

DWELLING IN LIMBO

A STUDIO INTERVENTION PROJECT ON TRANSIT CAMPS

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BACKGROUND

The chosen site for research and intervention was to understand the situation in Dharavi and focus on a problem that evolves in the process of understanding the systems in the redevelopment project for Dharavi.

Redevelopment of Dharavi

Spread over 525 acres, Dharavi presents a vibrant mosaic of thousands of small businesses and residents of different religions, castes, languages, provinces, and ethnicities, dependent on one another and the city socially, culturally and economically. Its residents own businesses including manufacturing units of garments, leather goods, foods and pottery, besides running a flourishing recycling business.¹

Dharavi has evolved from a fisher community to communities pursuing pottery, tanning, waste recycling and multiple other livelihoods. Living in the same space for so long, residents of Dharavi have a system in place to access the basic amenities, services and social networks to support them; including provision from government services as well as private agencies. So this has made Dharavi much more resilient space and created a sense of community.

A Look at the Dharavi Redevelopment Plan (2015)

As per the redevelopment plan of the Dharavi, the cost of the project calculated was around 28 thousand crores and the timeline defined is 7 years.

The number of housing units that will be rehabilitated is 60,000. The Dharavi Notified Region (DNR) is divided into 5 sectors. These sectors were to be auctioned for bids from public and private agencies and a plan was to be developed for rehabilitation accordingly for the ease of planning.

Provisions developed as per the DRP:

1. Cut-off Dates decide the eligibility criteria
2. 300 sq. feet would be the rehab tenement for free
3. Any additional area, up to 100 sq. feet would have to be bought by the owner of the rehab tenement according to the allocation procedure
4. If they do not join the scheme in 15 days after the developer has informed of the plans, obstruction would be removed (for the sake of the majority)
5. Leased tenements cannot be rented or sold for 10 years
6. Transit Camps to be provided in and around the DNR and process to be completed within 15 days of the commencement of the project.
7. If the residents own commercial spaces in the DNR area, there would be a provision of commercial space up to 225. sq. Ft which would also be available

¹ <https://medium.com/@yuvaonline/the-dharavi-redevelopment-project-3b2e1e7115f5>

on sale; however, for the Potter community or any other artisan businesses, that area would be provided for free.

According to the Dharavi Redevelopment Plan (DRP) proposed in 1995 and sanctioned in 2004, the entire slum has been divided into 5 sectors.² These sectors would be developed in phases along with partnerships with Private and Public bidders. The entire project has been undertaken by the Slum Rehabilitation Authority (SRA) under the govt of Maharashtra. While the redevelopment is in process, the residents of Dharavi would be moved to transit camps in the Dharavi Notified Region (DNR) or nearby areas.

The first round of global bids for the DRP were opened in 2007. But since then, the DRP has failed to attract powerful builders and large investments given the precarity of the DRP and the volatility of the real-estate market. The government's motivation to participate in the DRP was possibly diminished owing to the lack of private interest in the project. The period between 2008–2016 was a period of lull for the DRP, with the government run MHADA taking on the task of developing Dharavi sector 5.³

In the process, MHADA has proposed to move the residents of sector 5 in the Transit camps in Mahul, situated near Chembur, and the other sectors to be moved in empty lands, which are currently salt pans, near Matunga, a Mumbai suburb and a railway land which has existing employees of the central railway residing in the quarters.⁴

Transit camps

In the process of rehabilitation, when the development projects are under construction the residents are moved to temporary residences called 'Transit camps.' In the case of DRP, MHADA devised a relocation program to move 18000 units with 22 sq. Ft for each house in Mahul as a transit camp for the residents of sector 5 in Dharavi.⁵ These transit camps identified at Mahul, Chembur a suburb of Mumbai, are an hour away from the current resident spaces and has a notorious

² <https://medium.com/@yuvaonline/the-dharavi-redevelopment-project-3b2e1e7115f5>

³ <https://medium.com/@yuvaonline/the-dharavi-redevelopment-project-3b2e1e7115f5>

⁴ <https://indianexpress.com/article/cities/mumbai/dharavi-slums-maharashtra-government-matunga-railway-station-5753420/>

⁵ <https://www.dnaindia.com/mumbai/report-maharashtra-government-eases-development-plan-rule-offers-sops-to-expedite-dharavi-redevelopment-project-2683468>

⁶ <https://www.dnaindia.com/mumbai/report-dharavi-facelift-residents-want-bigger-homes-2686779>

reputation of being the “human dumping ground” for the Maharashtra government.⁷

In the last few decades, Mahul has developed into a home to major industrial establishments such as Bharat Petroleum Corporation Ltd. (BPCL), Hindustan Petroleum Corporation Ltd. (HPCL), Tata Power, Rashtriya Chemical Fertilizers (RCF), Sea Lord Containers, Aegis Logistics, Indian Oil, Natural Oil Blending Ltd. As a consequence, air and water quality in Mahul and surrounding villages have suffered tremendously and the biodiversity in the area is also threatened. The people from the slum redevelopment programmes or demolition drives in and around Mumbai are moved to Mahul in a transit camp developed by MHADA in the last decade. The complex includes 72 seven storey buildings jammed together in the shadow of the industries.

The residents in these transit camps have constantly been complaining about the air being pungent with a strong smell of chemicals, sewage overflowing into narrow streets, layers of tar formed on the furniture and walls, every morning, due to the industrial effluents. Mahul is extremely polluted as per India’s Central Pollution Control Board. A survey by the city’s KEM hospital found that 67.1% of the neighbourhood’s residents complained of breathlessness more than three times a month, 86.6% complained of eye irritations and 84.5% had experienced feeling a choking sensation.⁸ This environment has resulted in visible health effects on the residents including rashes on the skin, breathlessness, eye irritation, mental health disorders including anxiety and depression, effects on female reproductive systems and approximately 100 deaths were recorded between 2017-2019 due to diseases.

Along with all the health issues that the residents have to face, the location of the MHADA complex in Mahul is entirely disconnected from the city with very few to no access to public infrastructure and amenities including hospitals, schools, transportation facilities and so on. A survey on infrastructural facilities and habitability conducted by IIT Bombay clearly stated that the government cannot let the residents live in these transit camps, the only solution to all the health issues in this aspect is to move the entire population to better liveable space.⁹

Minimum disruption while transition

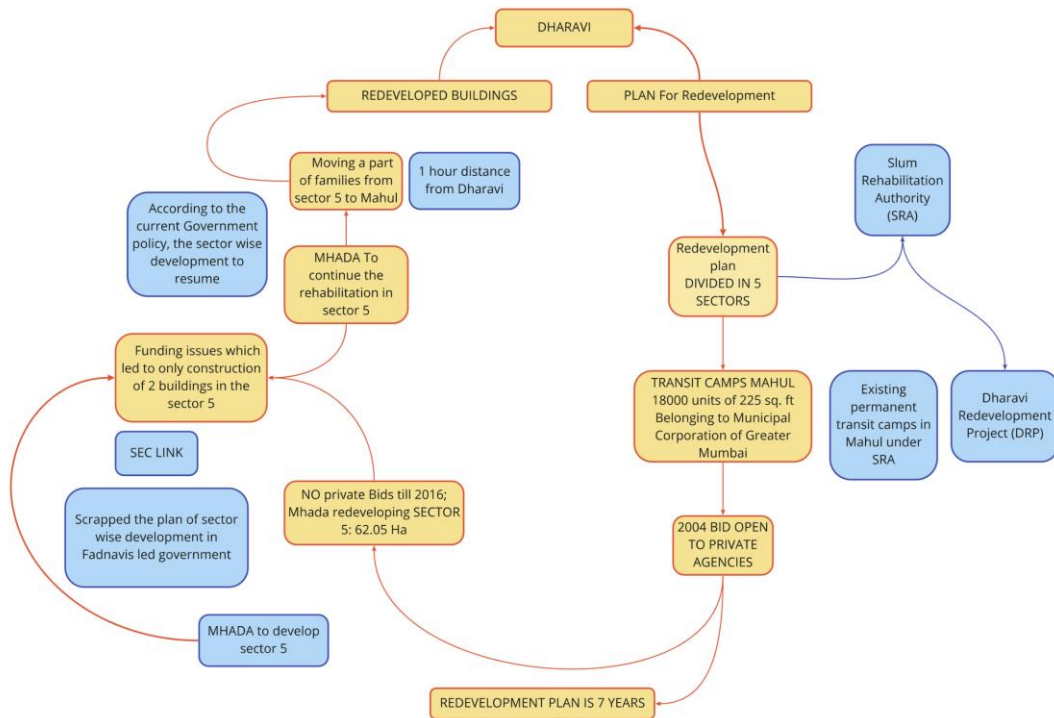
The system map is a flow of the process of a community moving from a slum to a new rehabilitated space (in this case Dharavi). In this process the systems are laid out with the help of existing government mechanisms including the Slum Rehabilitation act, MHADA, Dharavi Redevelopment Committee (DRC) and other responsible agencies in place.

⁷<https://www.livemint.com/Leisure/Ki7VXzsgdtebWpHmXQPuMI/Life-and-death-in-Mumbais-human-dumping-ground.html>

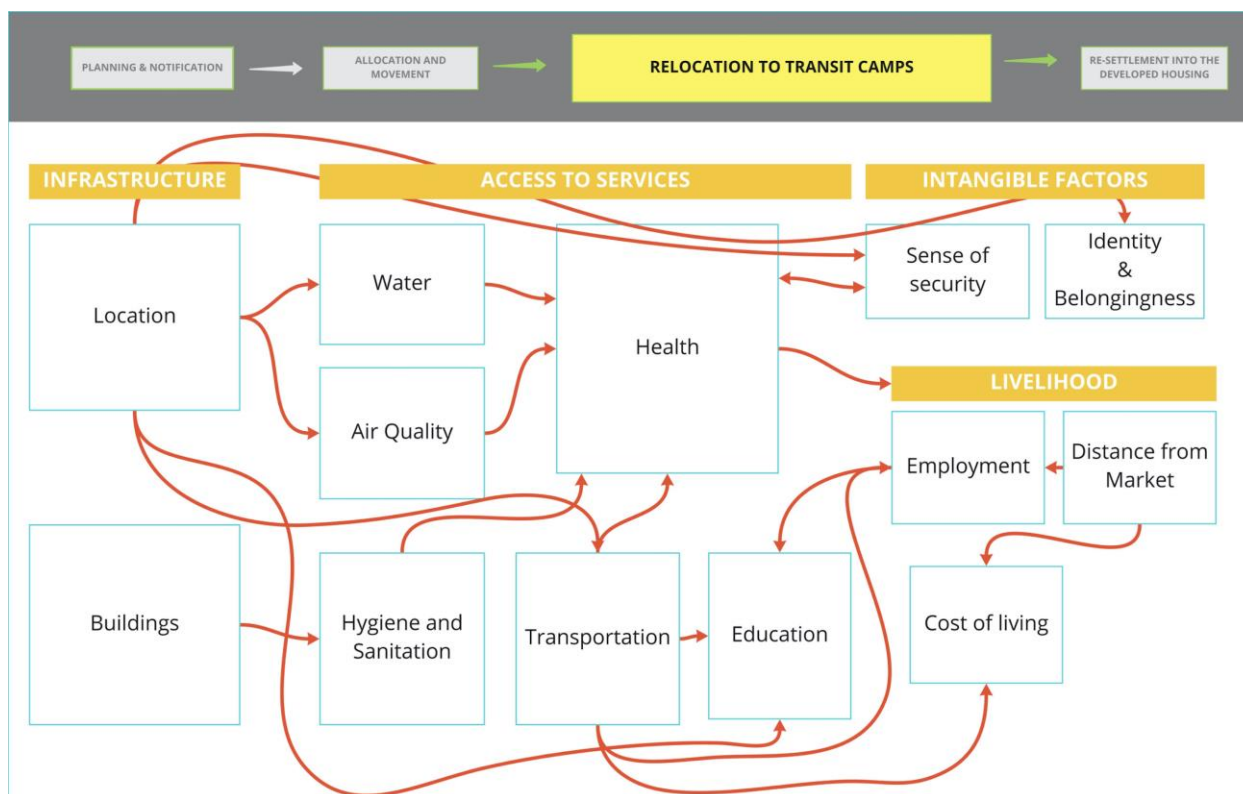
⁸ <https://www.theguardian.com/cities/2018/feb/26/mumbai-poor-mahul-gentrification-polluted>

⁹ https://en.wikipedia.org/wiki/Mahul#Mahul_Health_Issues_&_Residents'_Protest

The groundwork laid by the authorities is to explain the processes of *When* and *Where* the communities of Sector 5 move to a transit camp.



These processes lack the outline for the smoother systems for governance, leading to the livelihood and ontological impact on residents in these Transit Camps. This not only helps us to focus on the gravity of the disruptions that are caused to the resident families in Dharavi due to movement to a new space within 15 days, but also helps us identify the gaps in the existing systems. Some of the gaps identified are the mentioned below through the case of Transit camps in Mahul. This heavily industrialized zone which has caused immense health issues and deaths within the residents of the transit camps have still been used as spaces to move people who are victims of slum rehabilitation and demolition drives. As clearly mentioned earlier the habitability of this area is extremely low and there is hardly any system in place to guide the minimization of the disruptions that are predicted to occur.



To conclude the various reasons given above, we have summarised and identified the key problem areas or gaps through our system maps and research:

- **Lack of documentation or legal framework**
 - a. No articulation within the plans on the processes around moving to transit camps
 - b. No data available, creating a void of information in terms of plan of action(s)
- **Disruptions of livelihood**
 - a. Lack of guidelines or information on the impact of transition on the residents, leading to a lack of a mitigation plan for the same
- **Disruptions of life**
 - a. Along with livelihood, access to basic amenities like sanitation, electricity, and by extension healthcare and education are being disrupted because no legal framework
 - b. Lack of consideration of time-period residents would have to spend in transition; therefore, no accountability towards timely completion of rehabilitation process
- **Lack of transparency**
 - a. In the processes of moving and dwelling in the transit camps.

- b. In the timeline for which the intermediate redevelopment process lasts.
- c. In the ways to contact the responsible persons for various processes.
- d. In understanding the habitability of the transit camps

Form of intervention

The proposed way to go forward from this step is to create a framework which would help in minimising the disruption of the movement from the slums to the transit camps.

The framework which we have based our further research and study on is development of a policy to make habitable, liveable and accessible transit residences with transparent mechanisms and systems in place

TRANSIT

RESIDENCIAL SPACES

A policy framework designed to promote minimum disruption in temporary living spaces in rehabilitation projects through better transparency and accountability

Introduction

*“To **build** originally means to **dwell**. To **dwell** means to live our lives. To **dwell** also means to care for our home. As mortals, by living, we are already thinking of the earth, the sky, and the divine (because of inevitable death).”*

Martin Heidegger

To have a place to dwell is essential to our living. Dwelling is not just about having shelter, but the necessary means to be healthy, happy and prosperous. In the context of housing, the need to be able to ‘dwell’ is rarely addressed. The current housing poverty crisis in India is an example of governance that does not acknowledge this very need of people, creating a state of incongruity of what housing should look like, and what housing should be. And this is specifically in the context of residents living in the slum areas of India’s cities, who often are at the receiving end of poorly designed housing policies. Delving deeper into the idea of ‘dwelling’, a sense of permanence is necessary to truly be able to dwell. For the residents in slums, this is a utopian yet idealistic dream. In their quest towards dwelling, residents find livelihood opportunities around their place of living along with networks of accessing water and electricity, in the hope to find a semblance of permanence. While the idea of dwelling insists on being multi-faceted, the policies around housing till now have considered only one aspect – shelter. As houses built by slum dwellers with limited resources are not considered as “liveable” or “habitable”, schemes and policies have been aimed towards providing “better” housing spaces. It indicates that “sheltering policies, or lack thereof, as well as shelter itself as a design and construction product express the power of those who govern more than the aspirations of those who inhabit.”¹⁰ While these schemes have largely failed, the current conversation is an attempt to inculcate the other aspect of ‘dwelling’, which is, livelihood opportunities and access to other services such as healthcare, education, clean water and sanitation. The on-going proposals of in-situ redevelopment and rehabilitation attempt to consider the other aspects in its implementation. Within all of this discourse, there is one gaping hole that remains unaddressed – Transit Camps. In order to develop the land, residents of the slums need to be relocated to temporary shelter spaces till their redeveloped houses are ready to live in. It is important to ponder upon the word “temporary” and what that would imply.

The state of temporality that residents find themselves in, due to these processes, has not been addressed through any of the housing policies and schemes in India. For this paper, various housing policies have been studied such as The National Rehabilitation and Resettlement Policy (2007), The Urban Housing and Habitat Policy (2007) and the Slum Areas Act (1956), and so on, to determine what the processes look like for residents who would be living in a temporary shelter for a long period of time due to rehabilitation processes. Stuck in a state of ‘in-between’ due to the temporality of the process would create a sense of distress due to the amount of time people would have to wait till they can be in a home they can ‘dwell’ in. This temporality “exists as a ‘time-space’ in-between urban inclusion and

¹⁰ Living on the move, dwelling between temporality and permanence in Syria – M. Wesam Al Asali, Elizabeth Wagemann and Michael H. Ramage (Journal of Housing and Built Environment) (2019)

exclusion; a 'time-space' of socio-economic mobility, in-between opportunity and vulnerability."¹¹ The state of temporality is reflected in the state of governance that implements these housing policies. Bureaucratic processes, documentation lags and coordination between different entities creates more hurdles in putting some form of an end to this state of temporality. This paper, and by extension, the intervention proposed as a policy for Transit Camps, aims at addressing this state of temporality in the housing sector, through the lens of transparent processes of policy implementation, upholding people's right to a place to 'dwell' in their temporariness.

¹¹ Situating Temporality: Reading Exclusion in Delhi to (re)frame Housing for All – Ruchika Lall (2017)

Section 1 – Right to Housing and the Scenario of its Policies in India

A place to dwell – a right's perspective

The Universal Declaration of Human Rights by the United Nations, in 1948, declared adequate housing as part of the right to an adequate standard of living. The Article 25(1) states that “Everyone has the right to a standard of living adequate for health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”¹² This is an elaborate understanding of the right to housing, and the necessary services that need to be present to ensure a life of dignity for individuals. However, historically, housing has never been a standardised concept that is universally and equally accessible to everyone. Disparities in ownership and standards of living paired with disasters, forced evictions and conflicts often translate into communities getting deprived of enough housing facilities. Currently, in a global population of 7 billion, over a billion people do not have adequate houses. Millions live in conditions that are life or health threatening, in overcrowded slums and informal settlements or in other conditions which do not uphold their human rights and their dignity.¹³ Hence, housing becomes an important human right.

Besides the Universal Declaration, there are several international covenants that recognize housing as an essential human right. From the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)¹⁴ to the recent Sustainable Development Goals¹⁵, the access to housing and services that ensure a quality of life remain an important point of discussion and commitment. India, being a member of the UN and various other international covenants, is obliged to uphold all of these commitments and goals. However, how these principles take form in the implemented housing policies and schemes is subject to the constitutional provisions of the country. The Indian Constitution does not include a specific article that unequivocally guarantees the right to housing. However, it is encompassed within the Fundamental Rights and Directive Principles provided in the Constitution. The Supreme Court of India has held in several judgements that right to adequate housing is a fundamental right emanating from the right to life

¹² The Universal Declaration of Human Rights (https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf)

¹³ Right to Adequate Housing by UN Habitat (https://www.ohchr.org/documents/publications/fs21_rev_1_housing_en.pdf)

¹⁴ As per Article 11(1), “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.”

¹⁵ The United Nations, in one of its Sustainable Development Goals “No Poverty” pays attention to universal access to ownership and control over land and property and basic services. The target 4.1 states that: “By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.”

protected by Article 21 of the Constitution¹⁶. There have been several important court judgements that have clearly established the relation between the right to housing and the right to life. Some of key interpretations of this are as follows ¹⁷:

- “The right to shelter is a fundamental right, which springs from the right to residence under Article 19 (1) (e) and the right to life under Article 21” (*case of U.P. Avas Evam Vikas Parishad vs. Friends Coop. Housing Society Ltd. (1996)*)
- “Right to shelter, therefore, includes adequate living space, safe and decent structure, clean and decent surroundings, sufficient light, pure air and water, electricity, sanitation and other civic amenities like roads etc...the right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter over the head and facilities for reading, writing and expressing oneself in diverse forms, freely moving about and mixing and commingling with fellow beings.” (*Case of Francis Coralie vs. Union Territory of Delhi (1981)*)
- “...right to shelter, therefore, does not mean a mere right to a roof over one's head but right to all the infrastructure necessary to enable them to live and develop as a human being...” (*Case of Chameli Singh and Others vs. State of Uttar Pradesh (1996)*)

Along with Article 21, Article 19(1)¹⁸ of the Indian Constitution guarantees the right to earn livelihood, an instrument to achieve protection of life and personal liberty. These guidelines and laws have an important part in shaping the reality of India's housing systems, that are diverse in nature in terms of form, ownership, legality, affordability, permanence, geography, access to services, and many more, and continue to shape the policies being rolled out today.

Housing Policies in India – A Glimpse

In the 1990s, when India introduced its liberalization, globalization policies, there was a wave of changes that occurred in the country. One of the major changes was an increase in urbanization; A greater emphasis was laid on the development of cities, with policies like JNNURM¹⁹ accelerating the investment in infrastructure and a possibility of better livelihood opportunities. This led to an increase in the population of cities, especially mega cities and metropolitan cities of the country.

¹⁶ According to Article 21 of the Indian Constitution, “No person shall be deprived of his life or personal liberty except according to procedure established by law.”

¹⁷ Indian Law and Policy

(https://www.hlrn.org.in/documents/Indian_Law_and_Policy.htm#:~:text=The%20Supreme%20Court%20of%20India,to%20procedure%20established%20by%20law)

¹⁸ Article 19(1) of the Indian Constitution states, “The right of every citizen to practice any profession, or to carry on any occupation, trade or business.”

¹⁹ The JnNURM was launched in 2005 as the first flagship scheme of this Ministry. JnNURM implemented by MoHUPA has two components e.g. Basic Services for Urban poor (BSUP) and Integrated Housing and Slum Development Programme (IHSDP) which aimed at integrated development of slums through projects for providing shelter, basic services and other related civic amenities with a view to providing utilities to the urban poor. (<http://mohua.gov.in/cms/jawaharlal-nehru-national-urban-renewal-mission.php>)

As more people migrated, policies at the macro level “paved way for increasing role of markets in housing provision and targeting of public housing to the poor (those meeting with the official criteria of below poverty line).”²⁰ The introduction of markets in this sector led to a shift in the role of the government, from a “provider” to an “enabler” or a “facilitator”. The National Housing Policy (1992) allowed a greater amount of finance to flow into the sector, encouraging more people to purchase houses. Despite of this, there have been “lags in the supply of private sector housing and that supply may not reach the urban poor”.²¹ This proved to be a challenge in terms of providing housing to the poor who migrated to the cities, leading to the creation of clusters with higher density of population, without the basic amenities.²²

In its various five-year plans, India has laid out plans and programmes towards the provision of housing. State governments created their own programmes as well, funding them through their own budgets.²³ However, there is ambiguity in terms of who the targeted beneficiaries were and how funds were used for these programs, rendering the success of these various programs limited and inadequate. Some of the reasons for the failure of these programs include negligence in monitoring the construction of housing units leading to low quality structures and rampant corruption, lack of participation of the beneficiaries in the process of building the homes, creating a sense of lack of ownership to the process. In 2012, the Technical Group on Urban Housing Shortage, set up by the Ministry of Housing and Urban Poverty Alleviation, published a report estimating that approximately 18.78 million households were living without “decent” housing in cities in India.²⁴

On the other end of the spectrum, the government has rolled out various kinds of housing schemes since Independence –

- *Subsidised Housing Scheme for Industrial Workers and the Economically Weaker Sections (1952)*²⁵
- *The Low-Income Housing Scheme (1954)*²⁶
- *The Slum Clearance and Improvement programme (1956)*²⁷

²⁰ Ramkrishna Nallathiga, 2007, Housing Policies in India: Challenges and Reforms

²¹ Ramkrishna Nallathiga, 2007, Housing Policies in India: Challenges and Reforms

²² The report of National Commission on Urbanisation (1985) eloquently pointed out the reality of comparatively rapid growth of population as well as the scale and intensity of urbanisation, the critical deficiencies in the items of infrastructure, the concentration of vast number poor and deprived people, the acute disparities in shelter and basic services, deteriorating environment quality and the impact of poor governance on the income and productivity of enterprises. (Ramkrishna Nallathiga, 2007)

²³ Ramkrishna Nallathiga, 2007, Housing Policies in India: Challenges and Reforms

²⁴ [Report on The Technical Group On Urban Housing Shortage \(2012-2017\)](#), Ministry of Housing and Urban Poverty Alleviation, Government of India, September 2012, accessed 24 September 2018; On November 15, 2017, Minister of Housing and Urban Affairs, Shri Hardeep Singh Suri said that the estimate of urban housing shortage has been revised downwards to 10 million units from the 2012 projection of 18.78 million.

²⁵ The first major housing programme launched in 1952, it involved disbursements of loans to industrial employers or cooperative societies of industrial workers to cover a sizeable proportion (75 or 90 percent, respectively, with a 25 percent subsidy component) of the project costs of housing to be provided on a rental basis for a completed or an open development plot.

²⁶ It provided loans of up to 80 percent of the construction cost of a dwelling unit (subject to a cap of INR 8,000) to individuals whose incomes did not exceed INR 6,000 per annum.

²⁷ This programme was designed to clear and rehabilitate slum dwellers into government created housing stock at nominal rents. The recipients were provided either a bare minimal structure or an open development plot around the size of 1000-1200 square feet with a toilet facility.

- *The Environmental Improvement of Urban Slums (EIUS) (1972)* ²⁸
- *The Urban Basic Services (UBS) Scheme (1986)* ²⁹ and *The Urban Basic Services for the Poor (an enlarged version of the UBS)*
- *The Nehru Rozgar Yojana (NRY)* ³⁰
- *The National Slum Development Program (NSDP) (1997)* ³¹

While these are policies till the 1990s, the 21st century saw its own flow of policies under the Jawaharlal Nehru National Urban Renewal Mission (JnNURM), such as Basic Services for the Urban Poor (BSUP), Integrated Housing and Slum Development Programme (IHSDP), Rajiv Gandhi Awas Yojana (RAY) (2011) and the latest being Pradhan Mantri Awas Yojana (2015). The housing schemes of this period aimed at alleviating housing poverty, especially in the context of the urban poor of the cities. However, policies and schemes like JnNURM and RAY failed to do so. Not only was the issue of housing poverty not addressed, many problems emerged after its implementation – many people lost their means of employment and social networks, the housing spaces lacked basic services like electricity, clean water and solid waste management; many had damp walls and leaky ceilings, and many were located so far away that people had no access to public transportation.³² While there is an argument to be made about the schemes being a “success” because of the fact that most of the houses part of these schemes are not vacant, the reality is that these schemes did not address the constantly forming “newer” slum areas formed by the migrating population. The conversation begins and ends at creating a “slum free city”, however, these policies still lack the holistic approach that is needed to truly alleviate the housing issue faced by the urban poor or the slum dwellers of the city.

²⁸ The scheme focused on slum upgrade through the provision of services such as paving of streets, water supply, sewerage, and toilet facilities

²⁹ this programme extended the provision of physical infrastructure to that of social services such as learning opportunities for women, vocational training, pre-school programmes for children, and setting up of community organisations. The scheme placed particular emphasis on women and children in urban slums

³⁰ This was an employment programme consisting of the Scheme of Housing and Shelter Upgradation (SHASHU). The NRY comprised three employment related schemes: one that involved financial assistance to set up micro-enterprises; the second consisted of providing training for self-employment; and the third provided urban wage employment to the urban unemployed poor.

³¹ The programme emphasised on the provision of not only essential amenities involved in the upgrade of shelter but also social services such as skills enhancement

³² Housing poverty in Urban India: The failures of past and current strategies and the need for a new blueprint by Renita D'souza (https://www.orfonline.org/research/housing-poverty-in-urban-india-the-failures-of-past-and-current-strategies-and-the-need-for-a-new-blueprint-48665/#_edn5)

Section 2 - State of Governance – Implications of bureaucracy on the Urban Poor

Information – the key to Transparency

“The history of the struggle for power, and consequently the real conditions of its exercise and maintenance, is still almost totally hidden Knowledge is not a part of this: that should not be known.”

Michael Foucault

Knowledge is a very powerful tool; it is the tool through which power can be derived. In a democracy like India, knowledge, and with-it information forms an essential part of its functioning, especially from the perspective of governance and citizenship. It has been recognized that access to information to citizens about public activity is not just their constitutional right, but a tool to promote transparency and accountability of the government to its people and contain corruption. Freedom of information “raises public participation in the decision-making policies of the government.” India has an act to ensure this access is guaranteed – The Right to Information (RTI) Act passed in 2005 – and has a long history of struggle that made this a reality.

It is important to re-iterate some of the key words mentioned previously – ‘information’, ‘public participation’, and ‘transparency’. In order to ensure good governance, a combination of all of these elements plays a vital role. It is the expectation from any democratically elected government to be transparent about their work – be it the allocation of monetary resources in their various budgets, the processes undertaken for policy implementation, the purposes of data collection and so on. As per Section 2(f) of the Right to Information Act, “**information** means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force;”³³ Having the access to information is an empowering process – it enables trust and a sense of participation in various government processes. The question is, how has India performed in ensuring transparency and accountability to its citizens? In the context of the RTI Act, there have been several challenges that have been noted -

- There is a low level of awareness about the act itself. Along with it, there is an absence of a user guide that can help people understand what it is about, its need, its benefits, and the procedures one must follow to file an RTI.
- There is a lack of commitment towards an efficient management of records by the state and central government(s), making it difficult to access accurate information in a strict time frame.

³³ Indian Kanoon (<https://indiankanoon.org/doc/1516599/>)

- There is a sense of non-corporation felt from the bureaucracy; Their vested interests push them to not disclose information. Some fear criticism upon disclosure, and a damage to their public image.
- There is non-availability of infrastructure that can ensure efficient record management and accessibility to the information ³⁴

While the RTI Act is one of the tools to access information and foster the idea of transparency, its necessary to widen the lens to larger governance practices, especially in the context of housing policies and Transit Camps; the question here is whether there can be policies that inculcate transparency to strengthen their processes and create a space for dialogue and engagement with its key stakeholder – the residents of the slums.

Impact of bureaucracy on the urban poor – from the standpoint of housing

A standard definition of bureaucracy is “the system of official rules that an organization has for doing something, that people often think is too complicated.” When we hear this word, we often imagine corruption, and long piles of document and paper work stored away in the many files visible in a “Babu”s office. Dr. Akhil Gupta, a renowned anthropologist, talks at length about bureaucracy and its impact on the poor of the country³⁵. According to him, bureaucracy is a form of “structural violence” – a political, administrative and judicial inaction that prevents poor Indians from accessing basic necessities such as food and shelter.³⁶ It is structural violence because of the way the state operates it policies created for the poor. Gupta notes that while in India the poor play a huge role in the democratic processes, especially during elections, the “bureaucratic mechanisms used by the Indian state to look after the poor systematically produce arbitrary outcomes whose consequences can be catastrophic.” This form creates a sense of inaction, normalizing it to the extent of little or no criticism.

If we fit the scenario of housing policies in the framework given by Gupta, it is visible to us that the situation is that of structural violence – the poor, or in this case the residents of slums, are not consulted in the creation and implementation processes; there is an ambiguity over the time period that the policies would take in its completion, leading to a sense of limbo and temporariness; there is a lack of clarity on how processes of rehabilitation would be conducted; there is no clarity on what happens when slum dwellers are located in temporary spaces; The poor are left to figure out their own ways out of the situation, often ending up without basic amenities to survive yet again. It is yet again a vicious loop that we are stuck in, assuming that the poor do not mobilize themselves to protest for their rights. However, this is not exactly the case. The poor or rather the marginalized have constantly displayed their dissent towards exclusionary practices of governance, even in the context of housing. For instance, the Dharavi Redevelopment Plan has

³⁴ Right to Information Act: A Key to Good Governance by Sri Keshabananda Borah ([http://www.ijhssi.org/papers/v2\(3\)/version-1/B231122.pdf](http://www.ijhssi.org/papers/v2(3)/version-1/B231122.pdf))

³⁵ Red Tape: Bureaucracy, Structural Violence, and Poverty in India by Dr. Akhil Gupta

³⁶ London School of Economics Blog (<https://blogs.lse.ac.uk/southasia/2012/06/13/red-tape-akhil-gupta-on-bureaucracy-and-poverty-in-india/>)

undergone several changes due to constant resistance from the residents of Dharavi towards a plan that they felt was not made keeping their well-being in mind. The current redevelopment plan is a reflection of a 16-year struggle that the residents displayed to ensure their participation in influencing the framing of policies and schemes that directly affect them.³⁷

This takes us back to the first portion of this section – ‘information’, ‘public participation’ and ‘transparency’ are vital elements to ensure good governance. There isn’t just a need for political will from the elected officials in the government, but the involvement of local representatives within the fabric of the practices undertaken in the policies, which would create a ripple of change. Hence, “instead of regarding law, bureaucracy, and the state as overarching institutions that regulate life from above, we should ask how these institutions are folded into the life of the neighbourhood.”³⁸ The question is whether this could also be possible when we look at the **in-between** of these policies?

³⁷ A detailed timeline of the several iterations of the Dharavi Redevelopment Plan and the protests of the residents is being given in “Re-Interpreting, Re-Imagining, Re-Developing Dharavi” by SPARC ad KRVI

³⁸ Political Leadership and the Urban Poor: Local Histories by Veena Das and Michael Walton

Section 3 – The In-between: Concept of Transit Camps

CONCEPT OF A TRANSIT CAMP – an undefined aspect of the redevelopment process

Research points that housing policies in India have not alleviated the housing poverty crisis. Moreover, there is one aspect that has been invisible in the discourse of the current redevelopment and rehabilitation policies – Transit Camps. To reiterate, a standard definition of a transit camp is “a camp for the temporary accommodation of people, e.g., refugees or soldiers, who are travelling through a country or region.” So, if one modifies this definition in the context of redevelopment, it would mean temporary housing structures for residents who are part of a redevelopment scheme. Studying some of the redevelopment proposals, especially in mega cities like Mumbai and Delhi, there is a mention of “Transit Camps”. The Dharavi Redevelopment Plan, which has been undergoing multiple changes since its initial form mentions the idea of a transit camp while the Dharavi Notified Area gets redeveloped. The Kathputli Colony in Delhi too speaks of a similar concept in its plan. However, what is alarming is the lack of data available on what exactly do “transit camps” mean, how many people are living in such spaces, the conditions that they are in, and when would they be leaving those temporary spaces. We were able to find two case studies to get a sense of what transit camps are – Transit Camps created for redevelopment of Kathputli Colony and proposed Transit Camps as part of the Dharavi Redevelopment Plan.

KATHPUTLI COLONY, NEW DELHI

As part of Delhi’s first in-situ slum rehabilitation project, the Delhi Development Authority (DDA) chose Kathputli colony, home to puppeteers, artists and performers, “a Juggi-Jhopri (JJ) cluster tucked into West Delhi’s Shadipur region”, as its site in 2007. Raheja developers, who are private developers, were chosen to undertake the project, which would be a three step process – one, residents of the Kathputli colony who qualify would be moved to a transit camp in Shadipur from their current settlement spaces, two, Raheja will raze the entire plot and begin the construction of their proposed high-rise apartments, and three, within the next 3-5 years, the residents in the transit camps would be resettled in their new homes.³⁹ However, the process was not smooth. Initially, in 2007, the DDA proposed to use Delhi Cloth Mills Area as a transit location. But the resistance from residents led to DDA choosing Basai Darapur as its site for transit Camps. There was dissent for this as well because of an earlier proposal to create a community centre for the residents in Basai Darapur. After this, the DDA chose Jailorala Bagh, located in Ashok Vihar, as the third option. But this did not materialize immediately. When in 2011, the DDA announced that Jailorwala Bagh has been approved as the site for

³⁹ The Case of Kathputli Colony by Centre of Policy Research ([https://www.cprindia.org/sites/default/files/working_papers/The%20Case%20of%20Kathputli%20Colony_CPRWorkingPaper%20\(2\)_1.pdf](https://www.cprindia.org/sites/default/files/working_papers/The%20Case%20of%20Kathputli%20Colony_CPRWorkingPaper%20(2)_1.pdf))

transit camp, there was resistance again from the residents and the MLA of the area. Finally, after going through the option of sites near Ghazipur flyover, Sector 28 in Rohini and a vacant land at Anand Parbat, DDA chose Anand Parbat as its site for setting up the transit camp.⁴⁰

The site chosen by the DDA for the transit camps was surrounded by various other types of JJ clusters that come under the DDA. The Raheja builders built temporary box-like structures made of gypsum boards with a single fan and a single electrical outlet, and without any provision for water and sewage, derived a mixed reaction from the Kathputli residents. While some felt that the houses provided are a “marked improvement in the living conditions”, some emphasized that the lack of storage space and sanitation facilities would create more problems. However, the DDA was asked to provide mobile toilets to ensure access to sanitation facilities.

The reality today is sad and grave. Residents living in these transit camps are still waiting for their new homes in the Kathputli Colony area that they used to live in. The 1200-1300 families living in Anand Parbat claim corruption from the end of Pradhans for the delay of the process; women feel unsafe and restricted, there are no schools in the area near the camp, and families with a greater number of people are crammed into a singular unit. What is graver is the lack of knowledge that the residents have about the net processes, and the amount of time that they would have to wait for their homes.⁴¹

PROPOSED MAHUL TRANSIT CAMP (as part of Dharavi Redevelopment Plan, Mumbai)

The Dharavi Redevelopment Plan has been an on-going process for almost 16 years. People’s resistance to initial plans led to the delays, and also to the now finalized plan for redevelopment. As per the current plan, of the five sectors that Dharavi has been divided into, one sector would be developed by MHADA (Maharashtra Housing and Area Development Authority) and the remaining four would be developed by Seclink Technology, a private builder based in Dubai. The model is in-situ development, which would mean that residents would have to be shifted to a temporary location till the builders can finish the development process. In the case of the four sectors to be developed by Seclink Technologies, a land parcel in Wadala is being speculated as the site for a transit camp⁴². In the case of Sector 5 (which is to be developed by MHADA), residents would be shifted to a transit camp situated in Mahul, Chembur.⁴³ However, the situation in Mahul is bleak. Mahul is a “heavily-industrialised area with Hindustan Petroleum and Bharat

⁴⁰ The Case of Kathputli Colony by Centre of Policy Research ([https://www.cprindia.org/sites/default/files/working_papers/The%20Case%20of%20Kathputli%20Colony_CPRWorkingPaper%20\(2\)_1.pdf](https://www.cprindia.org/sites/default/files/working_papers/The%20Case%20of%20Kathputli%20Colony_CPRWorkingPaper%20(2)_1.pdf))

⁴¹ Kathputli Colony: Life in a transit camp (Indian Express Article) (<https://indianexpress.com/article/cities/delhi/kathputli-colony-puppets-on-a-string-anand-parbat-life-at-the-transit-camp-4476313/>)

⁴² Maharashtra nod to new plan ... (Indian Express Article) <https://indianexpress.com/article/cities/mumbai/maharashtra-govt-nod-to-new-plan-to-change-face-of-asias-largest-slum-5405798/>

⁴³ According to the New Housing Policy and Action Plan (2015) of MHADA, the DDA will use more than 18000 units of 225 sq.ft. each lying vacant at Mahul, belonging to the MCGM as permanent transit camp for the purpose of the Dharavi Project.

Petroleum refineries operating there, along with other industries like Sea Lord Containers, Aegis Logistics Ltd., Tata Power, and Rashtriya Chemical and Fertilizer.” The area is extremely polluted, and residents in adjoining areas of Ghatkopar and Vidyavihar have been suffering with several illnesses, along with skin problems. The water supplied in these areas is contaminated, leading to stomach infections on a regular basis.⁴⁴ The other problem is that Mahul is an hour away from Dharavi; many residents of Dharavi are engaged in occupations within Dharavi itself. The question of how they will be able to retain their livelihood after the shift to the transit camp is still unclear. Moreover, the government expects residents to stay in these transit camps for at least five to seven years⁴⁵, a time frame long enough to have adverse impact on their health and well-being, livelihood and social networks of residents of Dharavi who would be shifted here.

What is most alarming is the lack of documentation on the processes that would be followed towards shifting residents of Sector 5 to Mahul, the alternatives to the loss of livelihood that the residents will face, and availability of other services like hospitals, education, grocery stores and so on. And this is also the case of the development of the other four sectors. There is ambiguity on the kind of houses that would be constructed or not constructed for the transit camps.

WHY IS THIS A PROBLEM?

There are several realities that need to be acknowledged here – firstly, as the country is seeing constant and consistent rural-to-urban migration, there need to be policies to ensure people are not deprived of shelter. In the existing scenario, redevelopment policies aimed at beautification of slum areas will increase, therefore a greater number of people will be shifted to temporary spaces of residence. While the current framework of the housing policies focuses on the clearing of slums and rehabilitation processes only, the in-between has no articulation. The lack of articulation indicates that there hasn't been enough thought on what would happen to people and their basic right to a dignified life while they are in this state of in-between. Moreover, lack of articulation would mean a loss of data and information, which means lack of transparency and accountability towards the processes, dis-empowering the residents further into a state of limbo.

⁴⁴ Mumbai's Mahul is a classic case of Rehabilitation gone wrong (The Wire Article) (<https://thewire.in/politics/mumbais-mahul-classic-case-rehabilitation-gone-horribly-wrong>)

⁴⁵ Maharashtra government eases development plan ... (DNA Article) (<https://www.dnaindia.com/mumbai/report-maharashtra-government-eases-development-plan-rule-offers-sops-to-expedite-dharavi-redevelopment-project-2683468>)

Section 4 – Policy on Transit Residences

PROBLEM STATEMENT

There is a crisis – existing housing policies and schemes do not consist of any frameworks for residents who would be shifted to **transit camps** for a long duration due to rehabilitation projects and slum clearance evictions. This is a crisis because the lack of documentation, or any legal framework that ensures better living standards and a protection of rights of the people, is a violation of their basic human rights. This is an evident gap that housing policies and schemes fail to address as they only focus on two processes – clearing the space for redevelopment, and the final rehabilitation space. The in-between has no documentation, and therefore no consideration.

In order to address this issue, we propose a policy that will provide guidelines on ensuring transit camps, which would henceforth be called “transit residential spaces”, are habitable, ensuring a better quality of life, and fosters consistent transparency at all the levels of the policy so that the government and the residents are able to engage in healthy and constructive conversations. The transparency would also seek to empower the residents with all the necessary information that they would need to make the processes smoother, ensuring that the policy takes a holistic approach and involves its key stakeholders in the processes of creation and implementation.

MISSION AND VISION

Vision – Smoother transition of residents part of redevelopment programs, from their place of home to transit residential spaces to their rehabilitated homes, without the loss of livelihood, dignity of living and loss of human rights

Mission – Ensure habitable conditions of living, access to basic services for survival, promotion of livelihood opportunities, transparent engagement with the key stakeholders of the project

OBJECTIVES OF THE POLICY

The objectives of this policy are –

1. To define what Transit Camps are, and the conditions that would lead people to reside in the transit camps
2. To provide guidelines on what constitute as habitable conditions of living and mechanisms to assist in identifying healthcare, education and livelihood opportunities

3. To provide mechanisms to residents to engage with different stakeholder groups that would be a part of the project, ensuring transparency and dialogue
4. To provide guidelines on the role of stakeholders and the implementation of various services as part of the policy

COMPONENTS OF THE POLICY

1 Section 1: Definitions

- 1.1 **A “Transit Camp” would henceforth be called a “Transit Residential Space”** which would be defined as a temporary housing structure that is habitable (according to the defined standards of quality living), and that consists of residents who have had to leave their place of residence because of –
- Slum clearance evictions
 - In-situ Redevelopment projects
 - Other redevelopment or rehabilitation projects

2 Section 2: Assessment of land as eligible space for building a transit camp

- 2.1 Land to be initially marked keeping following points in consideration:
- 2.1.1 Status of land as registered on the latest Master Plan or recent development plans
 - 2.1.2 Legal status of land defining its ownership (State/Central/Private) and use (Agricultural/Non-Agricultural)
- 2.2 Surveys to be conducted on habitability of the location on following parameters:
- 2.2.1 Air and water quality
 - 2.2.2 Land survey to test feasibility for construction
 - 2.2.3 Environmental Impact Assessment
- 2.3 Availability, proximity and provision of amenities around the proposed site to be evaluated through surveys. Some of the basic amenities constitute - Hospitals, Health Clinics, Schools, Grocery stores, Vegetable markets, Electricity and Water Connections, Police Station, etc

Implementation and Communication:

- 2.4 Clause 2.1 to be implemented by HUDCO (Housing and Urban Development Corporation) under PMAY (Pradhan Mantri Awas Yojana) Scheme. The plan will fall under the ambit of MOHUA (Ministry of Housing and Urban Affairs)

- 2.5 Details of rehabilitation plan to be made available to the public through Sabhas, forum meetings and easily readable media like infographics and charts, addressing possible questions like:
 - 2.5.1 Purpose of shifting to transit camp
 - 2.5.2 Location of transit camp
 - 2.5.3 Agencies responsible for implementation of the plan
 - 2.5.4 Estimated time frame for the implementation of the project and stay at transit camp
 - 2.5.5 Resources and mediums available for residents to enquire
- 2.6 Surveys proposed in clauses 2.2 and 2.3 to be conducted by Civil Society Organisations, Municipal Corporations and Private Agencies in close collaboration with HUDCO
The survey reports generated to be published and interpreted for future transit camp residents for inclusive accessibility (through Sabhas)
- 2.7 Community leaders to be provided an option to assess the on-ground situation of transit camp site, construction status and confirm the claims of availability of amenities. The same information to be discussed with the residents
- 2.8 Smaller community meetings aimed at discussing the policy processes and take recommendations from people to be held and recorded by the representatives

3 Section 3: Resident data collection

- 3.1 Demographic data to be collected from residents on parameters of name, age, gender, marital status, employment status, disability, family size, previously owned housing space, etc
- 3.2 Livelihood pattern of residents to be mapped on the basis jobs/business practiced in the current location

Implementation and Communication:

- 3.3 Clause 3.1 to be implemented by Civil Society Organisations and Municipal Corporations in coordination with the elected representatives of the community
- 3.4 While the process of surveying is being implemented, residents must be made aware about its purpose and how their personal data will be used. The criteria for house allotment must also be made transparent
- 3.5 Information to be shared in the clause 3.4 to be communicated through elected community leaders in Sabhas and door to door data collection drives

4 Section 4 (Independent of sequence): Safeguarding financial situation of families who would lose Livelihood Opportunities due to transition

- 4.1 Families whose livelihood has been seriously affected to be provided corpus for a temporary period. The provision would be subject to residents applying for the funds and verification of necessary data to verify the claims
- 4.2 Assistance in terms of information regarding livelihood opportunities around transit camps and skill development/enhancement courses to be provided
- 4.3 Residents undergoing skill development courses to be given the right to avail benefits of corpus funds under clause 4.1 for a temporary period

Implementation and Communication:

- 4.4 Eligibility and paperwork for clause 4.1 implementation to be governed by HUDCO with facilitation from NHB (National Housing Bank) towards the corpus allotment process
- 4.5 Clause 4.2 to be realised under DAYNULM (Deendayal Antyodaya Yojana, National Urban Livelihoods Missions), Ministry of Housing and Urban Affairs

5 Section 5: Allocation of houses in Transit Residential Spaces

- 5.1 Allotment of residential space in the transit camps to be done based on comprehensive study and synthesis of the survey reports. The space allocation must be driven by family size and the type of allotment must ensure special provisions for:
 - 5.1.1 Old aged residents
 - 5.1.2 Residents with disability or life-threatening diseases
 - 5.1.3 Widows and single mothers

Implementation and Communication:

- 5.2 Clause 5.1 to be implemented by HUDCO, assisted by partner state agencies
- 5.3 Information on the resident allotment to be published by the implementing agency and distributed to the residents by the elected community representatives through hand out lists

6 Section 6: Shifting to Transit Residential Spaces

- 6.1 Minimum of one month to be given to the residents for eviction and shifting to transit residential space
- 6.2 Provision of subsidized transportation service (movers and packers) to be provided to facilitate convenient movement

Implementation and Communication:

- 6.3 Clause 6.2 to be implemented with assistance from state or city transportation authorities
- 6.4 List of recommended and alternative transportation medium to be communicated to the residents through a list

7 Section 7: Living in Transit Residential Spaces

- 7.1 To ensure decent quality of life, following service provisions need to be in place:
 - 7.1.1 Dependable and clean water supply
 - 7.1.2 Electricity supply
 - 7.1.3 Gas pipeline service or easy access to alternative fuels like LPG cylinders
 - 7.1.4 Subsidized ration
 - 7.1.5 Provision of proper drainage
 - 7.1.6 Proper hygiene and sanitation system
 - 7.1.7 Waste collection services
 - 7.1.8 Firefighting equipment
- 7.2 A robust grievance redressal system must be a permanent part of the management of transit residential space. It should facilitate:
 - 7.2.1 Providing residents a platform for feedback mechanism on processes related to the handling of various systems in the transit camps and information flow
 - 7.2.2 Provide a community space for common meetings between elected members and the staff
 - 7.2.3 Registration of complaints. In case complaints are not resolved within the domain of transit camp authorities in a given time, they are to be escalated to higher authorities
 - 7.2.4 Availability of helpline numbers of essential services like fire emergency, security guards, electricity and water supply maintenance, etc
- 7.3 The transit residential space must have a dedicated maintenance staff in order to implement following roles:
 - 7.3.1 Timely assessment of functioning services
 - 7.3.2 Collecting list of issues specific to services from the grievance redressal unit and getting

service providers on board to fix them

Implementation and Communication:

- 7.4 Services defined in clause 7.1 to be delivered by respective state and private service providers under the management of HUDCO
- 7.5 Application process, recurring and one-time costs, government subsidies for services defined in clause 7.1 to be informed to the residents
- 7.6 Social Audits to be conducted once every 2-3 months wherein civil society and private agencies along with residents gather to assess the situation and discuss the reports
- 7.7 Maintenance of services and infrastructure delivered by service providers to be facilitated by an elected committee of residents
- 7.8 Helpline numbers of emergency/non-emergency service providers to be made accessible to the residents
- 7.9 Upcoming dates and venues for community meetings to be notified to the residents on time
- 7.10 Clause 7.8 and 7.9 to be made functional using IVRS (Interactive Voice Response System), Social media group like WhatsApp for representatives, Telephone helpline numbers and pinned bulletin boards

8 Section 8: Relocation and Rehabilitation

- 8.1 Minimum of one month to be provided for a smooth transition of relocation to the final rehabilitated space
- 8.2 Provision of subsidized transportation (movers and packers) service to be provided

Implementation and Communication:

- 8.3 Clause 8.2 to be facilitated by city or state transportation services
-