

DRAFT NATIONAL HOUSING POLICY

The latest draft National Housing Policy released by the present National Front Government is being discussed in various circles. The Urban Development Ministry responsible for its formulation is holding close door meetings in a few urban centres inviting carefully selected professionals, builders, developers, voluntary agencies and prominent citizens to gather their opinion before the draft is finalised and tabled in Parliament for approval. Though the idea behind having these meetings is to generate a public debate on the subject, the views and needs of the millions of toiling masses in both the industrial and agricultural sectors are deliberately kept out.

Though the Policy ostensibly aims at resolving the housing problems of the poor, particularly in urban areas, it is in reality a fraudulent exercise, which will only worsen the crisis while facilitating and promoting the business interest of builders, developers and financiers. The latter have illegally and forcefully occupied land, captured and controlled and resources such as building materials and finance, supported and encouraged demolitions and evictions of poor peoples settlements. They have influenced the government, the Executive and even the judiciary to safeguard their interest in commercialising housing while completely destroying its social and human aspects.

In order to review this draft policy, we have to understand the background in which the Congress government's draft policy was framed as this is merely a continuation of the Congress policy in both its content and intent.

Firstly, there have been increasing struggles for housing rights by the urban poor and the working class. Several slum and pavement dwellers organisations and trade unions have continuously opposed demolitions of houses of the poor and their evictions. Repeated battles have been fought in court, even challenging various policies of the government. De-reservations of land uses, illegal allotment of lands to the privileged and influential and arbitrary distribution of state largesse, have been exposed and challenged. The organised strength of the poor arising out of

the critical housing conditions has begun to threaten monopoly controls and profiteering from land and housing.

Secondly, the introduction of the Urban Land (ceiling & regulations) Act has made a serious impact on housing and urban development. It has posed many hurdles and even at times completely blocked the construction activities of builders and estate developers. But this has not in any way worsened the shortage in housing for lower income groups nor has it promoted further deterioration in the living conditions of the urban poor. The Act has restricted the activities of the rich and middle class in housing. It has also reduced the excessive consumption of land and resources by them. In a city like Bombay, nearly 60% people live in slums and on pavements. To this if we add the working class population living in chawls and other dilapidated buildings, the percentage of population needing proper housing would be around 75% to 80%. Large numbers of vacant flats in our cities, increasing speculation and investments in land and housing for profiteering suggests that construction of housing units for this category of middle and rich classes must be reduced. The Urban Land (ceiling & regulations) Act is a positive measure in this direction. The Act stipulates that surplus vacant land can be taken over by the government at Rs. 1/- a square foot and utilised exclusively for housing the poor. This indeed, is a progressive and democratic Act and its implementation must be a National priority. However mounting pressures by landlords, builders and developers on the government coupled with the lack of political will and commitment of the government to help the poor have come in the way of a successful implementation of the Act.

Thirdly, a rise in the density of our urban settlement due to population growth and in-migration has led to tremendous pressures on land. The poor are forced to settle on any vacant land, be it along railway tracks endangering the life of children, or it be along highway or nallas. Marshy & uninhabitable areas too are reclaimed and occupied and people are living in the most degrading & inhuman conditions.

It is these circumstances of pressures on urban land, uprisings of the shelterless and implementation of the ULC Act, that have reduced room for manoeuvres and the scope for money making. It has also posed a serious threat to the nexus between the land sharks, builders and the government, the executive, judiciary and the police. The emerging situation has in fact

necessitated the formulation of this housing policy. The policy is an attempt at legitimising the crime being perpetrated by various business interests in housing. It formalises the relationship of the businessmen and the government. It presents ways by which estate developers and financiers can openly use government and public funds for their profiteering. The policy also furthers the economic dependency of the poor by offering loan schemes which will ensure quick returns of investments and profits to builders, when the policy should in fact ~~to be opposed~~ such market oriented thinking.

Formulation of such policy also became necessary to counter the growing awareness and movements for housing rights. That housing is not merely a matter of engineering, materials, construction and design, but a social activity concerned with cultural and political issues, has been increasingly realised. Denial of just and equal housing rights to the poor and constant demolitions of their houses throws them into a state of uncertainty adversely affecting their families, the health of their children, the dignity of their women, the respect of their old. The Draft Policy does not reflect the needs and aspiration of the working class and the poor. It did not emerge from the demands and struggles of the toiling masses and hence is undemocratic and unsocial in both its structure and in its objectives.

The response of the ruling class to these situations have been two-fold. At a micro level there have been a spate of attacks through harsh and unjust rulings, illegal dereservations of land uses, changes in the development plans, arbitrary decisions on distribution and allotment of state funds and resources to the influential, demolition of poor peoples settlements and through support of criminal, anti-social and communal activities in which the victims are invariably the innocent and the poor. Decisions on public matters are taken in secrecy and fundamental rights to information and equal opportunity to all are denied, let alone generating a system of public participation and control in the decision making process.

The recent rulings of Justice Sharad Manohar in Bombay High Court exposes the bias and prejudice of the judiciary against the poor. He describes the slums as "hell on earth" and further condemns the poor as a "disgrace on

earth". In his rulings he ordered demolition of the houses and the eviction of nearly five million people from the city. The recent spate of dereservations by both the Sharad Pawar ministry and the Shiv-Sena ruled Bombay Municipal Corporation, of land reserved for Schools, playgrounds, hospitals and other public amenities and services which have been allotted to builders and developers for constructing housing and commercial premises for profiteering, has once again rocked the city. Illegal allotment of land at Nariman Point, violation of FSI and arbitrary reduction in the lease to 'Fore-Shore Society' - a society of sitting & retired judges of Bombay High Court and the Supreme Court has again raised serious doubts regarding the independence of the judiciary. Similarly, allotment of land to a society of IAS officers at Malabar hill has exposed the corruption and abuse of official powers and positions by the executive for their personal gains.

On the other hand, a more coherent macro response embodied in the draft policy is being pushed for implementation to counter the uprisings and demands of the working class for a democratic state based on equality and housing for all.

Two aspects of the Draft Policy that particularly need to be highlighted are firstly, its dual approach to use of materials and technologies for housing of different classes in society. Many progressive professionals and intellectuals today are vigorously propogating alternative materials to cement, steel and concrete for use in the construction of housing for low income groups. In the urban context of high density growth and in a situation of group housing systems where the construction and subsequent maintenance of buildings is interlinked and inter-dependent and not under the control of an individual or a family, only certain materials can be appropriate and should not be classified and distinguished for different classes in society. Alternative technological movements often deepen the division of society into classes and ignores human needs and the social objectives of providing uniform and equal living conditions for all. This approach also conceals and diverts attention from the disproportionate and conspicuous consumption of high-technological and superior materials by the rich for construction of their housing. Low-cost housing approaches, have invariably led to low-quality housing. With the progress of time, we have to raise our housing standards particularly for the low-income groups and set uniform and minimum standards of materials for all. While alternative methods must be tried as a strategy for meeting immediate needs, they must

be opposed as a long-term and overall policy. Rather, we need to evolve alternative systems of land control, wider production and distribution of building materials and to restrict prices and extravagant consumption patterns.

The second aspect of the draft policy that needs critical review is the thrust towards privatisation which is a way of shifting the responsibilities of the government for housing the poor on to the private sector. The policy is unequivocal in proposing restrictions on the government's role in the management of urban land and housing. By doing this the government is shirking its own responsibilities and is further encouraging and legitimising the exploitation of the poor. This thrust towards privatisation has been reinforced by the supposed failure of public sector in housing. But there is no serious investigation as to why it has failed. Firstly it is the political and elite control of decision making that contributes a great deal towards this failure. The deprivation of the low-income population is deeply rooted in the political economy of urban development. Market forces controlled by the private sector governs urban development while the state actively supports real-estate interest. Secondly, it is the role and influence of private sector enterprises in public sector projects that contributes to the failure of public sector projects today. Most contracts, be it for construction or supply of materials or management of the project is given out to private companies. Unethical practices and corruption by them at both levels, of getting the contract and subsequently at the execution stage adversely affects the projects. The failures cannot be attributed to the public sector employing less qualified, less capable personnel, as is often felt.

The present draft housing policy perpetuates these ills. An alternative approach to the key questions of land, materials, construction and finance should be promoted. Very briefly, a macro-level housing policy which genuinely seeks the betterment of the poor, particularly in the urban areas must:

- a. Strictly implement the Urban land (ceiling & regulations) Act.
- b. Substantially nationalise the production and distribution of building materials and impose controls on its prices.

- c. Set minimum standards in housing which includes setting a minimum and maximum density of settlements based on population count and not on the numbers of families. At the same time FSI as a basis for development must be abolished.
- d. Finance from banks and governmental institutions must be channelled directly to the poor and to their co-operatives and not as at present through developers who greatly abuse their position to push funding into housing schemes for the middle and upper classes, since returns there are much higher.