

HOUSING: REHABILITATION AND RESETTLEMENT



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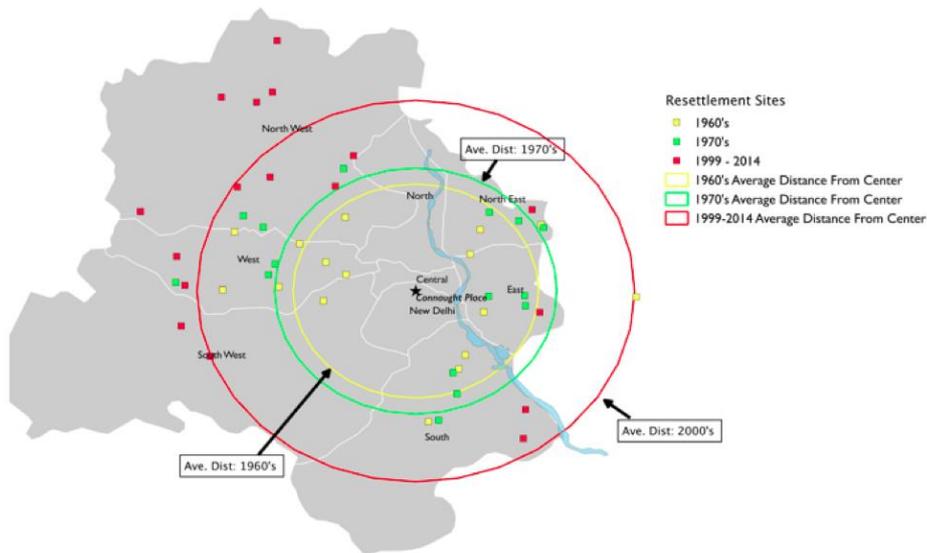
A part of the housing thematic, this factsheet is on resettlement and rehabilitation in Delhi. It is strongly recommended that in-situ rehabilitation and generation of new urban forms of housing should be the approach adopted by the MPD 41, and resettlement to other locations should be the last option in extreme cases like untenability. This factsheet sheds light on the issues faced though the current practices of resettlement and rehabilitation and suggests principles to be observed on eligibility, community engagement, logistics of relocation, assistance in access to finance. Further, we emphasise that tenure security, ability to access finance, proximity to livelihood and basic services should be prerequisites to ensure that housing created through rehabilitation and resettlement is liveable.

Main Bhi Dilli is a people's campaign aiming to envision and enable a more inclusive city. It is a collective of civil society organisations, activists, researchers and others who work on diverse issues of housing, livelihood, gender and other rights.

REHABILITATION & RESETTLEMENT IN THE CITY

Residents of areas notified as JJ clusters and Slum designated areas are relocated to areas referred to as JJ Resettlement Colonies to enable use of land covered by JJ clusters for purposes as deemed fit by the state. Delhi has seen three waves of resettlement with establishment of resettlement colonies, far away from the original location of the JJ colonies into locations at the periphery of the city. A total of 55 resettlement colonies now exist. Terms of awarding compensation have changed through the three master plans of Delhi as have eligibility criteria.

Delhi's Resettlement Sites: Moving Towards the Periphery



Wave 1

1960 - 18 Resettlement Colonies

Wave 2

1970 - 26 Resettlement Colonies

Wave 3

2005-06 - 11 Resettlement Colonies

CURRENT STATUS

In March 2019, the Delhi High Court delivered a judgement in response to Ajay Maken plea of 2015 for residents of Shakur Basti. While the judgement upholds the salient features of the DUSIB policy, while also stressing right to the city, it lends weight to the implementation of these salient features into practice.

No eviction without prior notice, the same will be treated contradictory to law.

No eviction without survey and consultation with those who are getting affected.

Housing right as a bundle of rights livelihood, health, education, food, drinking water, sewerage and transport

No eviction without a proper survey and a rehabilitation plan in consultation with those who are getting affected.

Eviction should not be carried out in extreme weather conditions or close to exams of school students.

KEY ISSUES

PERIPHERALIZATION

- Policy mentions that rehabilitation should be close to work but the current locations are still on the periphery

CURRENT R&R POLICY COMPENSATORY IN NATURE

- Supreme court judgment upholds slum dwellers' right to housing as a fundamental right, but does not translate in practice into access to housing and the quality of housing.

SHORT TERM LICENSING

- Insecure tenure even after resettlement
- Restrictions on mortgage, renting, transfer

POOR QUALITY OF CONSTRUCTION

- Poor quality of construction and prone to structural defects, wear and weathering, seepage. Requests for repair from the residents are not effective towards resolving these issues, despite the amounts that are paid in maintenance

LACKS BASIC NECESSITIES AND SERVICES

- A number of resettlement sites lacked in terms of basic amenities in the initial years of resettlement

REHABILITATION AND RESETTLEMENT

NO TRANSPARENCY OR PARTICIPATION IN PROCESS

- Lack of adequate notice before resettlement
- Survey process is neither transparent nor participatory
- Exclusion of residents : renters not included; cut-off and documentation excludes many residents

INAPPROPRIATE SPATIAL RESTRICTIONS

- Current land use restricts any kind of commercial use which proves a deterrent for home-based work and self-employment
- Restrictive Development Control Regulations

INADEQUATE TIME FOR FINANCIAL ARRANGEMENTS

- The amount is to be paid upfront and without adequate notice for residents to arrange the same

WHAT CAN MPD '41 DO FOR RESETTLEMENT?

- 1 **RELOCATION AS LAST RESORT**
 - Relocation should be the last resort. As a principle, no eviction should be carried out and in-situ upgradation should be prioritized.
- 2 **RELAXING RESTRICTIONS ON CUT-OFF DATE AND DOCUMENTS**
 - Cut-off date should be relaxed, as should be the documents required to prove residency by including letters of introduction from schools or employers.
- 3 **RECATORIZATION OF ELIGIBILITY AND INELIGIBILITY**
 - Rather than the dichotomous categories of eligible and ineligible, a spectrum of different entitlements should be introduced, so that the process of resettlement doesn't leave anyone despite the cutoff date. No one should be rendered homeless as a result of resettlement.
- 4 **COMMUNITY ENGAGEMENT AND PARTICIPATION**
 - Relocation should be envisaged with community engagement and participation.
 - Inputs from residents should be taken especially in beneficiary identification.
- 5 **SPECIAL ASSISTANCE AND PROVISIONS**
 - Special assistance and provisions should be made for differently-abled, female headed households, elderly and the sick. Such residents should be identified and reached out through assistance and participation of community representatives.
- 6 **ASSISTANCE IN FINANCIAL PLANNING**
 - Instead of limiting to one time payment, other solutions to financial exchange should be imagined such as:
 - EMIs
 - Social rentals
 - Loans from Housing Finance Companies, Micro Finance Institutions and state based sources enabled by allowing mortgaging flat/plot.
- 7 **IMPROVED SETTLEMENT PLANNING AND DESIGN**
 - Resettlement planned to integrate livelihood.
 - Climate adaptive design.
 - Effective provision of basic physical infrastructure viz. electricity, water, sanitation, waste disposal.
 - Provision of public amenities within reasonable distance of resettlement location viz. hospital, schools, anganwadi, PDS, dispensaries.
 - Integrated public transport.
- 8 **IMPROVEMENT OF AMENITIES IN EXISTING RESETTLEMENT COLONIES**
 - Prioritise complete provision of basic infrastructure and social amenities in existing resettlement sites.
- 9 **CONNECTIVITY AND RELATION TO THE CITY**
 - Prioritise augmentation of public transport and last mile connectivity for existing resettlement colonies.
- 10 **WITHIN RADIUS AND ONLY AFTER ALL AMENITIES IN PLACE**
 - Ensure implementation of resettlement site to be within 3-5 km of JJ basti.
 - Relocation to happen only after all amenities are in place and site is ready for habitation.

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