

# India

## BERGERIE 2016 TO HABITAT III



### RIGHT TO HOUSING

**There is no constitutional provisions in India for the right to housing.** However, the Seventh Schedule of the Constitution of India, which demarcates governance powers over different issues to the center and the state, land is a 'state' subject. Though housing is not explicitly listed, the state list includes: "works, lands and buildings vested in or in the possession of the state." Most laws regulating land and housing therefore are promulgated and administered at the federal level. At the Federal level, some of the recent new policies/laws affecting housing and land are: Odisha Land Grabbing (Prohibition) Bill 2015; Andhra Pradesh Land Pooling Scheme (2015); Telangana Land Regularization Scheme (2015); Amendment to Gujarat Land Laws.

Shelter is the basic human need and very closely related to the right to livelihood mentioned in the Constitution of India under Article 21.



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PROUD

### FORCED EVICTION

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Land Acquisition Act, 1894 (Draft Land Acquisition and Rehabilitation and Re-settlement Bill-2011)

(...)

According to **Montfort Social Institute** (2), India has the world's largest number of people, 632 million, living in multidimensional poverty. A Technical Group on Urban Housing Shortage estimated that the national urban housing shortage (2012) was 18.78 million, 95% of which are of poor.

The reasons include :

- speculation and illegal changes in land use;
- displacement for infrastructure and other projects (It is estimated that 65-70 million people were displaced for 'development' since 1947);
- Special Economic Zones (A CAG Report states that of 392 notified SEZs, for which lands were acquired, only 152 are operational.);
- Irrigation and Hydroelectric projects (Example: Narmada Valley Development Project estimated to displace 1.5 million people in Gujarat, Maharashtra and Madhy Pradesh; Kanhar Dam that commenced in 2014 will submerge 87 villages and displace 7,500 families; Jalayagnam consisting of 86 projects in Andhra Pradesh will displace 129,739 families);
- Thermal Power Projects;
- Mining and Steel Projects (Vedanta Alumina Refinery; POSCO Steel Plant);
- Land Acquisition by Armed Forces (1000,000 acres of land acquired in Jammu and Kashmir by 2013).

### MAJOR PROBLEMS

#### LARGEST NUMBER OF LANDLESS HOUSEHOLDS IN THE WORLD

According to **Montfort Social Institute** :

The 2011 census in India reports that 69 per cent of the population (742.5 million) live in its 6,40,867 villages. India has the largest number of landless households (101 million ) in the world. (S = Montfort Institute)

### OVERCROWDING

A Technical group on Urban Housing Shortage estimated that the national urban housing shortage at the end of 2012 was 18.78 million, 95 per cent of which was of the poor. A recent study indicated that the urban housing shortage will grow at a rate of 6.6 per cent for 10 years, and will increase to 34 million units by 2022. (...) (S = Montfort Institute)

### HOMELESSNESS

According to **PROUD**, India is a unique country for its diverse multi-culture, Multi-religion, Multi-language etc. with 1.2 Billion Population. About 35-40% of the total urban population in India are poor, illiterate, jobless and homeless who are forced to live in slums & squatter-settlements in an un-serviced, un-hygienic, intolerable and subhuman conditions :

- The urban poor are the victims of evictions whose livelihood opportunities are further being curbed due to increasing Urbanization, Mechanization and Cost-effective strategies,
- Negligence of urban poor in slums and squatter settlements, street-vendors... by the development agencies.
- 65% of Mumbai's 13 million population live in slums & squatters, have 1 toilet per/1000 people & <80% have less than 100 Sq. Ft. homes.
- Formal Housing is unaffordable in urban India leading to proliferation of slums and squatters.

## HOUSING WORLD MAP

BETER UNDERSTAND THE CONTEXT OF HABITAT : [WWW.WM-URBAN-HABITAT.ORG](http://WWW.WM-URBAN-HABITAT.ORG)

WEBSITE UNDER CONSTRUCTION

