

## Manifesto of a Housing Activist

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'Concealed under millions of these roof-tops lies a city under siege. Bombay, a city of nearly ten million people where no less than eight million live on pavements, in slums and in dilapidated buildings known as chawls.' These are the opening lines of *Slum Bombay*, a film about housing for the poor,\* which aptly introduces the city's social and housing environment. In spite of this dismal situation and the inhuman conditions in which the poor live, the various policies and programmes for slums and housing have never reflected the needs and aspirations of the slum dwellers and the working class in general. Instead they have furthered business interests in land and housing. In the recent past there have been several important announcements in the name of the poor, but our experience is that the more oppressive a policy, the more pretensions it has to helping the poor. The aim of this paper is to explore and expose the implications of some of the most important slum and housing policies of our time and to explain the need to combat them.

In July 1981, the former Chief Minister of Maharashtra, A. R. Antulay, initiated 'Operation Eviction' by rounding up thousands of slum dwellers and deporting them to far-away places in buses and trucks. In response, a couple of dozen democratic and revolutionary organizations came together to form a united front called the Nivara Hakk Suraksha Samiti to organize the slum dwellers for the defence of their homes. From this time onwards slums in Bombay came under sharp focus and the struggle for housing began to acquire new dimensions.

\* Directed by Ralli Jacob and co-directed by Rafeeq Ellias and P. K. Das, produced by the Indian Institute of Architects in 1992.

In the Bombay High Court a stay order to 'Operation Eviction' was issued by Justice Lentin, but four years later, in June 1985, the Supreme Court of India pronounced judgements against the slum-dwellers. Ever since, demolitions have been carried out on a substantial scale. For their part, slum organizations have undertaken campaigns in the form of mammoth marches and demonstrations to fight against evictions.

As a sop, the Maharashtra Government announced that, in the event of demolitions, slum-dwellers who had been in residence before 1976 would be given alternative accommodation. The Nivara Hakk Suraksha Samiti attacked the policy of cut-off dates, and demanded that all slum and pavement dwellers be recognized as having rights and be offered alternative accommodation. As a result of popular struggles, the government eventually shifted the cut-off date for recognition of slum-dwellers from 1976 to 1985.

The situation has radically changed since the eighties, when the film *Hamara Sabar* ('Bombay, our city') was made by Anand Patwardhan. At that time upper and middle class people expressed directly and bluntly their hatred for slums and slum-dwellers, supporting and demanding demolitions and evictions. The brutal attacks on the poor by the State have been brilliantly captured in *Hamara Sabar*. The film also exposes the growing nexus among the executive, the judiciary, the police, the builders and developers, the 'lumpens' and other anti-socials. But today, the State and its various agents have become sophisticated. Though their actions and policies against the poor continue unabated, they are now not so crudely expressed. The single act of direct demolition has now been reinforced by several new policies and programmes with far greater consequences. As activists and also as concerned citizens, it is absolutely necessary for us to understand the undercurrents and the blatant lies that mark the various programmes and policies announced for the housing of the poor.

### Privatization and the National Housing Policy

Privatization in housing is a part of the larger privatization thrust in the country. Both the World Bank and the International Monetary Fund are now actively involved in India. They support vigorously the policy of increasing the role of private enterprise. Simultaneously, they have directed the government to withdraw from all social welfare measures, including those for public housing. The overwhelming thrust of this policy is to shift the responsibilities for housing the poor completely

onto the private sector. Housing is to be declared an industry, not in order that increased government funds may be available for housing the poor, but rather so that the private sector can obtain subsidies to build houses on a commercial basis for the middle and upper income groups. It is stated in the National Housing Policy that, 'greater emphasis will be laid on corporate development'. What the government is saying is that it does not own land in the city, that it has limited resources for housing and that it has not succeeded in improving the housing situation, whereas the private sector, i.e. the developers, builders and industrialists have both vacant land and capital to invest, so why not give them the opportunity to take over responsibility for building more houses. By doing this, the government is shirking its own responsibility for providing houses to the poor and is, further, encouraging and legitimizing the exploitation of the poor by the rich. This amounts to a formal surrender by the government to business interests.

Although the National Housing Policy professes to be in favour of housing the poor, its concrete programme formulations skillfully avoid practical proposals for achieving this. The draft National Housing Policy is so blatantly anti-working-class that it hardly ever bothers even to speak of housing the poor and, even when it does, it is in a token manner. Shockingly, there is no mention of either the Urban Land (Ceiling and Regulation) Act or of the Sites and Services schemes; it makes no mention of the existing slums or of the need to improve them; it does not talk of tenancy rights; it does not deal with services for the urban poor; it ignores questions of decentralization, population densities, transportation and environment; it does not comment on the failure of previous public housing schemes.

#### Urban Land (Ceiling & Regulation) Act

If, under the Urban Land (Ceiling & Regulation) Act, (ULC Act), the government had acquired the vacant and surplus land and given it to the poor at Re 1/- a sq. ft for housing, there would have been no shortage of land in the city. It must be understood at this juncture that the pattern of population growth in the city now is fairly stable and clear. In the past few years there has been a drop in the rate of migration to Bombay. At present, only about 40 families enter the city every day and not 300 as estimated earlier. In fact, census figures indicate that the population in certain wards is decreasing (for example, C Ward covering the

Bhuleshwar area). The natural growth in population can, however, be assessed easily and definite planning programmes can be framed to tackle the housing situation.

We consider the ULC Act to be a progressive measure and demand its strict implementation. Though it became law, and officially has been effective since 1976, the amount of land actually taken over has been very small. There are inherent weaknesses in the conceptual and legal framework of the Act which came in the way of acquiring land under its provisions. Besides, there are also administrative apathy, legal loopholes and, most important, lack of political will and commitment to the implementation of the Act. As a matter of fact, a capitalist government will always be opposed to the idea of nationalization of land and other such social measures. It will never allow rich landowners and industrialists to be adversely affected since it shares their beliefs and they mutually support each other. We also demand that land taken over under this Act be utilized for housing the economically weaker sections only. There should also be provision for housing new migrants and for accommodating the natural growth of the already existing population. This land could also be utilized for housing populations displaced by riots, natural calamities etc. and also to re-house people from slums where densities are too high and/or which are located on critical sites.

However, there has been mounting pressure on the government to scrap the ULC Act altogether. Developers and builders argue that the Act has been blocking the growth of housing stock and has, in fact, brought about a situation in which they have not been able to invest in and undertake housing projects which they are keen and willing to do. It must be realized that the idea of social welfare measures such as housing of the poor are contradictory to business interests and hence, under no condition will a private developer undertake projects for housing of the poor. As a matter of fact a few exercises in this direction have led to further displacements. Instead, if land is given to cooperatives of slum-dwellers, the people can decide on more appropriate housing and development programmes. This will allow for individual freedom and expression in housing, resulting in tremendous variety of form, structure and colour in the framework of an ever-evolving and living aesthetic. We could overcome the ugliness of apartment buildings and eliminate exploitation by developers and financiers who today control housing, who have turned it into a commodity where design is irrelevant and has no reference to the cultural and living pattern of our people. In

a new situation, people would be able to establish control over their housing environment. We believe that, while land ownership must be nationalized, ownership of houses must be private.

### Housing Finance

The government wishes to increase the investment in housing by involving the private sector. How does a private sector enterprise finance itself? In all its ventures, the private sector falls back on refinance from various government and semi-government institutions—banks, the Housing and Urban Development Corporation, the Housing Development Finance Corporation, etc. The newly created National Housing Bank (NHB), an offshoot of the National Housing Policy, has been set up to finance various developers and investors in housing. In other words, it is intended to support large corporate agencies to further their business interests. This will further institutionalize private profiteering from public funds. For the success of the National Housing Policy and the National Housing Bank, government proposes to offer income-tax concessions for fixed deposits and investments in the NHB, the idea being to tap individual and institutional savings for investment in housing. But all this effort by the public sector will ultimately benefit private developers and builders as it is they who will be refinanced by the NHB for promoting housing schemes. Instead of this, finance from the various government and semi-government agencies should be given directly to societies and co-operatives of the people. The societies can then appoint architects and project managers, who will in turn assist the society in the selection and appointment of contractors. The entire work can be undertaken and executed in such a way as to provide appropriate and effective housing.

Housing finance also includes the matter of housing loans. In these loans the World Bank and other foreign agencies actively participate. The government makes this out to be a big favour done to workers, but is this really so? By introducing the concept of commercial loans, what the government is actually doing is backing out from its own responsibilities. Almost half of the population lives below the poverty line. It is shameful to expect or demand that these people pay for their housing. Government is, therefore, duty-bound to provide housing to the poor either free or at highly subsidized rates. By introducing loans in housing programmes, the government has abandoned free and subsidized housing. It says to the poor, 'I will give you some money now, you can

pay it back later', and thereafter proceeds to extract that amount from the poverty-stricken families together with interest. How many of the poor will get these loans in the first place? Very few, probably only the well-to-do. How many will be able to return the loans with interest? Only a fraction of the working class. We, therefore, reject the entire proposal for loans as basically against the interest of the working class as a whole. This loan system is essentially another way in which private developers and builders and also government seek to make profits at the cost of the poor and downtrodden. Those giving loans are doing so not because they want to help the poor but because it helps them to make further profits through interest payments. By adopting this policy the Government is ensuring profits to private businessmen. On one hand it is extending loans and other infra-structure support for undertaking and promoting housing schemes, while on the other hand under the guise of helping the poor it is offering loans for buying houses in the schemes promoted by the same businessmen.

*Cross Subsidies:* Instead of going to the root of the problem and socializing the housing sector, the government seeks ways and means of lessening its responsibilities and of shifting it on to the private sector. One such method is the cross subsidy scheme. For example, the government instead of taking over excess land under the Urban Land Ceiling Act, allows the landlord to retain the excess land on a mere assurance that the landlord will use a small part of the excess land for housing the poor. Thus, the government argues, the landlord is forced to use his land and his finance for housing of the economically weaker sections of society.

This approach never works for several reasons. First of all the apartments built are unsuitable for the poor and are also too expensive (priced at Rs 80,000/- or more). Accordingly, these accommodations are bought by the rich. Moreover, the buildings are designed in such a manner that a buyer can purchase a number of adjacent flats, break down walls and join them together. To add insult to injury, the government's cross subsidy schemes even provide that loans be made available to the poor to purchase such flats. We have already discussed the evils of the loan system.

We see housing as a right and as an essential need. Therein lies the crucial difference. In this context one more thing must be noted. In Europe and America and other developed countries, an average person

spends a fairly high percentage of his income on housing and a relatively small percentage on food. In India the situation is completely reversed. The poor spend almost all their meagre income on food and only secondarily on health and the education of their children. Very little is left for housing. It is essential, therefore, that the government subsidize housing.

#### Floor Space Index

The government today has not only overlooked the irrelevances and failures of its various policies for land-use and finance for housing of the poor, but has also offered incentives to private developers. The most outstanding bonus for them has been the increase in Floor Space Index (FSI) from 1 to 2.5 for slums. Floor Space Index is a formula by which the area of construction allowed on a given plot of land is restricted. It is a ratio of the plot area to the built-up area. Under 2.5 FSI for slum lands, construction of a building with areas on different floors adding up to 2.5 times that of the plot area is permissible. The increase of FSI for slum lands to 2.5 will generate enormous profit for the developer. Take a plot of 2,000 square metres located in a slum. With an FSI of 2.5, 5,000 square metres of built-up area will be permitted. The normal FSI, which is 1, would be sufficient to accommodate all the existing slum-dwellers as they live mostly in ground floor structures. Therefore, the builder will have a surplus of 3,000 square metres of built-up area to sell in the open market. In addition, the land cost in this development is free to the builder. The price of built-up area in the suburbs of Bombay today may be taken as Rs 15,000/- per square metre and the cost of construction approximately Rs 3000/-. Hence, the builder makes a profit of Rs 12,000/- per square metre, which is about 400 per cent. Such a huge rate of profit will unjustifiably enrich certain influential sections of the society and will promote corruption in the administration. This process will also encourage forcible evictions and demolitions organized by real estate sharks who, as we already know, have a growing influence with the police and the local administration officials. Through a combination of force and persuasion, the slum-dwellers will be obliged to accept housing schemes promoted by developers.

In order to profit from the 2.5 FSI for slum lands, the developer will sell the surplus apartments to middle or high income purchasers, thereby adding to the number of housing units built for a small section of our population. We must remember that nearly 60 per cent of the

city's population live in slums or in degraded housing conditions and a further nearly 10 per cent live on pavements. Any serious housing programme must cater primarily to this population. Simultaneously, we must remember that according to government sources there are nearly 100,000 surplus flats of the middle income and high income categories unoccupied, and owned by investors and speculators. Under the present policy, we will be only adding further to the already surplus housing stock for middle income and high income categories. The speculators and investors have been largely responsible for creating a highly inflated price structure for real estate and housing in Bombay. Developers and builders will under these circumstances aggressively advertise the new units for sale in other towns and cities of the country. If the advertisements are successful, more outsiders will come into Bombay, or they will keep large numbers of apartments locked up as speculative investments. The end result would be exactly opposite to that purported by government and the upper classes to be the limiting of migration to and population growth in the city of Bombay and increasing the housing supply so as to reduce the gap between demand and supply.

The enhancement of FSI in slum areas to 2.5 is thus altogether a dangerous proposition for mass housing and particularly for housing of the poor. Such an FSI can only lead to high-rise and high-cost construction. High-rise, to my mind, is irrelevant as a housing solution; it would only further displace and destabilize the settlements of the poor. High-rise builders require capital-intensive technology, not only for the initial construction but also for subsequent repairs and maintenance of the buildings. In Bombay particularly, because high rainfall and inferior soil conditions (as most of land is marshy and reclaimed), we face serious structural and maintenance problems in high-rise buildings. Often, major repairs including guniting have to be carried out, which are all very costly activities, requiring high capital expense. To perceive this as a part of a housing programme for the poor is ridiculous and an insult to those whom it is supposed to benefit. Another danger of high-rise development having units of 250 square feet (the area allowed for slum dwellers) will generate a very high density of population on the given land. The number of such units as compared to middle and high income category housing will be nearly three to four times on a given area of land. This population pressure on land would imperatively require infrastructure, such as roads, hospitals, fire stations and services such as water supply and sewerage. In the city today we are subsisting with dilapidated and archaic services. In order simply to keep going at the

present level we are seeking World Bank assistance and foreign technical collaboration. Expansion of these services to support the increased population density which would result from construction permitted by a 2.5 FSI is not even envisaged as part of the programme.

Lastly, increase in FSI, resulting in high-rise construction and high density settlements would require large capital-intensive and corporate agencies to undertake the various projects. As a result, the control of the users over their own environment will altogether disappear. Even for further maintenance and management, the poor would be found to depend on various monopoly controls and financial institutions. It is often stated that space is most effectively utilized by high-rise buildings but architects have shown that this is not true. Well-designed low-rise and small buildings can accommodate large numbers of people, and achieve desirable density levels. This has also been established in the report of the Urbanization Commission, Government of India. Secondly, construction and maintenance of a house is an intensely, personal and creative experience. Individuals build, repair, maintain and develop their houses in unique ways, giving full expression to their cultural and religious heritage. Mass concrete jungles stifle the creativity of people and make them totally reliant on outside agencies for repair and maintenance. Where these agencies fail, the houses rapidly decline. As a result, the working class becomes more and more dependent and experiences a sense of helplessness and frustration.

FSI is not a game of numbers. Unfortunately, in this whole process, the various humane aspects have constantly been ignored. Any policy for limiting or restricting built-up area must be based primarily on population, which means norms for density must become the principal guiding policy.

*Transfer of Development Rights (TDR):* TDR separates the development potential of a plot of land from the land itself and makes it available to the owner of the land in the form of transferable rights. Such an award will entitle the owner of the land to FSI in the form of a Development Rights Certificate (DRC) which he may use himself or transfer to any other person. This concept of trading in development rights contradicts the very purpose of a development plan, which is meant to regulate and promote the orderly growth of a city, including its population distribution in relation to the services and infrastructure available. As a result of TDR, particular plots of land would suddenly achieve a higher FSI than surrounding plots, thereby not just creating aesthetic and

environmental disorder but also imposing disproportionate pressures on the available services and infrastructure or upsetting the balance and distribution of services to other plots. This is particularly significant because no plan is made in such cases to simultaneously develop the services and supplies such as of water and electricity.

The Nivara Hakk Suraksha Samiti has strongly opposed the concept of trading in development rights because the imbalances it would generate would defeat the very purpose of town-planning norms. The Samiti also argues that this proposal has the ulterior motive of enabling contractor-builders and landowners to indulge in profiteering.

#### Alternative Technology and Low Cost Housing

At another level, architects, planners and other professionals who are concerned with the issues of housing for the poor are engaged in trying to cut costs in construction. They are constantly evolving alternative technologies and materials for use in low-cost housing for the poor. This exercise, without concern for larger social and political issues, becomes counterproductive and damaging to the interests of the poor. The protagonists of alternative technologies clearly distinguish between two different sets of materials for different classes, cement and concrete for the rich and mud for the poor. This distinction of material use on a class basis is unacceptable. The choice and use of material have to be based rather on geographical and climatic considerations. If concrete is the most suitable material in Bombay's conditions of climate and population density, then it should be used in the construction of houses for *all* classes of people in the city. If new and ingenious techniques in using cement and concrete are being developed, we welcome the idea as it expresses concern for careful and sensitive use of scarce national resources. In this case, these alternatives should become the material base for *all* construction.

*Role of Voluntary Agencies:* In the political game being played in the name of housing for the poor and low-cost housing, numerous voluntary agencies, often termed Non-Governmental Organizations (NGOs), some receiving foreign funds, are being used to divide and weaken the people and render them incapable of launching united people's struggles for equality and dignity. Their constant effort is to subvert, dis-inform and de-idealize people so as to keep them away from class struggles. They adopt and propagate the practice of begging favours on sympathetic and humane grounds rather than making the oppressed conscio-

of their rights. As a matter of fact these agencies and organizations systematically intervene to oppose the agitational path people take to win their demands. Their effort is constantly to divert people's attention from the larger political evils of imperialism to merely local issues and so confuse people in differentiating enemies from friends. Under the cover of a progressive mask, the NGOs preach about the failure of governmental systems, while propagating and advocating the need for a non-governmental or people-based development strategy.

Various NGOs receive funds from different foreign agencies with the full knowledge and sanction of the Indian government. This necessarily means that there are certain understandings between them and the government. In fact, these NGOs have always worked within parameters set by the government. For these reasons the Indian government has recently, in all its policies and programmes, entrusted a hefty responsibility to the NGOs. The ruling class considers the NGOs their partners in development. This policy is manifest in the National Housing Policy as well as in the various housing policies adopted for the city of Bombay. Further, to give this aspect of mutual cooperation due recognition, the Government of India, in its Eighth Plan, envisages an allocation of Rs 30,000 crores (Rs 300 billion) to the voluntary sector.

A large number of these NGOs or voluntary agencies are working amongst slum-dwellers. They are, on the one hand, actively engaged in providing services to the community, acting as a bridge between the particular programme of the government and the 'target group'; and, on the other, they are active in the areas of charity, relief, welfare etc. The latter activities were widely seen during and after the December 1992 and January 1993 riots in Bombay. Even providing direct financial assistance and other material support for housing and reconstruction of slums has been a part of their work.

The majority of the NGOs which we have observed are closely connected with various Christian missions and have also been receiving funds from them. Along with the Christian missions, several Muslim and Hindu philanthropic institutions and trusts have also been drawing immense funds from foreign sources and are, in a sense, media of imperialist penetration.

At times of ultimate crisis, or when a movement reaches an advanced state of confrontation with the authorities, and when demands are not met, these NGOs cleverly back out, leaving the people to face the wrath of the government. They even fail to evolve any alternate political and social programme which could sustain the movement. It is, therefore,

necessary for all organizations of slum dwellers to understand the real intentions of the variously funded voluntary organizations and to oppose them and their intermediary role as agents.

*Cotton Textile Mills' Lands:* The new Development Control Regulations allow the cotton textile mills of Bombay to develop or redevelop their entire open land, including built-up area, for three categories of uses, viz., (1) recreation ground/garden/playground or any other use as specified by the commissioner, (2) development by the Maharashtra Housing and Area Development Board, and (3) residential or commercial use by the owner. The owner may keep about a third of the entire land for his own residential or commercial use. Most of the cotton textile mills are located in the F and G wards in the heart of the city. All starred category residential hotel buildings may be permitted to exceed the normal permissible FSI in the F and G wards by 50 per cent. This means that the cotton mill owners will get an FSI of 1.5, which will enhance their bonanza and their chance of profiteering. It is not coincidental that hotels have been permitted an additional FSI in F and G wards. Apart from the concentration of textile mills in these wards, there is no reasonable explanation why this has been done only in these wards. Granted that 1991 had been declared tourism year and an increased influx of tourists was expected that year, with increased demand for hotel accommodation, but, by the time the hotels could be constructed, tourism year would have been over, and also the rationale for the increase in FSI. As opposed to this, there are some 200,000 textile workers in Bombay who will be adversely affected by the permission granted to the millowners to shift their factories out of the city and to utilize the sites of the mills for residential and hotel purposes. The millowners have not framed a viable scheme to rehabilitate these workers in terms of employment and accommodation.

*Communalism and Housing:* The people's struggle for housing is faced today with the threat of communalism. Not only are the working class and the poor divided on religious and communal lines, but they actively oppose and attack each other. This has been clearly evident during the 1992-93 riots in Bombay. Apart from the slum dwellers, even the organized working class and their trade unions have failed to unite and oppose the communal forces. This phenomenon has greatly weakened the struggles and movements of the poor, including that for housing rights. Housing rights activists and organizations will have, therefore, to give priority to campaigns against communalism and to go far beyond

the idea of communal amity, which to my mind is a typically upper- and middle-class slogan. The toiling masses will have to understand the weakness of this slogan and move ahead to opposing religion as the basis of division of society. During the recent communal riots in Bombay we saw an increasing trend of ghettoization. This too is a dangerous social and housing phenomenon which we have to strongly oppose.

The struggle for housing has therefore to be made part of a wider democratic movement. Housing must be seen not merely an issue of design, construction and technology, but as a social movement, fundamental to the growth and development of every individual and family. Housing in this context becomes a vital issue for organizing the millions of toiling urban poor against State oppression and increasing communal violence and criminalization of the masses.

#### Conclusion

Government has to recognize the needs of the slum-dwellers and legalize all slums. The State has to concede the right to housing as a fundamental right. It must cease all support, direct or indirect, to profiteering by anybody from housing. Denial of housing rights is equivalent to denial of the right to live and is a violation of basic human rights. The movement for housing will therefore have to become a major one; slum-dwellers have to wage an unrelenting struggle to win their due. The struggle for housing has to become a part of the larger movement for democratic rights.

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## POLITICS, POPULISM AND VIOLENCE

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