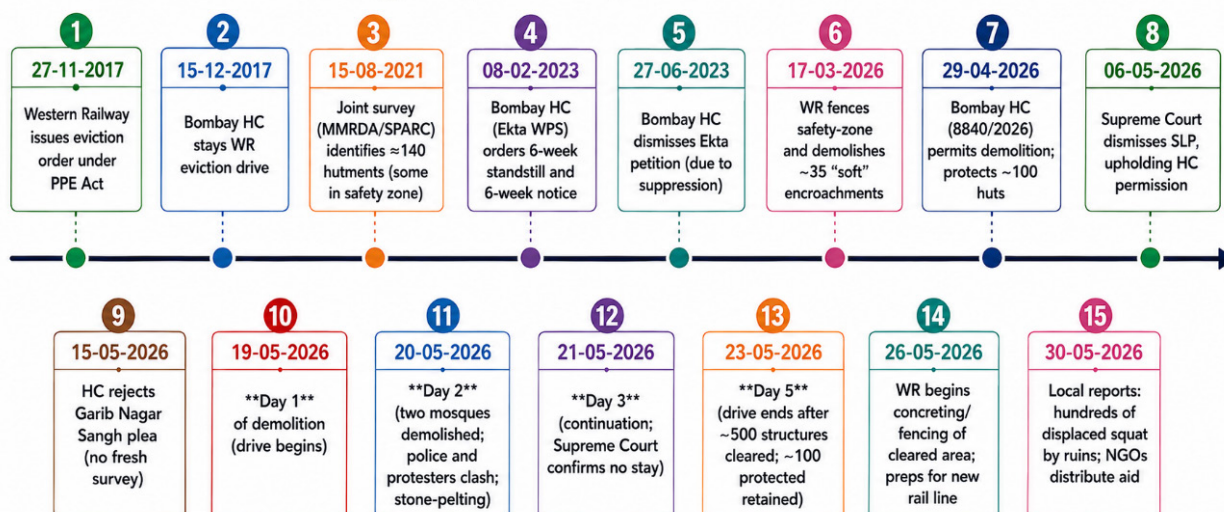
The Fact-Finding Team notes that these earlier proceedings formed part of the judicial background against which the subsequent orders were issued in April and May 2026. The orders passed in 2023 were also referred to during the 2026 proceedings concerning the proposed demolition of structures situated on railway land at Garib Nagar.

SUPREME COURT PROCEEDINGS

01. The orders of the Hon'ble Bombay High Court were challenged before the Hon'ble Supreme Court of India through a Special Leave Petition filed by affected residents and their representative organizations, Ekta Welfare Society.
02. On 21 May 2026, the Hon'ble Supreme Court declined to interfere with the order passed by the Hon'ble Bombay High Court and dismissed the Special Leave Petition. Consequently, the demolition drive undertaken by the Railway Authorities continued in accordance with the directions issued by the Hon'ble Bombay High Court.

The Fact-Finding Team notes that the orders permitting the demolition drive were challenged before the Hon'ble Supreme Court of India by affected residents through their representative organization, Ekta Welfare Society. However, by order dated 21 May 2026, the Hon'ble Supreme Court declined to interfere and dismissed the Special Leave Petition. Consequently, the demolition drive continued in accordance with the directions issued by the Hon'ble Bombay High Court. The concerns examined in this Report primarily relate to the implementation of the demolition process, rehabilitation measures, and its humanitarian impact on the affected residents.

Garib Nagar (Bandra) Demolition Timeline



DEMOLITION DRIVE

1. Day 1 – 19 May 2026

The demolition drive commenced on 19 May 2026 under the supervision of Western Railway, with assistance from police and other government agencies. Large numbers of officials and security personnel were deployed in and around Garib Nagar. Residents informed the Fact-Finding Team that demolition began in several portions of the settlement from the early hours of the day. According to affected persons, many families were removing household items and salvaging belongings while demolition activities were underway.





2. Day 2 – 20 May 2026

The demolition drive intensified on the second day, with a substantial increase in police and security deployment across the locality. Residents informed the Fact-Finding Team that the operation expanded to several parts of Garib Nagar and that law enforcement authorities heavily regulated access to the area.

According to residents and contemporaneous media reports, the situation escalated during the afternoon when two mosques situated in an adjacent area, namely **Faisane Mustafa Garib Nawas** and **Masjid-e-Inaam**, were demolished as part of the anti-encroachment drive. Several residents alleged that they were not given an adequate opportunity to remove religious articles and other belongings before the structures were demolished.





Following the demolition of the mosques, protests were reported in the locality and clashes occurred between certain residents and police personnel. Incidents of stone-pelting were reported, resulting in injuries to police personnel and civilians. Criminal cases were subsequently registered and several persons were detained and later arrested in connection with the incident. The Fact-Finding Team's events of the second day significantly heightened tensions and anxiety within the affected community.



3. Day 3 – 21 May 2026

The demolition drive entered its third consecutive day under heightened security arrangements following the violent clashes and stone-pelting incidents reported on the previous day. The Fact-Finding Team was informed that a large contingent of police personnel, Railway Protection Force (RPF), Government Railway Police (GRP), and railway officials remained deployed in and around the locality, while extensive barricading was put in place, restricting movement within the affected area. The Team was further informed that, amid the tightened security measures, the demolition operation advanced deeper into the settlement, targeting additional residential structures, multi-

storeyed workshops and commercial sheds situated on the railway land. Residents stated that by this stage, a substantial portion of the settlement had already been demolished, resulting in large-scale displacement and uncertainty regarding rehabilitation and alternative accommodation. The Team also observed widespread structural destruction and the continued presence of affected families attempting to recover household belongings from the debris.



Picture Credit: NewsTrail_India



4. Day 4 – 22 May 2026

By the fourth day, the authorities' focus had shifted primarily to removing the remaining makeshift structures, clearing debris, and securing the land that had already been vacated. The Fact-Finding Team was informed that the demolition exercise had substantially achieved its objective, with the majority of the targeted structures removed. Residents informed the Team that approximately 100 structures identified in the earlier survey process remained unaffected pursuant to judicial directions protecting eligible occupants. Simultaneously, the investigation into the stone-pelting incident continued, and residents expressed concerns regarding arrests and criminal proceedings initiated in connection therewith.



5. Day 5 – 23 May 2026

The demolition operation substantially concluded on the fifth day. The Fact-Finding Team was informed that more than 500 structures had ultimately been removed during the drive. Residents informed the Team that, following the demolition, railway authorities commenced steps to secure the cleared land and prevent re-encroachment. The Team also observed that several affected families continued to remain in live-or-die arrangements and were dependent upon assistance provided by residents, volunteers, and charitable organizations to meet immediate needs.



HUMANITARIAN IMPACT OF THE DEMOLITION

1. Families Living in Temporary and Insecure Conditions:

The Fact-Finding Team observed that the demolition displaced many families from their homes. Residents informed the Team that while some families had temporarily shifted to relatives' homes, others were compelled to remain in and around the demolished locality under makeshift arrangements. Several affected persons stated that they had no immediate alternative accommodation and were uncertain about their future housing arrangements.

2. Impact on Children and Elderly Persons

The Team interacted with several elderly persons, young children, and persons suffering from various ailments who had been directly affected by the demolition. Residents informed the Team that the sudden displacement had caused significant hardship to senior citizens and children. Several parents expressed concern about the disruption of their children's education, the loss of study materials, and the absence of a stable environment necessary for their physical and emotional well-being.

3. Lack of Toilets, Washrooms, and Basic Sanitation Facilities

A recurring grievance raised before the Team concerned the absence of adequate sanitation facilities following the demolition. Residents informed the Team that many displaced families were facing serious difficulties in accessing toilets, bathing facilities, and clean water. The lack of basic sanitation facilities was reported to have created considerable hardship, particularly for women, children, elderly persons, and persons suffering from illnesses.

4. Assistance Provided by NGOs, Volunteers, and Local Residents

The Team was informed that immediate humanitarian assistance was being provided primarily by residents, volunteers, charitable organizations, religious institutions, and non-governmental organizations. According to residents, support in the form of food, drinking water, clothing, medicines, and financial assistance was being extended by various individuals and organizations attempting to alleviate the hardships faced by the displaced families.

5. Women-Specific Concerns

Women who interacted with the Team highlighted several challenges arising from the demolition and subsequent displacement. Concerns regarding privacy, personal safety, sanitation, childcare, and dignified living conditions were repeatedly raised. Several women informed the Team that

the absence of secure shelter and adequate sanitation facilities had disproportionately affected them and increased their vulnerability.

6. Medical and Health-Related Issues

The Team was informed that several affected residents, including senior citizens and persons suffering from chronic illnesses, were facing difficulties in accessing medicines, medical treatment, and healthcare services. Residents stated that the disruption caused by the demolition had adversely affected ongoing medical treatment and created additional physical and psychological stress for vulnerable individuals and families.

7. Demand for Rehabilitation and Housing

The most consistent demand raised before the Fact-Finding Team was the demand for rehabilitation and alternative housing. Numerous residents asserted that they had resided in the locality for several decades and possessed documents evidencing their residency. Several affected persons who claimed to have been excluded from the eligibility survey process requested a fair and transparent mechanism for verification of their claims. Residents repeatedly stated that they were not opposed to development projects but sought rehabilitation and housing in accordance with the law and applicable government policies. The common demand articulated before the Team was “House for House” and assurance that no family should be rendered homeless without a fair opportunity for rehabilitation.

POLICE ACTION FOLLOWING THE STONE-PELTING INCIDENT

Following the incidents of protest and stone-pelting reported during the demolition drive, the police registered criminal cases, and several persons were arrested in connection with the incident.¹ Residents informed the Fact-Finding Team that the registration of criminal cases and subsequent police action created an atmosphere of fear and uncertainty within the locality.

Several residents alleged that, in the days following the stone-pelting incident, police personnel visited the locality on multiple occasions and apprehended young men suspected of involvement in the incident. Several families informed the Team that they were apprehensive about further arrests and criminal proceedings. Some residents alleged that young people from the locality were being questioned or taken to police stations for questioning in connection with the registered offenses.

The Team observed that the continuing criminal investigation remained a significant source of anxiety for several families residing in the locality. Residents repeatedly expressed concerns regarding the future course of the investigation and its impact upon the affected community.

The Fact-Finding Team is of the view that, while investigating cognizable offenses within the lawful authority of the police, all investigative measures should be undertaken strictly in accordance with law, with due regard to constitutional safeguards, procedural fairness, and the rights of all concerned persons.

¹ Bandra Garib Nagar Demolition Turns Violent: Stone Pelting, Lathi Charge After 2 Mosques Razed

STATEMENTS REGARDING POLITICAL INTERVENTION AND PUBLIC RESPONSE

During interactions with the Fact-Finding Team, several affected residents referred to the involvement of political leaders and public representatives in the aftermath of the demolition drive. Residents expressed divergent views on how political parties and elected representatives responded to the demolition and the subsequent humanitarian situation.

A significant number of residents referred to BJP leader **Mr. Kirit Somaiya's visit** to the locality during the demolition controversy.² Several residents alleged that certain public statements made in relation to the occupants of Garib Nagar contributed to a perception that the affected residents were being portrayed as **illegal migrants (Bangladeshi)** or persons lacking lawful entitlement to reside in the area. The residents strongly disputed such characterizations and asserted that they are Indian citizens possessing documentary proof of identity and residence, including Aadhaar Cards, Voter Identity Cards, Ration Cards and other government-issued documents.

At the same time, the Fact-Finding Team was shown copies of representations and letters addressed by public representatives, including Member of Parliament **Prof. Varsha Eknath Gaikwad**, to the Hon'ble Railway Minister and the Hon'ble Chief Minister of Maharashtra requesting intervention and rehabilitation measures for the affected residents (Attached in Annexures). Several residents acknowledged such efforts but expressed disappointment that no immediate relief or rehabilitation had materialized.

The Fact-Finding Team records the above as perceptions, grievances, and opinions expressed by affected residents during the course. The Team has not undertaken an independent examination of the political statements referred to by residents and therefore makes no finding regarding the correctness or otherwise of such allegations. The Team's concern is limited to documenting the impact of the demolition and the concerns articulated by the affected community.

² Demolition drive at Bandra Garib Nagar |BJP leader Kirit Somaiya visits Garib Nagar| Western Railway

COMPARISON WITH THE DARUKHANA DEMOLITION AND RESIDENTS' PERCEPTION OF MEDIA COVERAGE

During interactions with the Fact-Finding Team, several residents drew comparisons between the demolition carried out at Garib Nagar and a similar demolition drive undertaken at **Darukhana, Mumbai**, where structures situated on public land were also removed pursuant to judicial and administrative proceedings.

Residents pointed out that both demolition drives resulted in large-scale displacement of economically vulnerable families and raised concerns regarding food, sanitation, and rehabilitation. The Team notes that publicly available reports relating to the Darukhana demolition also recorded the plight of displaced families, including elderly persons, women and children who were compelled to remain amidst debris following the demolition of their homes.

A recurring perception among residents was that the Garib Nagar demolition received substantially greater political attention and media visibility than the demolition at Undertakhana. Some residents alleged that political leaders who had actively commented on or touted Garib Nagar had not demonstrated a similar level of engagement regarding the khukana demolition. Residents further expressed the view that the religious and demographic composition of the affected population influenced public discourse surrounding the demolition.

The Fact-Finding Team has not undertaken any independent study of media coverage or political responses relating to either demolition drive and therefore makes no finding regarding the correctness of such perceptions. However, the Team considers it significant that these co-affected residents repeatedly voiced these concerns over the course of the inquiry.

CONCERNS REGARDING SURVEY, ELIGIBILITY, AND EXCLUSION

One of the most significant grievances raised before the Fact-Finding Team concerned the process undertaken to identify the occupants. Residents informed the Team that, before the demolition exercise, surveys conducted by the authorities had identified at least 100 structures as unstable and consequently protected from demolition.

However, a substantial number of affected residents alleged that they had been wrongfully excluded from the survey process despite possessing documentary evidence demonstrating long-standing residence in the locality. During the course of the visit, the Fact-Finding Team collected and examined copies of documents from approximately 200 affected residents, including Aadhaar Cards, Voter Identity Cards, Ration Cards, Electricity Bills and other records relied upon by the residents in support of their claims.

Several residents stated that they were neither informed of the reasons for their exclusion nor provided a direct opportunity to challenge the findings or process. Findings. Residents repeatedly demanded a transparent mechanism for the re-verification of documents and the independent scrutiny of cases in which eligibility claims were allegedly rejected. The Team observed that concerns relating to eligibility and exclusion remain one of the primary causes of distress and dissatisfaction amongst the affected residents.

FINDINGS AND OBSERVATIONS

01. The demolition drive has resulted in the large-scale displacement of families residing in Garib Nagar and has generated substantial humanitarian concerns affecting vulnerable sections of the community.
02. A significant number of affected residents have raised grievances regarding the survey and eligibility determination process and have alleged wrongful exclusion despite possession of documentary evidence supporting their claims of residence.
03. The Fact-Finding Team observed ongoing issues regarding access to basic necessities, healthcare, and education for children in the aftermath of the demolition.
04. The demolition of religious structures and the concerns expressed regarding the handling of religious articles have caused considerable distress within the affected community.
05. The registration of criminal cases following the stone-pelting incident and the continuing investigation have contributed to an atmosphere of anxiety amongst several residents.
06. The demolition has adversely affected the livelihoods of numerous families whose businesses, workshops or places of work were situated within the affected area.
07. The Team observed that immediate relief and humanitarian assistance were being provided largely by residents, volunteers, charitable organizations, and civil society groups. It is imperative to note that the Government has provided no such support; the consistent demand raised before the Team was for fair rehabilitation, transparent verification of eligibility claims, and protection against homelessness.
08. The Team is of the view that while the demolition was undertaken pursuant to judicial orders, the humanitarian consequences and unresolved rehabilitation concerns require urgent attention from the concerned authorities.

DISCLAIMER:

This Report is based on the field visit conducted by the APCR Fact-Finding Team, interactions with affected residents and other stakeholders, documents and materials produced before the Team, publicly available records and observations made during the visit. Wherever allegations, grievances, opinions, or factual assertions have been recorded, they should be produced as statements made before the Team. They should not be construed as conclusive findings unless independently verified. The purpose of this Report is to document the concerns raised and the humanitarian impact observed, and not to adjudicate disputed questions of fact or law.

ANNEXURES

Representation letter by Varsha Eknath Gaikwad



सत्यमेव जयते

Prof. Varsha Eknath Gaikwad

Member of Parliament
Mumbai North Central

Ref : VIP/3406/2026

Date: 22nd May 2026

To,

Shri Ashwini Vaishnaw Ji,
Hon'ble Minister for Railways,
Government of India,
Rail Bhavan, Raisina Road,
New Delhi - 110001



Subject: Request for rehabilitation of affected slum dwellers of Garib Nagar, Bandra East, following the eviction drive on Railway Land, through close coordination between the Ministry of Railways and the Government of Maharashtra.

Respected Sir,

I am writing to draw your urgent attention to the ongoing anti-encroachment eviction drive being carried out in the Garib Nagar locality near Bandra East Railway Station. The action, undertaken by the Railway Administration in conjunction with local authorities, is part of the infrastructural upgradation around the railway station area. While infrastructural expansion remains crucial, this sudden drive has displaced a massive number of resident families. It has triggered a severe socio-humanitarian crisis directly impacting women, young children, senior citizens, person with disabilities (Divyangjan), and economically marginalized sections.

The residents of Garib Nagar have been domiciled in this locality for several decades. They possess valid local proofs including voter ID cards, Aadhaar cards, electricity bills, residential identity proofs, and official government entries. However, a lack of clear eligibility criteria, missing alternative housing provisions, and sudden displacement have left these long-term residents in an absolute state of panic and distress.

Under the statutory framework of the "Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971," state agencies are duty-bound to protect, verify, and systematically rehabilitate eligible slum dwellers. The core policy of the state mandates that no eligible citizen should be rendered homeless during

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सत्यमेव जयते

Prof. Varsha Eknath Gaikwad

Member of Parliament
Mumbai North Central

development projects without being integrated into a transparent alternative rehabilitation framework.

Since the land parcel in question belongs to the Ministry of Railways, resolving this issue requires active synergy. A balanced, human-centric approach is vital to balance infrastructure growth, railway safety, and citizen welfare.

Therefore, I earnestly request your personal intervention to issue immediate directives to the concerned Western Railway officials to:

1. Initiate Joint Coordination: Set up an immediate coordination committee comprising the Railway Administration, the State Government of Maharashtra, and the Brihanmumbai Municipal Corporation (BMC) to address the rehabilitation mechanism.
2. Ensure Rehabilitation Plan: Offer a definitive, transparent rehabilitation and alternative housing blueprint to all affected, eligible families before they are structurally displaced.

I look forward to your prompt, compassionate, and positive action to provide relief to my constituents.

Thanking you.

Yours sincerely,

PROF. VARSHA EKNATH GAIKWAD
Member of Parliament
Mumbai North Central

Copy for Information and Necessary Action to:

The General Manager, Western Railway, Churchgate, Mumbai.

The Divisional Manager, Western Railway, Mumbai Central, Mumbai.

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