

## **Slums: The Continuing Struggle for Housing**

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**Bombay to Mumbai,**

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The Shiv Sena – BJP Government in Maharashtra came into power in March 1995. One of the promises given in the 'WachanNama' or Charter of Commitments of the Shiv Sena – BJP alliance in Maharashtra was the promise of providing free houses to 40 lakh slum-dwellers in Greater Mumbai. This was the greatest bluff ever perpetrated on the city's poor. While a small section of the slum-dwellers, mostly the slum-lords, (a) large number of elected representatives and the highly opportunistic self-styled leaders were excited by the offer, the majority realized from the very beginning that this was merely a political gimmick. In many interviews and discussions both in the press and otherwise, Mr. Bal Thackeray, founder and leader of the Shiv Sena who was also the architect of this scheme of free houses to the slum-dwellers, could not elaborate or how this target would be achieved, nor did he have any definite program to do so. After coming to power, the program was pursued by the Government for implementation. But it failed miserably and as expected, led to serious violations of land and housing rights, including the abuse of human rights. The slum-dwellers have been subject to greater abuse and threat of displacement. This policy is being continued by the present government led by the Congress and Nationalist Congress coalition. This government has further introduced a host of new concessions to facilitate and appease the developers. These do not benefit the slum-dwellers.

The tragedy in housing in the city has all along been the fact that the plans and policies have continuously alienated the people. The capability of the slum-dwellers and their co-operatives in undertaking (direct) responsibility for the development of their own housing has been denied. Instead, the Government has continuously resorted to violent attacks on the slum-dwellers and demolition of their houses, refusing to recognize the people's right to housing and the denial of slum-dwellers participation in the drafting of the various policies and programs for them. The planning process and the experience with development projects so far indicate that citizens have been totally excluded from the discussion about the location and

nature of development projects, their size, their socio-environment impact, the distribution of their costs and benefits, and course, the magnitude of displacement and the procedures of rehabilitation. Such denial of people's right to participation in the decision-making process betrays the spirit of the Indian Constitution'. (Fernandes and Paranjpye, pg.11) (-Baxi 1989). The government has always addressed the issue of housing by promoting real-estate interest(s) and major construction plans rather than the development of social and environmental conditions. The state itself has also come to threaten its own citizens, often as a direct consequence of its commitment to the project of development which has regularly placed enormous burdens on those people least able to defend themselves'. (Khilnani, 1997:11).

Another emerging new trend in the city calls for further reflection. Outfits of 'citizen' groups representing small and exclusive groups of middle and upper classes are now intervening in the housing sector. Their strategy is to oppose those policies of the government relating to the housing right of the poor, upgradation of slums and protection against eviction. These groups and its leadership influence (**have an access to**) the media too; they campaign in the press against the interests of the slum-dwellers. 'Citizens oppose slum-dwellers', is a common media slang these days. In the recent past many such groups have organized campaigns in the press to oppose the policy of the government for the recognition of the residential right for slum dwellers and for the right to rehabilitation of those who are evicted by the development (**policies**) **programmes** of the state. These groups have used the courts and have filed public interest litigation on behalf of the 'common citizenry'. In many cases the Court has acknowledged their representative character suggesting that because they make public opinion and work in public interest, their demands should be upheld. This legitimacy from the courts has enhanced the prestige of such 'citizens groups' and made them more powerful. As a result the discussion and therefore the discourse on rights of slum dwellers is being subverted. This means that these exclusive groups possess (**exclusive**) **elite** right of citizenry while the majority people are subject to questions to their very right of existence, let alone their right to citizenship. Not surprising therefore most of the government policies and plans for the poor and the working class express a tone of pity and sympathy, particularly in matters relating to (**the**) housing (**question**). Thus the very right to housing itself for the poor is questioned.

**(Additionally, these groups question the credibility of the leadership that represent slum dwellers)**

As a result there is sharpening of class conflict in the city. **Simultaneously**, most of today's leading environmental cases are against the interest of the majority people. These cases do not consider the issues of housing of the poor and the working class as an integral subject of environmental concern, thereby, aberrating the poor from environmental cause. The recent case of the brutal attack on over 400,000 slum dwellers residing for several years in the buffer zone of the Borivali National Park and the demolition of their houses without consideration for rehabilitation first has exposed not only the upper class interest of this environmental movement but has also made the environmental movement for the protection and conservation of the National Park at Borivali unsustainable. Can our forests be protected without involving people? Deployment of armed constabulary is counterproductive as in this case of the National Park. Infact the poor and the working class are seen to be the principal cause of environmental destruction by such exclusive environmentalists.

The environmental movement fails to contribute to major debates on development policy and implementation programs. What is needed instead is that the environmental concern must be seen as an integral part of shelter and development program, particularly in the urban context. The housing question would have to be at the core of environmental discussion thus, closely relating the environmental concerns to the needs of people and in the process forging an effective socio-environmental movement.

**Not surprisingly the exclusive environmentalists conveniently forge alliance with the exclusive citizens to ascertain their position. The environmentalists alliance with the citizens gives them public interest credential. The two together upset the real public interest concern.**

For Mumbai, in an area of 437 sq.kms. Having a population of around 11 million, conservative estimates put over fifty-five percent as slum population. This slum population spread over around 2,500 settlements occupies 2,525 hectares, which constitutes merely 6% of city's total land area. The slum settlements have come up on private lands (50%), State Government lands (25%), and Municipal Corporation lands (25%). The balance (5%) is spread over various Central Government and State Housing Board lands. The

housing situation in Mumbai is tragic. Approximately 5.5 to 6 million live in slums in the most unhygienic and filthy conditions, and, approximately another one million live on the pavements. It is also estimated that nearly 2 million people live as tenants in rented premises, a large number of which are old and dilapidated structures, including what are popularly known as the 'chawls' of Mumbai. As a result, we find that nearly 8.5 million of the city's population lives in sub-standard and/or unsafe housing conditions under abuse and continuous threat of displacement. About 82% of the population live in one room abode (including slums). This housing situation blatantly exposes the continuing indifference, neglect and lack of will of the Government towards housing and living conditions in the city.

In order to formulate a comprehensive rehabilitation scheme for slums, as promised in the election manifesto, a high powered study group under the chairmanship of ex-Chief Secretary Mr.Dinesh Afzalpurkar, IAS was set up by the SS-BJP Government soon after it came to power. The Committee, popularly known as the Afzalpurkar Committee, recommended the Slum Rehabilitation Scheme. The Government of Maharashtra accepted the recommendations made by the Afzalpurkar Committee in the State Legislative Assembly and amended the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971. A Slum Rehabilitation Authority (SRA) was then constituted to put this plan into action by the Government Notification dated 16 December 1995 to function with effect from 25 December 1995.

As is well known the larger the announcement in the name of the poor, the greater is the attack on them. The same has come to be true under the Slum Rehabilitation Scheme (SRS) launched by the Sena-BJP Government. This has been proven through several examples of forcible attempts by the Government for implementation of the SRS. This scheme is clearly an exercise towards establishing control over slums' land and drawing rapid profits from such access to their redevelopment. As a means of achieving the objective of providing free houses, a principle of cross-subsidization at each project level was promoted. Unreasonable incentives and Floor Space Index (FSI) bonus were offered to developers and builders to undertake such schemes, whereby the philosophy of housing in which people must be directly in control of their development, was subverted. The slum-dwellers have been pushed further into a state of

uncertainty, being constantly under the threat of displacement due to the combination of persuasion and force by the developers and other opportunists. Caught as the victims of politics, bureaucracy and self-interest, the slum dwellers were left with no option but to wage struggle to establish their rights for housing.

In December 2000 a new programme called Valmiki Ambedkar Awas Yojana (VAMBAY) was introduced by the Government of India. It provided financial assistance including outright grant for the construction and development of housing for the poor. A total outlay of Rs.2000 crores was envisaged with equal shares by the central and the respective State Government. However, this scheme is largely irrelevant and inapplicable under the present condition prevailing in most the cities in the country, particularly in Mumbai. This scheme promises to support the construction of housing for the poor but, sets Rs.60,000 as a limit for the cost of construction of a housing unit to qualify (Construction cost of a 250sft housing unit in multistoried buildings is not less than Rs.150,000/- excluding land cost). Given the nature of **real-estate (process)**, there cannot be any construction possible in this price unless the houses are built as independent structures on individual plots and not multistoried(d). This means that a new land policy has to **be** simultaneously formulated, whereby the poor can get subsidized land and individual plots. In Bombay, the government has no vacant land to consider for distribution for housing of the poor. How will the VAMBAY help the poor? In the circumstances, VAMBAY will remain a non starter in Mumbai and other big cities unless appropriate land policy is not formulated.

Today, the state government in Maharashtra is inviting bids for supply of 225sft. Houses for the displaced slum-dwellers under the Mumbai Urban Transportation Plan (MUTP-2) project and is willing to pay Rs.100,000/- and above per house with a host of other concessions to the developers. This is being done under pressure from the World Bank who are financing a large part of this project and who have laid strict terms and conditions for rehabilitation of the displaced people prior to the implementation of the transport project. Can and will the government go about buying land and housing at high market prices for housing and rehabilitation of the poor and the slum-dwellers in all other cases? This would imply the

implementation of the Urban Land Ceiling (and Regulations) Act, whereby it could build-up land resources under its direct control for social welfare and the city's development projects.

### **Recognition Fraud**

The SS-BJP Government was not the first to launch a scheme to rid Mumbai of its slums. In the first two decades after independence, the official approach towards slums was to clear the hutment's and re-house slum-dwellers in permanent structures. An amendment, Section 354A was introduced to the BMC Act in 1954 to make this legally possible. However, the program was never implemented, and demolition continued unabated. In 1970 the Slum Improvement Program was introduced. As conditions in rural areas became more wretched, and industrial expansion and job opportunities in the city attracted people in search of livelihood, slums spawned at a rate beyond the capacity of the slum clearance program. Simultaneously the slum dwellers began to organize themselves and the city saw a number of demonstrations and struggle waged by them. This forced the official policy to 'improving' slums rather than clearing them.

The Slum Improvement Program (SIP) was launched in 1970 to provide water supply, toilets, roads, drainage and streetlights for the slum-dwellers. A BMC Report in the early 90s by Deputy Municipal Commissioner (Slums) K.G. Pai pointed out that even basic slum improvement would have required Rs.150 crore a year, whereas, 'the scheme had a provision of Rs.151 crores for the entire Sixth Plan period'. The report goes on to admit that 30 lakh slum-dwellers in Mumbai alone, had not even been touched by the SIP. 'A survey of 4,000 households in 9 slums revealed.....no household had a private toilet, a quarter did not have access to community toilets, a third had no drainage facilities, while 40% had only open drains. The per capita investment norms and the suggested scale of amenities were unrealistic. After the failure of the SIP, in 1985 the State Government launched yet another scheme for slum improvement with new outfits, namely the Slum Upgradation Program (SUP), in collaboration with the World Bank and the BMC. The SUP, while providing some civic amenities, envisaged slum co-operatives undertaking slum development in exchange for transfer of land tenure and housing loans. But, due to the

lack of drive and commitment on the part of the authorities and due to the influence on the government by real-estate developers against transfer of land tenure to the slum dwellers, only 22,000 households were covered in a period of 8 years upto 1993.

Under the guise of privatization, it was convenient for the Government to answer this string of failures not with greater involvement, but by withdrawing and giving the field to private builders and developers. Thus, Sharad Pawar's (then Chief Minister of the ruling congress government) Slum Redevelopment Scheme (SRD) was launched in 1991. The scheme was a non-starter from the very beginning. Firstly, this scheme did not provide sufficient business opportunity to the investors, secondly the builders were skeptical of getting into wrangles with the slum-dwellers whereby their profits would not materialize within calculated periods. Even if they did have plans, work could not be started due to the lack of transit accommodation. Also, slum-dwellers were reluctant to give possession of their plots in the absence of alternative accommodation. They feared losing possession of their sites permanently since they did not trust the builders. They already had horrid experiences of attacks on them and forcible evictions led by a number of builders at many places in the city.

The Slum Rehabilitation Scheme (SRS) launched with much fan-fare by the SS-BJP Government, was merely a souped-up version of the SRD launched by the earlier congress government. Both the schemes depended on private investments and increased the role of developers and builders in providing housing to the poor, the method generally being to allow 'Incentive FSI' to the developers who could then make profit by selling the surplus FSI as tenements or in the form of Transfer of Development Rights (TDR) in the open market. A part of this profit could thus be utilized to cover the cost of housing for the slum-dwellers. The Congress Government however had maintained a contributive share of Rs.20,000 per slum-dweller's family in the financing for slum redevelopment, while the Sena Government made it completely free, thus making it the greatest bluff till date perpetrated on the slum-dwellers in Mumbai.

A Supreme Court judgment on pavement dwellers in June 1985 ruled that 'the right to life, which is conferred by Article 21, includes the right to livelihood and it is established that if the petitioners

(pavement and slum-dwellers) are evicted from their dwellings, they will be deprived of their livelihood'. Yet the judgment permitted removal of encroachments without directing the municipal corporation to provide a viable alternative. After this judgment against the slum-dwellers, demolitions and evictions continued unabated. Simultaneously the city saw greater movements of slum-dwellers against demolitions. As a sop, the State Government announced that those who were registered as voters in Greater Mumbai before 1976 would be given alternate accommodation if evicted. Major public protests and mass demonstrations, including a morcha of nearly 20,000 slum-dwellers led by the Nivara Hakk Suraksha Samiti (NHSS), an organization of slum-dwellers, forced the Government to consider the extension of recognition of slums 1985. This was however announced only a few days later at a political march led by the then ruling Congress Party. This date for recognition was subsequently shifted to 1995 with the launching of the SRS by the SS-BJP government. Yet, there is a great amount of uncertainty among the slum-dwellers with the threat of eviction continuously looming over their daily lives. They were unable to feel secure even if they satisfied the cut-off date requirement since they doubted the effectiveness of such a stipulation. Authorized slum-dwellers with voters' identity card to back their claim had been evicted on several occasions.

The NHSS attacked the policy of cut-off dates and demanded that all slum and pavement dwellers be recognized and given alternative accommodation. This policy was discriminatory and perpetuated a sharp division in the slum-dwellers movement for land and housing rights. It was also a major weapon for subjugating the slum-dwellers to the authorities, which exercised enormous discretionary powers to grant recognition as to the eligibility of slum-dwellers. Surveys were corrupt and influenced by vested interests. The Government carried out the census in an arbitrary and negligent manner. Also, there was a close nexus between the slumlords, the municipal officials and the police, and these were the people who benefited from such policies. There was large-scale land-grab by the slumlords, and genuine slum-dwellers were threatened to pay huge sums illegally for living in the slums and or are forcibly evicted anytime. Today very large numbers of slums in the city, particularly the new settlements, continue to exist



under the direct patronage of government officials or by the slumlords that are in nexus with the concerned officials.

The authorities still do not accept that to prevent such manipulations, forgery and corruption transparent and collective surveys with the active participation of the slum-dwellers and their representative organizations must be carried out. A slum settlement Kamraj Nagar, was enumerated by the municipal authority for rehabilitation, and was said to have 100 families eligible for alternative accommodation. This figure was upwardly revised to 550 after a survey carried out was out together with the NHSS. Upon court orders all of these 550 families were rehabilitated. Another settlement Mora Gaon at Juhu is still an ongoing struggle, where the authorized slum-dwellers' list has been manipulated by the developers, M/s. Provincial Housing and Properties Limited, under the SRS scheme. The NHSS has already exposed these manipulated lists and submitted to the authorities its independent investigation report, but the suggestion for joint surveys put forth by them was not accepted by the authorities since it left very little room for manipulation in the interest of the nexus between the politicians, builders and the slum-lords. The bureaucrats too hesitated to accept these demands since they came in the way of the progress of the work and caused inordinate delays in the implementation of development programs. The delays caused due to re-surveys delayed redevelopment work and further deteriorate existing conditions in the slums they argue. Transparency and interactive processes would also leave them with little option for exercising their discretionary and authoritative powers. According to Kalus Toepfer, Acting Executive Director of Habitat, 'The urban poor are the most excluded group in cities. They live in constant fear of eviction and most do not have access to formal finance and loan schemes, which could enable them to improve their living conditions. Transparent and accountable urban governance and the promotion of participatory decision-making processes can go a long way in making cities more inclusive.'

Another major factor, which is continuously being refused recognition, is the fact of people, ability to positively contribute to housing development. 'Despite limited resources and adverse conditions, low-income individuals, households, and communities have been responsible for a high proportion of new housing units and for a large proportion of investments in the housing stock and in housing-related

infrastructure and services. The scale and nature of their investments is rarely recorded and is not reflected in official statistics. But in most cities or at least in the poorer areas of cities, the annual investment made by low-income house-holds who are de facto owners of their homes is many times the average investment per house-hold made by city and municipal authorities. This is especially so if a realistic monetary value is given to the labour time they put into improving or extending and reconstructing their homes.' (Hardoy and Satterthwaite, 1997:267). On an average a slum-dweller family in Mumbai spends Rs.30,000 to Rs.50,000 in constructing their house, often several times due to continuing demolitions. This investment is not accounted for and not considered in the capital outlay for housing development. If recognized, it will exceed the combined capacities of all financial institutions that offer loans and investment for housing in the city. In a population of ten lakh slum-dwellers families, nearly Rs.5,000 crores is mobilized as investment directly by the slum-dwellers themselves. But governments do not recognize these people as city builders. They usually refuse to recognize that they are citizens with legitimate rights and needs for public infrastructure and services. 'Inevitably, one turns away from the knowledge, resources and capacities of the tens of millions of people who are already the most active city builders. At present, the sum of their efforts is the major influence on how cities develop. But government's failure to support and help co-ordinate such efforts represents an enormous and unnecessary loss both to themselves and to these citizens'. (Hardoy and Satterthwaite pg.142 & 273). The key issue is therefore the question of recognition of the slum-dweller's capabilities and rights and their placing as an integral part of the development process.

### **Real-estate Agenda and the Rehabilitation Bluff**

Housing today is looking upon merely in real estate terms. This is what the building industry wants so as to monopolize and control land and development. The real-estate agenda is encouraged today due to the privatization thrust in housing and corporatization of the various development and construction activities. Housing projects are evaluated in terms of size, the built-up area, the FSI consumed, the financial turnover, and various other business and marketing merits. The bigger the project, the better it is and the greater the attraction for developers in undertaking the scheme. A huge network is thus established

between the developers, the landowners, and the financial institutions wherein the slum-dwellers find no place.

The SRS policy highlights in its introduction that priority will be given to slum-dwellers co-operatives, but creates a situation whereby the slum-dwellers cannot complete nor function. The business proposal in the SRS is contrary to the interests of the slum-dwellers. They are expected to compete in the open market to raise capital by building vast multi-storied apartment buildings for the middle and high-income groups as well and then to sell them in the open market. Under this scheme, the builder will undertake the development program, house the slum-dwellers on a part of the land in multi-storied apartments, and thereby generate surplus vacant land. This surplus land could then be put to business (built thereupon or sold as Transfer of Development Rights). Various economic arrangements (including the market mechanism) are of central importance to the presence or absence of 'social opportunities', and there is, thus, a deep-seated complimentary here. On the one hand, the opportunities offered by a well-functioning market may be difficult to use when say, illiteracy or ill health handicaps a person. On the other hand, a person with some education and fine health may still be unable to use his or her abilities because of the limitation of economic opportunities, related to the absence of markets, or overzealous bureaucratic control, or the lack of access to finance, or some other restraint that limits economic initiatives. Social opportunities are, thus, influenced by a variety of factors-among other things, the state of educational and health services (and public policies that deal with them), the nature and availability of finance (and policies that affect them), the presence or absence of markets (and policies that promote or restrict them), and the form and reach of bureaucratic control in general (including the barriers to enterprise imposed by such control). It is right to rail against bureaucratic controls and other barriers that stifle economic activity and individual initiative, but that line of reasoning, which has been rightly aired a great deal in India recently has to be seen as one part of a much bigger story about the determination of social opportunities, we propose a perspective that is substantially broader than the narrow view that concentrates simply on promoting markets and competition, as well as the similarly narrow 'contrary' view that just wants to debunk liberalization' (Amartya Sen and Jean Dreze).

Land and its development are thus open to manipulation and can be utilized in the speculative market like any other commodity. In many instances by using force, the development agencies and their lumpen partners, unleash terror and violence on the helpless slum-dwellers. `Even the elected representative have joined hands to terrorize the people and benefit from transactions in slum-lands. Electoral volatility has foreshortened the horizons of political time: the mere capture of power rather than its responsible exercise has become the exclusive aim of politicians. New entrants saw electoral triumph as necessary means to gaining power of patronage over the resources accumulated by the State through several decades of State regulated economic development; their main intention was now to draw rapid profits from such access.` (Khilnani, 1997:49).

There is a euphoria for everything mega. These mega-schemes not only alienate the people, but also destabilize and displace them. A major obstacle to any such evaluation is lack of awareness of the situation among the urban middle class. The extent and seriousness of displacement is not known to them and is, therefore, neglected by both the policy makers and urban dwellers.

The overwhelming thrust to promote mega-schemes is for promoting easy and effective control of vital resources by the promoters. These schemes are a weapon for subjugating the poor and a system, which dines the rights of people to plan for and participate in their own development. Mega schemes also divert attention from the real issues and completely neglect the existing services, transportation, infrastructure, and amenities, thereby, in all cases, leading to further deterioration of existing conditions. This is glaringly visible and realized today in all the slums in the city. Due to the SRS, the existing conditions have further worsened. Slums are denied the supply of services and amenities. Deterioration of environmental conditions and health is alarming today. Instead, of augmenting and building the internal efficiency of what already exists, major new and ambitious reconstruction schemes are undertaken which lead to displacements of the poor by way of forced evictions and land acquisitions. Also, since these mega-schemes require investments of large sums for its launching and implementation, the government turns to Corporations and financial institutions including the World Bank and International Monetary

Funds for financial support. As a result, a network of mega-operators takes over not only the responsibility, but the controls of decision-making and implementation as well. This has been experienced in several schemes of infrastructure and services development wherein the cost escalations have led to large sections of population then unable to access and use them.

As opposed to the market trends and the real-estate development programs, the issues concerning the development of improved conditions has been given a low priority. This trend is most manifest in the slums where inadequate toilets and electricity, and lack of water supply, sewage outflow, and garbage disposal has led to serious deterioration in the health and living conditions. Also, inadequate availability of open-spaces, accesses, and convenient and affordable transportation have led to unhealthy relationships and social tensions among communities. Due to these appalling conditions, the NHSS has demanded State intervention for environment development. Rather than look at housing as merely a real-estate scheme for profiteering, it is necessary for the Government to first implement schemes that can promote healthier living conditions. An environmental development plan and a concerted effort in fighting the slum-like conditions would enable and encourage the slum-dwellers themselves to participate more actively, including investing in programs for construction of their houses and the development of their neighborhoods. One of the fundamental objectives of the housing program would have to be establishing people's control over their living environment. Instead of the skewed privatization thrust in housing and the increasing dependence of the Government on private builders and developers for providing housing to the poor, a direct partnership needs to be established between the Government and the communities of slum-dwellers in a truly public-private initiative.

### **Land Mis-use Plans**

Today the Government is stripped of land for housing and other development projects. As a result, launching housing projects for the poor has become even more difficult. Land in the city has been systematically captured by private builders by even changing land records and land-use plans over the years, and is being developed for various commercial projects as well as for housing of high income groups. The authorities see land occupied by slums as most convenient source of land for public works

and new commercial developments. Under the present policy of privatization of all developments, the Government is further encouraged to give land and development opportunities to giant companies and big investors. Since these investors and developers are not interested in undertaking projects for housing of the poor, the condition of housing as well of social amenities in the city is worsening. Even when some areas have to be cleared of slums for the larger interest of the city for development of services, amenities and infrastructure, the Government fails to do so for want of vacant land and alternate sites. The most recent example concerning the Borivali National Park is particularly frightening. In this National Park which comes within the city limits, nearly 3,00,000 slum-dwellers reside. They have been encouraged to build their houses and live here by an ugly and powerful lobby of slumlords, municipal officials, lower ranks of the police and the officials of the National Park Authority. People in need of housing, finding fewer alternatives elsewhere in the city, have settled in the peripheral buffer zone of the park. Subsequently, they keep paying money for building their houses, repairing them, for getting water and electricity and for continuing patronage of the slumlords and forest officials. They often land up paying much more for the small quantity of water and a single light connection than they would have to if water and electricity were legally available. Ultimately, the slum-dwellers pay a hefty price for their housing, but live under continuous fear of demolition. These houses they build at such high-cost are illegal and their very existence in the National Park is threatened.

Even in an important matter such as this, the Government has not been able to relocate the slums and check illegal forest activities. The High Court of Mumbai has ordered in May 1955, the State Government to protect the forest immediately evict all the slum dwellers and simultaneously rehabilitate them. The slum-dwellers here have been caught between the devil and Deep-sea. On one hand, they face the wrath of demolitions by the same officials who allowed them to encroach by collecting huge sums as bribes. On the other hand, a continuous campaign by “environmentalists” for the protection of the forest but without any serious concern for a socially acceptable plan for rehabilitation continues. A public notice brought out by the NHSS against this displacement explains the tragedy of this exclusive environmental movement. *The Government of Maharashtra has finally betrayed us. Even after the many brutal*

: 15 :

*demolitions carried out by the forest officials in the past several years, the Government did not take interest in finding alternate sites in Mumbai for our rehabilitation. Now, due to the orders of the High Court (upon a petition filed by Bombay Environmental Action Group (BEAG) demanding the clearance of Borivali National Park of all encroachments), the Government has decided to evict us to a site 15 kms away from Kalyan. They want us to leave Mumbai'.*

*Mumbai is our city too. We've come here like everybody else to earn our living and to contribute to its development. We have equal rights as others to live and work here. The Sena-BJP Government has recognized us and promised to provide free houses under the slum rehabilitation scheme in the city. Now they have cheated us and stabbed us in our backs. But we will continue to fight for our rights.*

*We will lose everything when they demolish our homes – our house, our belongings, our relationships, future of our children, our very survival is thus threatened. Even then, the Government has demanded that we pay Rs.7,000/- per family for allotment of a pitch of 15' x 10' at the alternate site outside Kalyan. Substantial investments made by us here will be lost (Rs.10,000 to Rs.50,000/-, for shanties and pucca houses respectively). We have to spend again to build our new house, pay additionally for schools and other amenities at the new place. But then all this effort and expense without any job prospects there. Our investments and losses are insignificant to the decision-makers. We came to Mumbai not to own a house but to earn our living. We will fight this plan for our displacement and destruction of our lives.*

*They want us to pay Rs.1,000/- immediately (from the 7,000/-) to get our consent for shifting. Paying Rs.1,000/- now is to dig our graveyard for the future. The amount seems less and may seem easy to pay but let us not sign on the dotted lines – decisions that we have never been consulted for. We have never been invited to any discussion regarding our rehabilitation. Even the courts turned down our request for participation on equal terms. What is our alternative now? Our fundamental rights have been threatened. We have been left now to defend ourselves.*

*We will protect the forest, the hills and the lakes, but the government must protect our dignity and right to live and work in Mumbai and not evict us out of our own city.*

In this context, wherein the Government and the city authorities have no avenues for undertaking schemes of social priorities, the city continues to face serious conditions of environmental and social tragedy. The slum-dwellers and their organizations, particularly the NHSS have all along demanded that radical land policies must be launched and strictly implemented. In this way the Government can become resourceful and not only plan, but also undertake priority schemes. The ULC Act, 1976 was passed during the emergency to prevent concentration of urban property in the hands of few and speculation and profit therein, to subserve the common good by ensuring equitable distribution of urban land, to discourage construction of luxury houses leading to conspicuous consumption of scarce building materials, and to secure orderly urbanization. In order to achieve these objectives, a ceiling was placed on ownership and possession of vacant land in urban areas, and the excess land was to be acquired by the government for a nominal payment. `In Mumbai, 1360 hectares of land were identified a surplus under the ULCA, out of which only 213 hectares was acquired by the government. Also, most of the acquired land was not put under effective use and was encroached upon in due course'. Instead of implementing ULCA more stringently, the National government decided to repeal, saying that the repeal would release large tracts of land and depress the inflated property prices. But they failed to mention that the repeal would lead to consequences contrary to the very objectives of framing the Act i.e., ownership in the hands of few, and therefore, speculation.

We simultaneously find large-scale reclamation along the city's coastline by various land-sharks. Huge tracts of land are thus created illegally and in blatant violation of the Government's own policy of the Coastal Regulation Zone (CRZ) notification. In spite of knowing about these illegal reclamation's and land-grab, the Government does not initiate any action. Moreover, the various agencies of the Government abet, encourage and facilitate these activities. Even newspaper coverage's and protests by various environmental and slum organizations and citizens' forums have little impact on the policies of the government and their decisions. `With the price of urban land skyrocketing, there is a scramble to acquire pieces of it. New packages of urban land are continually created by the various urban



development authorities, with the land being made available not only below the value commensurate with state inputs into its development, but even below the prevalent market prices. This creates a scramble for such land and an opportunity for politicians and bureaucrats to extend patronage while making a killing. There are scandals around land development in most major cities with accusations of corruption against politicians of virtually all parties.' (Gadgil and Guha, 1995: 67). Land having reservations for the housing of the EWS is being deserved and or being given away to developers under dubious ways. The NHSS is presently in the Court of law challenging some of these illegal transactions and exploring the nexus between the administration and the developers.

Take the example of Rahejas, one of the prominent and leading builders of the city. Rahejas are developing a commercial project spread over 175 acres of prime land adjoining the Malad creek. This has involved destruction of vast expanse of mangrove swamps, a process abetted by the BMC, which provided limitless quantities of solid waste to reclaim the wetlands and swamps. This has been taking place even though a notification by the Union Ministry of Environment dated 18/02/91 declared mangrove swamps as 'ecologically sensitive' zones. They have been placed under the CRZ category, which allows for no construction. Furthermore within the CRZ, 'dumping of city and town waster for the purpose of land-filling and otherwise' and 'land reclamation, bunding or disturbing the natural course of sea water', is prohibited. Several protests by the NHSS had no impact on the Government. Not surprisingly the various prominent environmental activists propagating a certain ruling class interest have kept quite about these vandalisms by the powerful.

Also, under the guise of slum redevelopment in the city, private developers and builders with the active support of the Government, are trying to build houses along the coastline of Mumbai in violation of yhr CRZ notification. The slum-dwellers and the NHSS demanded that if the Government is serious about improving the conditions of slums along the coast on the sea-ward side of existing roads, then they should aid the slum-dwellers to reconstruct their housing within CRZ guidelines, with services and infrastructure development to be carried out by the Government. This will lead to the improvement of environmental conditions along the coast. Several slum organizations along with environmental groups and citizens'

forums, under the banner of Mumber Nagrik Vikas Manch (MNVM) attacked the Government for its attempt to further densify the coastline of Mumbai. They demanded stricter implementation of the CRZ notification and the environmental protection of the coastline. The Manch is campaigning against the very notion of `Incentive FSI being freely offered by the Government to the developers, as being gravely against the city's interest, particularly in a situation where the city's amenities, services and infrastructure are inadequate and fragile. The policy of `Incentive FSI' will unjustifiably enright certain influential sections of society since land is free in the developments under the SRD scheme. It will therefore encourage forcible evictions and demolitions of slums occupying prime property by the real estate Mafia. Low-density slums will be largely targeted by the builders so as to derive a larger surplus for sale in open market of upper income groups. A serious fall-out of this process will be the large scale displacement of the slum dwellers and social unrest.

### **Social Uncertainty and Detachment**

The extreme conditions under which the poor have to survive in the city lead to great stress and social tension. The marginalisation of the poor, both politically and socially, coupled with the denial of space has turned the city of Mumbai into a workshop of political debate. We have experienced several policies and development programs for the improvement and development of slums. While every policy is launched in the name of the poor, the attack against and the denial of the poor sharpen and intensify with each announcement. In the late sixties and early seventies, the slum dwellers were subject to physical attack and their houses were being brutally bulldozed. They were considered as anti-socials and the slums were considered to be the centers of crime. In the late eighties, the views seemingly changed. Both the government and middle and upper classes in the city began to accept that slums provided a housing opportunity for millions, which the Government otherwise cannot provide. It has also been reluctantly accepted that the slum-dwellers are an integral part of the city's economy. The population residing in slums not only constitutes the poor unskilled labour, but also skilled workers and professionals. A new program for slum development, popularly known as the SRD, was thus launched in the early 90s and incorporated into Development Control rules in 1991. But tragically, in every scheme, the state of

uncertainty for the slum-dwellers continued to grow. The slum-dwellers' suspicion and anger over the Government programs began to grow as more and more. External agencies under the guise of the various programs began to descend on the slums to benefit from it. The situation became more complex, in which vested political interests, business, land interests and social contradictions became intensely intertwined.

Simultaneously, the rapidly deteriorating housing and environmental conditions ignited the anger of the slum dwellers against the State and were manifested from time to time in various social, political and even communal unrest in the city. The biggest threat in the recent past, which has been steadily growing, is the extreme communal fervor in the city. Since slums constitute a major part of the city where the majority people live under duress, the intensities of these social tragedies are more blatantly manifested here. As a result, the Government's attack on the slum-dwellers has intensified, particularly on slums where Muslims and other minorities, such as the Dalits live in large numbers. The State and its police force, in suppressing communal forces, have actually encouraged the majority communities to attack the minorities, as particularly experienced during the communal riots of 1992. This attack and discrimination is being systematically continued by the religious fundamentalist groups and opportunists.

Since the 1992/93 communal riots in the city, the social relationships between people living together in the slums have not been of co-existence in peace and harmony. This is also reflected in their attitude towards physical spaces and housing environment. A sharp division in attitudes between the Hindus and the Muslims is experienced in the slums as well. The situation is very charged where even small day-to-day matters and differences of opinion on smallest of issues can excite communal fervor. For social activists and the various slum organizations, the issue of communalism has come to be the most important issue to deal with. The extreme attitudes against the minority communities, and in particular the Muslims, is also vehemently expressed in the corridors of the city administration, including the police and civic authorities.

The NHSS have found this as an opportunity to bring the housing question to the center stage of the larger democratic rights movement in the city, demanding for peoples participation and control in the making of their own environment.

### **Contradictions Within**

Slums in Mumbai are not a homogeneous lot and slum-dwellers are not a single political unit. There exist large differences in the composition of people living in the slums in the city. These variations are also due to their very location – distance and proximity from important business and work locations and from transport links such as railway stations and bus routes. People of various income levels having different occupations and with different beliefs, castes and religions live together in the slums. These people therefore have largely differing aspirations. Also, a multitude of external influences splits and fragments the slum population into disparate and often competing groups. The slum-dwellers, due to their own conditions of a very hard life in the city, often limit their involvement to issues that can directly benefit them in material and physical terms. This is a major problem that slum organizations face in their campaigns for politicization and makes it necessary for organizations having broader base and having leadership from outside (not necessarily living in slums) to organize the slum-dwellers and spear-heading their struggle. While it is easy to draw people to the issues of water, toilets, land rights, etc, it is often difficult to discuss issues of communalism, consumerism, price rise of essentials etc that are continuously threatening the very life of the people in the city. Even though justifiably so, aspirations for material gains constantly preoccupy the various organizational activities in the slums. This process in turn makes the organizations and their struggles weak and vulnerable to donations and largesse in various forms, thereby making it difficult to sustain a coherent and cohesive political movement. The relationship between organizations and slum-dwellers are most often therefore weak and short-lived. As long as new development schemes are mooted and or immediate needs are catered to, the commitment of the slum-dwellers as a single unit to their representative organization continues. Since launching such schemes continuously is impossible, there are then big periods when contact between the two is at a low-end. These sets-out severe restrictions to continuing political work and allow opportunists and self-styled

leaders to gain ground and continue with their petty works, contrary to the larger interest of the struggle. The most recent of the conflicts devastating the peace and life in slums of Mumbai has been the ongoing Slum Rehabilitation Scheme for providing free houses to slum-dwellers. A significant number of slum-dwellers themselves, particularly the self-styled leaders who find it easy to benefit personally from this scheme, do not hesitate to associate with various agents, developers and builders, and thereby induce corruption. Such vested interests invite builders and developers to undertaking the development of the slum, and even terrorize others in supporting the scheme. These people are then presented as the slum-dwellers representative in official meetings and supported by the officials. But the majority people have come to believe that the solution to their housing problem cannot be found in the present scheme of the Government unless the people themselves are entrusted with the responsibility of directly undertaking their schemes, with the active support of the Government- contrary to the present role of the Government of backing out of all welfare schemes including housing. These differences of opinion have adversely affected the unity and strength of the slum-dwellers and their organization.

### **Conclusion**

A radical shift is needed in the attitude of the government and the elite towards slum-dwellers. Program for slum redevelopment must primarily be seen as an environmental scheme and not merely as an agenda for real-estate development and construction turn- over. An environmental thrust will enable the improvement of quality of life of the people. It is the slum like conditions, i.e. lack of drinking water, inadequate toilet facilities, garbage, heaps, lack of sewage disposal, absence of open-spaces, and inadequate, unsafe accesses, are of primary concern. Simultaneously, it is important to recognize and accept the slum-dwellers as an active participant in the planning and development process. It would then be possible to utilize the enormous human resource that is available and stop centralized and corporate forces from controlling the housing programs for the poor. Integration of the slum-dwellers themselves is needed to democratize the process of development. It is fundamental to establish people's control over their own environment with the active support of the Government. Government would have to undertake direct responsibility in enabling and facilitating the co-operative efforts of the slum-dwellers. Thus a

**government slum-dwellers partnership** is essential to the successful planning and implementation of slums redevelopment program.

In the immediate context, indiscriminate and violent demolitions and evictions must be stopped. Sites having important reservations that are occupied by slums and are required for the larger interest of the city needs to be vacated, but only after adequate rehabilitation measures have been undertaken and implemented. It is necessary to formulate an urban rehabilitation policy, which does not exist today. The Rehabilitation Policy must include a fair assessment of the actual loss to the people who are displaced and the additional cost of reconstruction of houses, schools, community centers, medical facilities, water and drainage system, transport etc.

The struggle for housing has to be closely integrated with the larger struggle for democratic rights in the city and its forum with other struggles and their organizations. Organizations of the slum-dwellers will have to critically evaluate their failure in developing and sustaining leadership from amongst the slum-dwellers and fight the short-term opportunism of vested interests. Growth of a stronger and more committed local leadership will help in the building of a conscious political community in the slums.

Slum-dwellers organizations need to oppose speculation, the take-over of land and resources by the developers and builders, and fight the powerful nexus that is fast growing between the lumpens, the financial interests and the State power – State Administration, police, and local municipal officials – who together ménage to subvert social priorities and deny social opportunity to the poor and the working class. Dissemination of information, the building-up of a authentic data-base about all aspects of slums and participation of the slum –dwellers for effective utilization of land and resources in the city is crucial to construct a development agenda that is at once in the interest of a majority of people and of the city's environment.

With the end of Bombay and the beginning of Mumbai, the most frightening and visible political trend is the reinforcement of fascist forces and its appearance in all walks of public life in the city. In this situation it has become even more important for the slum-dwellers and their organizations to not only wage

struggles for housing with a limited framework of immediate needs and conveniences, but also direct it to a larger political struggle against fascism and to demolish the authority that continuously strangulates and subjugates the majority people under the guise of development. Duty threat to the life in the slums would have to be fought simultaneously at two levels, from within by a united and concerted effort of the slum-dwellers and as well from the outside by uniting with other people's organizations that include industrial workers, the majority of whom are constantly under the threat of losing their jobs due to the illegal closures of the various industries, the two million tenants who are being threatened of displacement from their houses due to anti-tenant and archaic rent-control policies and other oppressed as well as minority communities. A broad based peoples' organization has to address and organize around questions relating to the quality of life in the city that includes issues of city planning, land-use, housing, public-spaces, infrastructure, services, etc.

'Public action can play a central role in economic development and in bringing social opportunities within the reach of the people as a whole'. (Sen and Dreze, 1998: 38). 'In India's cities, democratic equalization confronts the actual disparities of economic and social opportunity. The evident urban disjunction's have enlivened distinct political sentiments, and released unanticipated, sometimes dark potentialities, but they have also generated inventiveness and experimentation. Only a fragment of India's population has direct access to the cities, but images of them have spread throughout the society and have fired the imagination of all Indians.' (Khilnani, 1997: 12). Therefore the constitution of Mumbai Nagrik Vikas Manch – a forum of several city based organizations that includes, slum-dwellers, industrial workers, fish-workers, urban planners, architects, environmentalists and neighborhood citizen's committees is a significant step for mobilizing forces against the various ill-conceived and anti-people development programs of the government and to propose alternatives. The State Governments vision for the city has now been to change it from industrial and manufacturing activity to trading and financial center, in which the working class will be replaced by professionals and white-collar work force. What an illusion and a skewed view about the city in which there will be no place for the toiling masses? An idea that would completely destroy the inherent strengths and the historical significance of this great and pulsating city of hope. Marginalisation and displacement of the working class and the poor, who today constitute more than 85%

of the city’s population, from both their work places as well as their homes and attempts by the ruling class along with slum-lords and Mafia to capture State resources including land is a critical issue against which a united and concerted political struggle would have to be intensified. ‘What the government ends up doing can be deeply influenced by the pressures that are put on the government by the public’ (Sen and Dreze, 1998: 39). Various struggles for housing and other city-development issues critical to the quality of life in Mumbai are significant instruments for political and social change.

Average annual supply of housing in Greater Mumbai Table 1

	Bombay Housing and Area Development Board	Employers for Employees	Private sector	Cooperative Societies	Annual Average Total
1956-66					17562
1973-82	3183	494	10420	5529	19625
1983-91	886	1397	13006	3696	19619

Current incremental demand 29,800

Backlog of housing units in Mumbai 8,00,000 housing units

Shortage of units added each year 55,000 housing units

Population living in one room abode 82% (including slums)

Source: The state of India’s Environment 1982

Average age of housing stock 53 years

Source: Draft Regional plan for Mumbai Metropolitan Region 1996-2011



Nature of shelter supply to Greater Mumbai by Bombay Housing & Area Development Board (BHADB)

(To Greater Mumbai. Table 2)

Greater Mumbai	85-86	86-87	87-88	88-89	89-90	90-91	91-92	92-93
(BHADB)								
Economically Weaker Section	0	0	0	0	0	0	0	0
• Tenements	0	900	133	200	0	0	0	0
• Plots								
Low Income Group (LIG)	0	0	0	76	240	0	0	3322
• Tenements	873	0	0	0	0	0	0	0
• Plots								
Middle Income Group (MIG)	0	480	0	20	80	344	540	336
• Tenements	873	0	0	0	0	0	0	0
• Plots								
High Income Group (HIG)	701	175	451	660	459	30	60	469
• Tenements	4	0	44	2000	0	0	0	0
• Plots								
Total	701	655	451	756	779	374	600	4127
• Tenements	886	900	206	2229	0	0	0	0
• Plots								

Source: 1991-92 1992-93: Statistical abstract of Maharashtra State 1991-92 & 1992-93

1985-86 1990-91: Draft Regional plan for Mumbai Metropolitan Region 1996-2011

Public and Private sector investment in housing (Rs.in crores) – National Table 3

Plan	Public	Private	Total	Public	Private	Total	%B to A
First	1560	1800	3360	250	900	1150	34.2
Second	3650	3100	6750	300	1000	1300	19.2
Third	6100	3400	10400	425	1125	1550	14.9
Fourth	13655	6980	22635	625	2175	2800	12.4
Fifth	31400	16161	47561	796	3640	4436	9.3
Sixth	90000	66000	156000	1491	18000	19491	12.5
Seventh	168148	180000	349148	2458	29000	31458	9.0

Source: Housing Finance Manual 1994:

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