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**PUCL Maharashtra Statement in solidarity with residents of Mahul**

PUCL Maharashtra expresses its solidarity with the 5,500 families who were relocated to Mahul, a critically polluted industrial area in southeast Mumbai, in 2017, and are now in a desperate struggle to fight for their very right to live. It also strongly condemns the criminalising of their protest and the undemocratic and repressive measures to silence them, instead of addressing their legitimate concerns.

In the past year-and-a-half, more than 100 residents of Mahul have died due to the appalling conditions of toxic air pollution, water contamination, and unsanitary state of the housing units. On October 28, 2018, hundreds of relocated families in Mahul staged a Jeevan Bachao Andolan—literally a movement to save lives—by camping at a spot in Vidya Vihar, Ghatkopar. This is the same spot from where they had been evicted over a year ago. Around 5,500 families, comprising 30,000 people from various slums along the Tansa pipeline, were moved to Mahul after a court-ordered demolition in 2017. For Mahul residents, this is a last-ditch effort to safeguard their health and future, after a year-long struggle to get justice from the government and the court of law. While the country was celebrating Diwali festivities, the Mahul residents, faced with the government's apathy, were constrained to observe a Black Diwali on the 10<sup>th</sup> day of their protest.

Various state agencies, including the National Green Tribunal, have termed Mahul unfit for human habitation. Surrounded by a vast complex of oil refineries like the BPCL and HPCL, and chemical factories like RCF and Sealord Containers, the air in Mahul is not fit for breathing. A study by the KEM hospital in 2014 found high concentrations of dangerous chemicals like nickel and benzopyrene, which were 7 and 37 times the permissible safety limits. The presence of another toxic chemical, toluene diisocyanate, was found to be 83 microgrammes per cubic metre, or 166 times the permissible limit. The KEM report states: "Learning from our experience regarding methyl isocyanate tragedy in Bhopal in 1984, it may be worthwhile to undertake monitoring of toluene diisocyanate, which is toxic in concentrations as low as 0.5ppm."

The state of housing lies in shambles. Almost every other building has broken sewerage lines raining waste water on the road below. The sewage water also seeps into the underground storage tanks that supplies potable water. Many residents have contracted chronic illnesses like tuberculosis, asthma, cancer, heart ailments, paralysis, and many other health disorders, after moving here. Skin infections and allergies are rife because of the contaminated water and air. Infants and the elderly are the most vulnerable, and form the majority of the seriously ill. Almost every household in Mahul has at least one family member incapacitated by disease.

Many working men and women have lost their livelihoods due to lack of proper connectivity, while children have had to drop out of school for the same reasons. While families have been uprooted from their place of stay, children have become the silent, hapless victims. Because the demolition had taken place in the middle of the academic year, many of these children have dropped out of school. Those who can afford to end up travelling 10 to 20 km one way every day. It has been found that the provisions of Right to Education Act, 2009, were not taken into consideration while making the rehabilitation plan for the Tansa pipeline Project Affected Families. Children below 6 years are unable to go to the Anganwadis they were attending at Tansa pipeline. This has violated their right to Early Childhood Care and Education (Section 11 RtE Act). Children's right to health, nutrition is also violated due to this irresponsible and callous act and is bound to have serious ramifications on development, growth and learning.

The families have not been rehabilitated but dumped there, in gross violation of human rights. The Bombay High Court, in an order dated August 8, had asked the state government to come up with plans for relocating Mahul residents by October 1. There was however no movement by the government in that direction. Frustrated by the inaction of the government, and anguished by the regularity of freakish deaths in the colony, residents of Mahul have been forced to flee this toxic cesspit. Shockingly, the Maharashtra Housing Minister Prakash Mehta, in a phone call to the distressed protesting residents, claimed he did not have a solution for the 5,500 displaced families. This is despite information to the contrary, accessed by RTI, which revealed that Mumbai has close to 80,000 vacant flats specifically designed for rehabilitation. Meanwhile the

aggrieved protestors have been met with continuing police action and repressive state measures to silence their voices. On November 5, a few protestors were detained by the Maharashtra police for attempting to hold black placards saying “Chief Minister Save our Life” outside an event at Fine Arts Cultural Centre, Chembur. While some talks have recently taken place, there has been no initiative on the part of the government to offer permanent solution to the distressed residents.

We at PUCL Maharashtra stand by the residents of Mahul, and strongly condemn the shocking disregard shown by the government towards its own citizens. The right to life, as enshrined in Article 21 of the Constitution, also includes the right to clean and sound environment, as interpreted by various judicial pronouncements in the past decades. The state has failed in its obligation and duty under Articles 39(b), 47 and 48A to improve the health and protect and improve the natural environment. It is criminal of a government to be unwilling to follow this mandate and remain mute spectators to the slow poisoning of its citizens.

**PUCL Maharashtra demands that :**

1. All repressive measures by the state against the protesting families stop immediately, and the government reach out to the residents of Mahul for redressal of their grievances and immediate rehabilitation.
2. The government urgently intervene and start the process of allotting safe and permanent accommodation / housing with facilities in a clean and habitable living environment for the residents of Mahul, in areas close to their original homes.
3. The government immediately start providing free medical treatment and healthcare for the residents of Mahul who have been rendered sick and incapacitated at a reputable centre, and also compensate them adequately.
4. Immediate free transport arrangement to-and-fro Tansa pipeline schools be made available to the children till alternative arrangements are put in place and the government ensure that the education of the children is not adversely affected or interrupted.

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