



## PRESS RELEASE

### Justice Delayed, Justice Denied: Delhi's Homeless Still Await Adequate Living Conditions

**29 May 2012, New Delhi:** In a press conference organised by **Shahri Adhikar Manch: Begharon Ke Saath (SAM:BKS)** in the capital today, human rights activists and homeless citizens raised several issues of concern related to homelessness in Delhi.

*Indu Prakash Singh*, SAM:BKS member and technical advisor at Indo-Global Social Service Society, provided an overview of the situation of homelessness, including recent positive developments such as the President of India's announcement of a *National Programme for Urban Homelessness*, the National Advisory Council's recommendations for the homeless, and progressive orders from the Hon'ble High Court of Delhi and the Supreme Court of India. In spite of these developments, the Delhi government has failed to respond to the needs of the city's over 150,000 homeless people. He said, "Despite announcing plans to improve living conditions in shelters, Delhi Urban Shelter Improvement Board (DUSIB) has not taken appropriate action to date. This delayed response amounts to a gross violation of a bundle of human rights of the homeless whom we call CityMakers, as the city is built on their sweat, labour and subsidised services." He mentioned the, "preposterous plan of the Delhi Development Authority (DDA) to amend Master Plan Delhi-2021 to reduce the number of homeless shelters from one per one lakh population to one per five lakh population. This would reduce the requirement of 160 permanent shelters in Delhi to 32 shelters and is in direct violation of court orders."

*Ashok Pandey* from Beghar Mazdoor Sangharsh Samiti, also a SAM:BKS member, described the grossly inadequate living conditions in the temporary shelters. Constructed for the winter, these tin shelters, which were like cold storage boxes have become virtual ovens in the summer and are largely uninhabitable. "There is still no drinking water, toilets or fans in any of the tent and tin shelters. Without electricity, how can any fans or lights be installed? The heat is unbearable, people cannot sleep at night. Our shelter in Kudusiya Ghat is infested with an army of mosquitoes. You can't stand for a minute without being bitten. This is an acute health hazard for the homeless, especially for children who are most vulnerable," he said. *Ishwar Chand*, another SAM:BKS member, added, "The absence of water and sanitation facilities poses acute problems for homeless women and children and threatens their security. Mobile health vans, despite High Court orders, do not visit most of the shelters."

*Abdul Shakeel*, member of SAM:BKS and Haq, drew attention to the struggle of homeless citizens in Delhi for ration cards and adequate grain entitlements under the Public Distribution System (PDS), which they are consistently denied. Establishing their identity is a critical issue for the homeless. He stated that, "The failure of the state to provide the homeless with voter identity cards violates their right to political participation." He highlighted the economic burden faced due to DUSIB's consistent late payment to caretakers of shelters, many of whom are homeless citizens. He also spoke of recent forced evictions carried out by the Delhi government at Chilla Khadar and Baljeet Nagar, "which are resulting in more and more people becoming homeless in Delhi."

*Zubeida*, a woman who was rendered homeless after being evicted from Viklang Basti before the Commonwealth Games, spoke about the acute problems that her family has had to face. "The government demolished our homes without any notice and did not provide us with any alternative housing or compensation. We are now forced to live on the streets without any shelter, basic services,

privacy or security. We have no one to approach or no means to seek justice in this city. The city does not seem to care about the poor.”

SAM:BKS member and associate director of Housing and Land Rights Network, *Shivani Chaudhry*, stated that, “Both the High Court of Delhi and the Supreme Court of India have, in several interim orders, called for the construction of sufficient and adequate permanent shelters for the homeless. The High Court had asked the government for a long-term plan and called for permanent shelters to be set up by December 2010. A year and a half later, the government is still focusing on makeshift, dysfunctional temporary shelters, that too at a cost of Rs. 3,00,000 per shelter. We are extremely concerned about the attempts of the Delhi government to further marginalise the homeless by proposing plans to relocate them to the outskirts of the city in areas such as Kanjhawla and Narela. This would violate not just their right to housing but also their right to work/livelihood. The government’s repeated abrogation of its legal obligations to implement court orders and uphold the Constitution of India and international law, is disturbing.” She further added that, “Providing shelters is just the first step in a continuum of housing rights; the ultimate goal of the government must be to provide low cost, adequate housing for the homeless.”

*Amita Joseph*, SAM:BKS member and director of Business and Community Foundation, regretted that despite the existence of a Joint Apex Advisory Committee (JAAC), a Mother NGO (MNGO) and positive orders from the High Court of Delhi and the Supreme Court of India, the condition of Delhi’s homeless has not improved significantly. *Shahri Adhikar Manch* had submitted to the government a short-term plan (in February 2010) and a long-term plan (in September 2011), with human rights-based recommendations, but these do not seem to have been considered.

On behalf of SAM:BKS, Ms Joseph presented the following demands from the Government of Delhi:

- Immediately improve temporary shelters to make them habitable, including providing electricity, fans, drinking water, toilets, healthcare, and mosquito repellants;
- Establish an independent committee to monitor the functioning of all homeless shelters;
- Conduct an audit into the expenditure of the government on temporary shelters, and provide information on the process of design selection and contractors, and details on exact spending;
- Implement the orders of the Hon’ble Supreme Court of India and High Court of Delhi, especially related to creating **year-round, twenty-four hour permanent** shelters (160 shelters as per the requirement of one shelter per one lakh population) and preparing a **long-term plan** for addressing homelessness in Delhi;
- Make available vacant government buildings and unused premises for homeless shelters;
- Withdraw the proposal of the DDA to amend the Master Plan Delhi-2021 to reduce the number of homeless shelters from one per one lakh population to one per five lakh population;
- Conduct regular meetings of the Joint Apex Advisory Committee and implement its decisions; and,
- Prevent forced evictions that violate the right to adequate housing and result in homelessness.

Speakers stressed their commitment to working constructively with all agencies in order to ensure that the human right to adequate housing of Delhi’s homeless is protected. Delhi has the opportunity to be a model for other cities across India with regard to providing services for the homeless and upholding their rights. It is, therefore, crucial for the government to adopt a positive rather than an adversarial approach and fulfill its national and international legal obligations.

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***Shahri Adhikar Manch: Begharon Ke Saath (SAM:BKS) is a Delhi-based collective of over 30 organizations and social movements, including homeless citizens. SAM:BKS works to promote and protect the rights of the homeless, as guaranteed by the Constitution of India and international human rights instruments, and to ultimately secure adequate housing for all homeless people. For more information, write to: [shahriadhikarmanch@gmail.com](mailto:shahriadhikarmanch@gmail.com).***