



Urban Rights Forum: With the Homeless

PRESS RELEASE

India's Human Rights Institutions Not Concerned with Homeless People, Reveal RTI Responses New Delhi: 8 November 2012

At a press conference organised by *Shahri Adhikar Manch: Begharon ke Saath (SAM:BKS)* in the capital today, human rights activists took to task India's human rights institutions for their lack of concern and sensitivity towards the persistent and flagrant violations of the human rights of Delhi's homeless residents.

S.A. Azad (Campaign for Rehabilitation of Homeless People) spoke about enquiries filed under India's Right to Information (RTI) Act 2005 to determine the number of homeless deaths in Delhi and the reaction of India's national human rights institutions. He mentioned that, "According to Delhi police records, during the period from 2007 to 2011, there were a total of 6,861 reported deaths of homeless persons, comprising 4,748 males, 277 females and 105 children, in Delhi. In addition, 1,731 of these deaths were unclassified (male, female and children). This is an extremely alarming number, especially as it is likely to be even higher, given that many homeless deaths are not registered or reported. The lack of government attention to these deaths, year after year, reflects a glaring insensitivity of the state to the homeless, the CityMakers, who contribute to the economy and city in a multitude of ways."

indu prakash singh (Head, CityMakers Programme, Indo-Global Social Service Society) added that, "The information made available from RTIs from the National Commission for Women (NCW), the Delhi Commission for Women (DCW) and the National Human Rights Commission (NHRC) show the irresponsibility and insensitivity of these institutions towards the homeless." He shared the RTI response from NCW — the apex national-level organisation in India with the mandate of protecting and promoting the interests of women — which states that NCW does not have any details about the number of homeless women or about the classification, nationality, identity and schemes for their rehabilitation in India. NCW also stated in its response that it is not concerned with the existence of the homeless women on the street, neither with their rights, nor with their nationality and identity. The DCW reported that it has not done anything on the issue of homeless women. Mr. Singh added that, "It is shocking that NHRC also claimed not to have any details of allocation of funds in the past five years for rehabilitation of the homeless."

Shivani Chaudhry (Associate Director, Housing and Land Rights Network) stated that, "These responses clearly demonstrate that homeless people are outside the purview of India's human rights institutions, even when the Planning Commission accepts that **one per cent of the urban population in India is homeless**. It is of prime importance to make our institutions responsive and accountable to the homeless, and to ensure that the needs and human rights of the homeless are protected. The government must comply with its national and international legal obligations, and India's national human rights institutions must abide by the Paris Principles. This disrespect for the law is also evident in the continued violation by the Delhi government of interim orders of the High Court of Delhi regarding the homeless."

Amita Joseph (Director, Business and Community Foundation) drew attention to the judgement of the High Court of Delhi on a *suo moto* case concerning the death of a pregnant homeless woman in Delhi, which has not been adequately implemented. She stated that, "Homeless women, especially pregnant, lactating, single and older women, are the most marginalised and vulnerable among the homeless. Shelters for them, however, are grossly inadequate and lacking in Delhi. The government needs to act expeditiously to ensure that court orders are implemented and the rights of homeless women are protected, as a priority."

All speakers are members of ***Shahri Adhikar Manch: Begharon Ke Saath***, and on behalf of the collective, put forth the following demands at the press conference:

1. **Investigation into the deaths of homeless persons in Delhi**, including development of a line of accountability for such deaths as well as a plan to prevent any further deaths.
2. Immediate implementation of a **comprehensive winter plan**, which consists of: improving existing temporary shelters; creating new shelters in areas of high concentration of homeless people; and, providing basic services, including blankets, clean bedding, water, electricity, and healthcare in all shelters – as per the directives of the Hon'ble High Court of Delhi (in the *suo moto* case W.P. (C) 29/2010).
3. Development and implementation, by the Delhi government, of a human rights-based **long-term plan** for Delhi's homeless, which includes the creation of adequate permanent shelters.
4. **Implementation of the Delhi High Court judgement** in the *suo moto* case on homeless women, which called for the creation of five shelters for destitute, pregnant and lactating women (W.P. (C) 5913/2010)
5. **Adequate response from the NHRC, NCW and DCW**, including provision of: disaggregated data on homeless persons; specific plans for protecting the rights of homeless men, women and children, including for their rehabilitation and housing; time-bound targets for implementing these plans.
6. Details from the central and state government on **plans and budgets to implement the *National Programme for the Urban Homeless***, launched by the former President of India, Mrs Pratibha Patil.

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About SAM: BKS

Shahri Adhikar Manch: Begharon ke Saath (SAM: BKS) is a Delhi-based collective of over 30 organisations and social movements, including homeless residents. SAM: BKS works to promote and protect the rights of the homeless residents, as guaranteed by the Constitution of India and international human rights instruments, and to ultimately secure adequate housing for all homeless residents. For more information, please write to: shahriadhikarmanch@gmail.com or call Anil Kumar (9582170401).