

Provisions Related to Housing and Land in the Union Budget

2024-2025



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Context

Millions of Indians across rural and urban areas continue to live either in substandard houses or without a home and access to basic services; this includes over 4 million persons living in homelessness¹ and at least 75 million people living in informal settlements in urban areas.² Not only are the numbers increasing, but each year several thousand people lose their homes and are displaced due to forced evictions and the demolition of homes for various reasons, including but not limited to development projects, city 'beautification' drives, anti-'encroachment' drives, apart from being displaced due to conflicts, natural disasters or the ongoing climate crisis.

Research by Housing and Land Rights Network (HLRN) reveals that 7.4 lakh people were forcefully evicted from their homes across rural and urban India by state authorities in 2022 and 2023³. At least 1.53 lakh homes across the country were demolished, which meant people lost the homes they lived in. These were the highest ever recorded annual figures of persons affected by forced evictions and homes demolished since HLRN began publishing annual reports on this grave crisis. 'Slum' clearance/ anti-encroachment/city beautification were cited as the biggest reasons for evictions, affecting at least 4.33 lakh individuals, followed by infrastructure and ostensible 'development' projects including road widening, highway expansion, bridge construction, and 'smart city' projects which affected at least 2.58 lakh individuals.

While the role of housing and land in addressing multidimensional poverty is well known, the continual 'de-housing' of individuals every year is adding to the unrelenting housing crisis in our country. Despite this, housing policies are failing to recognise and adopt a rights-based approach towards housing, focusing only on the prevailing market-led supply-demand rhetoric. Indeed, as this year's Economic Survey of India (2023-24) highlights, the housing market is flourishing as the supply-demand dynamics hold steady with new supply "at an all-time high" and "record-breaking sales" in the first quarter of 2024⁴. Nonetheless, the report overwhelmingly focuses on this financialised aspect of housing, without paying much attention to the inadequacies in addressing the housing needs of the most vulnerable and marginalised.

Ensuring the right to adequate housing for all citizens requires state intervention in both, the provision of adequate housing as well as the protection of the right. Foremost, these interventions require adequate and appropriate resource allocation and spending. As the Union Budget for the financial year 2024–2025 was presented by the newly elected Union Government on 23 July 2024, HLRN is reporting an overview and analysis of budget allocations related to housing and land for the urban and rural poor. A detailed budget analysis serves as a means to assess the priorities of the central government, especially since existing law and policy interventions in the country only try to meet the identified housing shortage, instead of focusing on the realisation of the human right to adequate housing for all.

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¹ The Supreme Court commissioners appointed to monitor the implementation of orders in the 'right to food' case – PUCL v. Union of India [W.P. (C) 196/2001] estimated that at least one per cent of India's urban population is homeless. This amounts to nearly 4 million homeless people living in urban India.

² Estimate by HLRN based on an extrapolation of Census of India 2011 data. Census 2011 recorded that over 17 per cent of the urban population or almost 14 million households live in inadequate settlements without access to basic services. Census 2011 also revealed that 36 per cent of households in such settlements do not have basic facilities of electricity, tap water, and sanitation within house premises.

³ Forced Evictions in India: 2022 & 2023, Housing and Land Rights Network, New Delhi, 2024. Available at: https://hlrn.org.in/documents/Forced Evictions 2022 2023.pdf

⁴ Chapter 1: State of the Economy: Steady as She Goes, Economic Survey of India, 2023-24, Ministry of Finance, Government of India.

What is the Human Right to Adequate Housing?

The first Special Rapporteur on Adequate Housing defined the human right to adequate housing, as: "The right of every woman, man, youth and child to gain and sustain a safe and secure home and community in which to live in peace and dignity." This right is inextricably linked to other human rights such as the rights to work, health, water, sanitation, food, land, education, and security of the home and person.

The UN Committee on Economic Social and Cultural Rights (CESCR) in its General Comment 4⁶ describes seven core elements for housing to be adequate:

- Legal security of tenure;
- Availability of services;
- Affordability;
- Accessibility;
- Habitability;
- Location; and,
- Cultural adequacy.

Housing and Land Rights Network and the UN Special Rapporteur on Adequate Housing, have further included:

- Physical security;
- Participation and information;
- Access to land, water and other natural resources;
- Freedom from dispossession, damage and destruction;
- Resettlement, restitution, compensation;
- Non-refoulement and return;
- Access to remedies;
- Education and empowerment; and,
- Freedom from violence against women. ⁷

⁵ Report of the Special Rapporteur on adequate housing, E/CN.4/2006/41, 21 March 2006. Available at: http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx

⁶ General Comment 4, 'The right to adequate housing' (Art. 11 (1) of the Covenant),' United Nations Committee on Economic Social and Cultural Rights, 1991. Available at: http://hlrn.org.in/documents/CESCR General Comment 4.pdf

⁷ See 'Questionnaire on Women and Housing,' Annex 3 of the report of the Special Rapporteur on Adequate Housing, A/HRC/4/18, February 2007. Available at: http://www.ohchr.org/english/issues/ housing/index.html

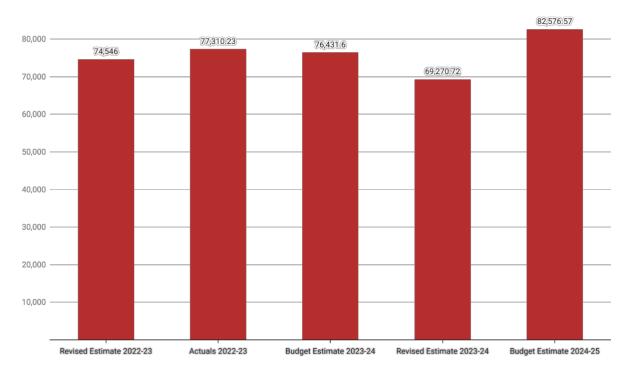
Highlights from the Union Budget 2024-25

- 'Urban Development' is outlined as one of the nine priorities set out by the Union government with the Ministry of Housing and Urban Affairs (MoHUA) receiving a 19 per cent increase in budget from the previous year's revised estimates (RE).
- On the other hand, the Department of Rural Development received a nominal 4 per cent increase in allocation from the 2023-24 RE highlighting a greater focus on the urban than the rural in this year's budget.
- The Minister of Finance announced the construction of an additional 3 crores (30 million) houses in urban and rural areas and the PMAY has seen a 56.4 per cent increase from the 2023-24 RE.
- However, the persistent demolition of homes aggravates the housing shortage and serves contrary to the progress made under national housing schemes highlighting the need to follow due process and earmark budget towards rehabilitation and resettlement schemes.
- The Deendayal Antyodaya Yojana- National Urban Livelihood Mission (DAY-NULM) which outlines the Scheme of Shelter for Urban Homeless (SUH) saw a decline of 42 per cent in funding impacting the provision of shelters and access to livelihoods for the poorest.
- The housing needs of women, transgender persons, homeless persons and communities belonging to Scheduled Castes and Scheduled Tribes are not addressed comprehensively but are mentioned in various policies under different departments, if at all.

Budget Allocation for Urban Development

The Ministry of Housing and Urban Affairs (MoHUA)⁸, which is the nodal ministry to implement and monitor all urban and housing-related law and policy-based interventions across the country, has seen an increase in budgetary allocation by approximately 19 per cent (or ₹13,305.85 crores) from the previous year's revised estimate (RE) after seeing a dip of 10 per cent between 2022-23 (actuals) and 2023-24 (RE)⁹.

Figure 1: Budget Allocation for the Ministry of Housing and Urban Affairs between 2022-24¹⁰ (Amount in crores)



The Ministry supports several flagship programmes focused on urban development, many of which have received a substantial impetus in this budget from the previous year.

The Pradhan Mantri Awas Yojana (PMAY)- Urban forms the biggest component of all centrally sponsored schemes and has seen a 36 per cent increase in budget allocation. The Swachh Bharat Mission (SBM) and the Atal Mission for Rejuvenation and Urban Transformation (AMRUT) have seen a significant increase in allocation with the SBM receiving almost 2 times more, and the AMRUT receiving almost 1.5 times more than the previous year. On the other hand, the Smart Cities Mission saw a decline of 70 per cent in funding while the Deendayal Antyodaya Yojana-National Urban Livelihood Mission (DAY-NULM) saw a decline of almost 43 per cent from the previous year.

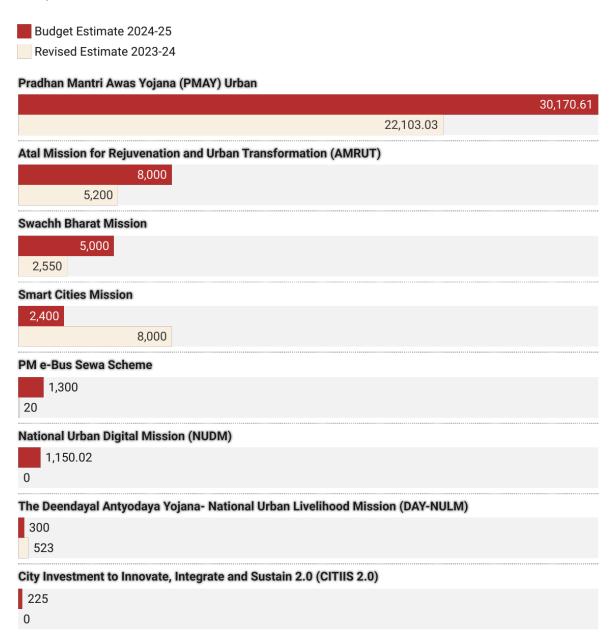
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⁸ For more information, see: Ministry of Housing and Urban Affairs, Government of India. Available at: https://mohua.gov.in/

⁹ Notes of Demands for Grants, 2024-25, Demand No. 60/ Ministry of Housing and Urban Affairs, Government of India. Available at: https://www.indiabudget.gov.in/doc/eb/dg60.pdf

¹⁰ Data Source: *Notes of Demands for Grants, 2024-25*, Demand No. 60/ Ministry of Housing and Urban Affairs, Government of India. Available at: https://www.indiabudget.gov.in/doc/eb/dg60.pdf; *Demand for Grants for 2023-2024 Analysis Housing and Urban* Affairs, PRS Legislative Research, Available at: https://prsindia.org/files/budget/budget_parliament/2023/DfG_2023-24_Analysis-Housing_and_Urban_Affairs.pdf

Figure 2: Budget Allocation for Centrally Sponsored Schemes under the MoHUA (Amount in crores)¹¹



Further, there is a nominal increase of 9 per cent dedicated to metro projects from ₹19,508.00 crores in 2023-24 to ₹21,335.98 crores in 2024-25, while the finance minister, in her budget speech, highlighted several other strategies for infrastructure and urban development. ¹² This included planning for economic and transit hubs, development of peri-urban areas, brownfield redevelopment of existing cities, and transit-oriented development plans for 14 large cities with a population of more than 30 lakhs.

¹¹ Data Source: *Notes of Demands for Grants, 2024-25*, Demand No. 60/ Ministry of Housing and Urban Affairs, Government of India. Available at: https://www.indiabudget.gov.in/doc/eb/dg60.pdf;

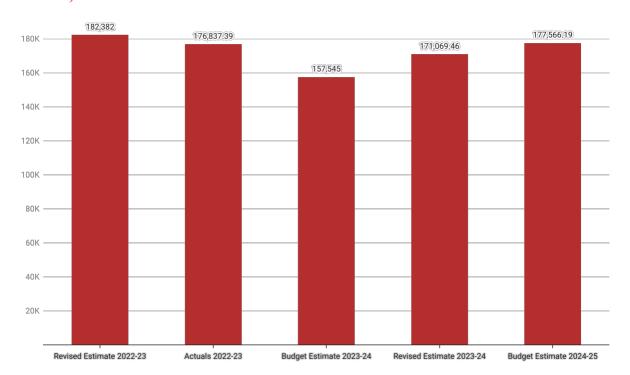
¹² Budget of 2024-2025: Speech of Nirmala Sitharaman, Minister of Finance, Government of India, July 23, 2024. Available at: https://www.indiabudget.gov.in/doc/budget_speech.pdf

It is noteworthy that while such projects represent a global vision of a developed city, HLRN's report on Forced Evictions in India in 2022-2023¹³ showed that in 2023, 37.3 per cent of the affected persons were evicted for ostensible development projects including road-widening projects, housing schemes, highway construction, construction and expansion of railway tracks, expansion of coal mines, metro projects, and 'smart city' projects. It is thus crucial that the need for these projects is thoroughly assessed, and evictions are undertaken only in 'exceptional circumstances' following the due process established by national and international human rights standards.

Budget Allocation for Rural Development

The Ministry of Rural Development is responsible for development and welfare activities in rural areas through its two departments namely the Department of Rural Development and the Department of Land Resources. ¹⁴ The total allocation to the Department of Rural Development for 2024-25 is ₹177,566.19 crores marking a nominal 4 per cent increase from the previous year's RE of ₹171,069.46 crores. ¹⁵

Figure 3: Budget Allocation for the Ministry of Rural Development between 2022-24 (Amount in crores)¹⁶



Among the several centrally sponsored schemes the Mahatma Gandhi National Rural Employment Guarantee Programme constitutes the biggest component but has seen no change

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¹³ Forced Evictions in India: 2022 & 2023, Housing and Land Rights Network, New Delhi, 2024. Available at: https://hlrn.org.in/documents/Forced Evictions 2022 2023.pdf

¹⁴ For more information, see: Ministry of Rural Development, Government of India. Available at: https://rural.gov.in/en

¹⁵ Notes of Demands for Grants, 2024-25, Demand No. 87/ Ministry of Rural Development, Government of India. Available at: https://www.indiabudget.gov.in/doc/eb/sbe87.pdf

Data Source: Notes of Demands for Grants, 2024-25, Demand No. 87/ Ministry of Rural Development, Government of India. Available at: https://www.indiabudget.gov.in/doc/eb/sbe87.pdf; Demand for Grants for 2023-2024 Analysis Rural Development, PRS Legislative Research, Available at: https://prsindia.org/files/budget/budget_parliament/2023/DFG_RuralDev_23-24.pdf

in budget allocation. The PMAY-Rural has received a thrust in the form of a 70 per cent increase in budget allocation.

Provisions for Housing

Pradhan Mantri Awas Yojana (PMAY)

The budget emphasizes urban housing by increasing the allocation of the PMAY-Urban by 36 per cent to ₹30,170.61 crores. Crucially, there is a revival of the Credit Linked Subsidy Scheme (CLSS) component of the PMAY by assigning ₹3,000 crores in CLSS for Economically Weaker Sections (EWS) and Lower Income Groups (LIG), and ₹1,000 crores in CLSS for Middle Income Groups (MIG) in an attempt to boost homeownership for these groups. Furthermore, in her budget speech, the finance minister promised that the "housing needs of 1 crore urban poor and middle-class families will be addressed with an investment of ₹10 lakh crores. This will include the central assistance of ₹ 2.2 lakh crores in the next 5 years."17

It remains unclear to what degree this budget aims to advance the In-situ Slum Rehabilitation (ISSR), the only vertical of this scheme that focuses on upgrading the living conditions of millions of landless residents of informal settlements in cities. Previously, this vertical has fallen short of addressing the housing demands of the urban poor as it has only sanctioned 2.96 lakh homes, thus satisfying 20 per cent of the estimated demand. 18

On the rural front, the PMAY-Rural has received a greater boost in the budget with a 70 per cent increase in allocation. Put together, the PMAY scheme, has a total budget allocation of ₹ 84,670.75, a 56.4 per cent increase from the 2023-24 revised estimates, as the finance minister announced the construction of an additional three crores houses in rural and urban areas 19.

Rental Housing

The budget speech highlights the need for "enabling policies and regulations for efficient and transparent rental housing markets", ²⁰ although no budgetary allocations have been made for this. It also mentions making available rental dormitory type accommodations for industrial workers, again without substantial schematic provisions.

Women and Housing

The budget speech outlines the intention of the Union Government to enhance women's participation in the workforce by collaborating with industries to set up working women hostels and establishing creches.²¹ This is supported by an increase of ₹653.12 crores or 35%²² from the previous year's revised estimates for the Mission Shakti.²³ This mission consists of two main components, including "Sambal" (for the safety and security of women), and "Samarthya" (for empowerment), which, in turn, comprise initiatives such as - the Shakti

²¹ Ibid

¹⁷ Budget of 2024-2025: Speech of Nirmala Sitharaman, Minister of Finance, Government of India, July 23, 2024. Available at: https://www.indiabudget.gov.in/doc/budget_speech.pdf

¹⁸ In Modi govt's 'housing for all': 83% homes not for landless poor, lopsided growth, NewsLaundry, March 26, 2024. Available at: https://www.newslaundry.com/2024/03/26/in-modi-govts-housing-for-all-83-homes-not-for-all-83-h landless-poor-lopsided-growth

¹⁹ Budget of 2024-2025: Speech of Nirmala Sitharaman, Minister of Finance, Government of India, July 23, 2024. Available at: https://www.indiabudget.gov.in/doc/budget_speech.pdf ²⁰ Ibid

²² Notes of Demands for Grants, 2024-25, Demand No. 101/ Ministry of Women and Child Development, Government of India. Available at: https://www.indiabudget.gov.in/doc/eb/dg101.pdf

²³ For more information, see Mission Shakti website. Available at: https://missionshakti.wcd.gov.in/

Sadan to provide homes and institutional support to empower women facing destitution of any kind, as well as the Sakhi Niwas and Palna (National Creche component) which provide a place for stay for working women and creches to improve women's participation in the workforce.

The budget speech also encourages states which charge higher stamp duty to reduce the rates for all, and further consider reducing it for women to enable them to purchase properties. However, no budgetary provisions are made to this effect.

Housing for Scheduled Caste and Scheduled Tribe Communities

The Union Government has continued allocation to the Pradhan Mantri Janjati Adivasi Nyaya Maha Abhiyan (PM- JANMAN)²⁴ – a scheme launched in the previous budget to provide permanent housing to 4.9 lakh beneficiaries and related services among other things to Particularly Vulnerable Tribal Groups (PVTGs) to uplift their socioeconomic conditions. Under the Ministry of Tribal Affairs, the scheme has received ₹240 crores in the BE 2024-25, a substantial increase from the ₹100 crores in the RE 2023-24.

Additionally, as a scheme that provides access to housing, basic services, last-mile connectivity, education, health and livelihood for the overall upliftment of vulnerable communities, its budget is disbursed under several ministries and their schemes and projects. Those relevant to housing and related services affecting individual households and their right to adequate housing are noted in the table below. These estimates highlight a strong boost to welfare provisions for PVTGs in this year's budget with provisions for housing and related services seeing a 500 per cent increase in allocation.

Table 1: Budget breakdown of key provisions related to housing and basic services for PM-JANMAN²⁵

Ministry	Schemes/Projects	Revised Estimate 2023-24	Budget Estimate 2024-25
Department of Rural Development	Pradhan Mantri Awas Yojana (PMAY-Rural)	₹630.05 crores	₹3,434.96 crores
	Pradhan Mantri Gram Sadak Yojana	₹60 crores	₹1,260 crores
Department of Drinking Water and Sanitation	Jal Jeevan Mission (JJM)/ National Rural Drinking Water Mission	₹105.95 crores	₹344.35 crores
Ministry of New and Renewable Energy	Solar Power (Off-Grid)	₹20 crores	₹20 crores
Total		₹816 crores	₹5,059.31 crores

Lastly, drawing from the PM-JANMAN which focuses only on PVTGs, this year the government has announced the Pradhan Mantri Janjatiya Unnat Gram Abhiyan to broaden their reach to all Scheduled Tribe households. ²⁶ The Scheme aims to reach 63,000 villages and 5

²⁶ Budget of 2024-2025: Speech of Nirmala Sitharaman, Minister of Finance, Government of India, July 23, 2024. Available at: https://www.indiabudget.gov.in/doc/budget_speech.pdf

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²⁴ Pradhan Mantri Janjati Adivasi Nyaya Maha Abhiyan (PM-JANMAN), Government of India. Available at: https://www.india.gov.in/spotlight/pradhan-mantri-janjati-adivasi-nyaya-maha-abhiyan-pm-janman

²⁵ Expenditure Budget, 2024-25, Ministry of Finance, Budget Division, July 2024. Available at: https://www.indiabudget.gov.in/doc/eb/allsbe.pdf

crore people from tribal communities by adopting a "saturation coverage" approach to provide all basic facilities to tribal households in tribal-majority villages and aspirational districts.

Housing for Transgender Persons

The upliftment and welfare of transgender persons is included under the Support for Marginalized Individuals for Livelihood & Enterprise (SMILE), a Central Sector Scheme of the Ministry of Social Justice and Empowerment, which makes provision for housing in the form of 'Garima Greh' for transgender persons. In the 2024–2025 Union Budget, ₹68.46 crores are earmarked for the Comprehensive Rehabilitation for Welfare of Transgender Persons component under SMILE, a substantial 200 per cent increase from the 2023-24 RE of ₹22.82 crores. ²⁷

Housing for Homeless Persons

The Deendayal Antyodaya Yojana- National Urban Livelihood Mission (DAY-NULM), outlines the Scheme of Shelter for Urban Homeless (SUH) to provide shelters and other essential services for the poorest segments of the society. In this year's budget, the DAY-NULM has seen a massive 42 per cent cut in funding, which is sure to impact the SUH. This slash in budget shows how persons living in homelessness continue to remain among the most vulnerable and neglected in housing policies in India. This systemic exclusion gravely affects the lives of over 4 million persons, including women, children, older persons, and persons with disabilities, living in homelessness across the country.²⁸ The ongoing practice of forced evictions²⁹, without adequate rehabilitation and the increase in displacement due to disasters³⁰ directly contribute to an increase in the homeless population in the country.

Provisions for Land

In her budget speech, the Finance Minister highlighted the need for systematised land administration processes to improve planning and management in rural and urban areas.³¹ Land-related reforms in rural areas include "assignment of Unique Land Parcel Identification Number (ULPIN) or Bhu-Aadhaar for all lands, (2) digitization of cadastral maps, (3) survey of map sub-divisions as per current ownership, (4) establishment of land registry, and (5) linking to the farmers registry" for rural areas to facilitate credit flow and other agriculture-related services.

Similarly, for urban areas, it was stated that "land records in urban areas will be digitized with GIS mapping. An IT based system for property record administration, updating, and tax administration will be established. These will also facilitate improving the financial position of urban local bodies."

²⁷ Notes of Demands for Grants, 2024-25, Demand No. 93/ Ministry of Social Justice and Empowerment, Government of India. Available at: https://www.indiabudget.gov.in/doc/eb/sbe93.pdf

²⁸ See footnote 1.

²⁹ Forced Evictions in India: 2022 & 2023, Housing and Land Rights Network, New Delhi, 2024. Available at: https://hlrn.org.in/documents/Forced Evictions 2022 2023.pdf

³⁰ Global Report on Internal Displacement (GRID) 2023, Internal Displacement Monitoring Centre, 11 May 2023. Available at:

https://api.internal-

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³¹ Budget of 2024-2025: Speech of Nirmala Sitharaman, Minister of Finance, Government of India, July 23, 2024. Available at: https://www.indiabudget.gov.in/doc/budget_speech.pdf

While this is an important step to improve and formalise land administration in the country, the largely informal nature of land administration and transaction will give rise to complications in claims-making. Furthermore, land extents in rural areas are often notional ideas than physical boundaries, mapping and digitising of which will be a complex endeavour. Particularly, vulnerable and marginalized communities whose claims on their lands cannot be formally established, should be included in these mapping and delineating processes to ensure minimal conflicts in claims.

Conclusion

Although flagship housing schemes have received a significant emphasis in this year's budget, the fragmented approach towards ensuring adequate housing for the most vulnerable groups and their link to other empowerment-based schemes make it difficult to assess budget allocation specific to housing and related provisions. This also signifies a lack of understanding of the difficulties these groups face in accessing formal housing. For vulnerable women, transgender persons, and homeless people, housing policies often continue to be limited to the provision of temporary shelters, without adequately recognising the needs of the people along a 'continuum of housing'. These include hostels for single working men and women; short-stay homes for survivors of domestic violence; recovery homes for those with health issues, including chemical dependency; collective/group housing for persons with disabilities, older persons, single mothers, and others who do not want to live by themselves; and access to rental and ownership housing with access to adequate finance.

Furthermore, even as the budget reveals big promises for housing in urban and rural areas, a rights-based framework towards policies must be adopted to ensure that the lakhs of people who lose their homes to evictions and demolitions do not continue to live without homes, thus counteracting the goals of housing policies. This is pertinent, now more than ever, as ostensible 'development' projects come at the high cost of forcefully evicting and displacing masses of people. HLRN thus recommends adopting a 'Housing First' approach in policymaking to prioritise housing for all vulnerable groups and people 'de-housed' due to evictions.

Housing First is an approach that offers permanent, affordable housing as quickly as possible for individuals and families experiencing homelessness, and then provides the supportive services and connections to the community-based supports people need to keep their housing and avoid returning to homelessness. Several countries have succeeded in reducing the incidence of homelessness by adopting this approach.