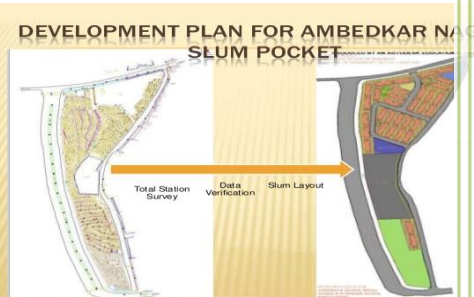


Slum Free India: Myths and Realities

A Status Report on Rajiv Awas Yojana



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Slum Free India: Myths and Realities
(A Status Report on Rajiv Awas Yojana)
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ABBREVIATIONS

ASSES	Adarsh Seva Sansthan
BRTS	Bus Rapid Transit System
BC	Backward Class
BMC	Bhubaneshwar Municipal Corporation
BMTPC	Building Materials & Technology Promotion Council
BSUP	Basic Services for Urban Poor
CBO	Community Based Organization
CDP	City Development Plan
CEPT	Centre for Urban Equity
CLTC	City Level Technical Cell
CMD	City Mission Directorate
CSMC	Central Steering and Monitoring Committee
DFID	Department of International Development
DPR	Detailed Project Plan
DUs	Dwelling Units
EWS	Economically Weaker Sections
FAR	Floor Area Ration
GIS	Geographic Information System
GOR	Government Order Regulation
HH	Households
HUDCO	Housing and Urban Development Corporation
IHSDP	Integrated Housing and Slum Development Programme
JDA	Jaipur Development Authority

JN-NURM	Jawaharlal Nehru National Urban Renewal Mission
LIG	Low Income Groups
MHADA	Maharashtra Housing & Area Development Authority
MHT	Mahila Housing SEWA Trust
MoA	Memorandum of Agreement
MHUPA	Ministry of Housing and Urban Poverty Alleviation
MIS	Management Information System
MLA	Member of the Legislative Assembly
MLP	Micro Level Planning
MP	Member of the Parliament
MPUSP	Madhya Pradesh Urban Services for the Poor Programme
NGO	Non- Government Organization
NOC	No Objection Certificate
NSC	National Steering Committee
OBC	Other Backward Class
PoA	Plan of Action
PH	Physically Handicapped
PMU	Programme Management Unit
PPP	Public Private Partnership
RAY	Rajiv Awas Yojana
RCUES	Regional Centre for Urban and Environmental Studies
RTI	Right To Information
RUIFDCO	Rajasthan Urban Infrastructure Finance and Development Corporation
SC	Schedule Caste

SEWA	Self Employed Women's Association
SFCPoA	Slum Free City Plan of Action
SLNA	State Level Nodal Agency
SLSMC	State Level Sanctioning & Monitoring Committee
SLTC	State Level Technical Cell
ST	Schedule Tribe
SNP	Slum Networking Programme
SPARC	Society for the Promotion of Area Resource Centres
SUDA	State Urban Development Authority
UADD	Urban Administration & Development Department
USHA	Urban Statistics for HR and Assessments
ULB	Urban Local Bodies
YUVA	Youth for Unity & Voluntary Action

1. PREFACE

Towards Slum Free India?

Amita Bhide*

Rajiv Awas Yojana was introduced to the country amidst a new found emphasis on urbanization as the growth engine for the economy articulated in policy terms through the ambitious Jawaharlal Nehru National Urban Renewal Mission. The tripartite agenda of the mission included 'inclusivity' of cities as one of its goals but it was evident that inclusivity occupied far too small and far too marginal a space within the JN-NURM. On the contrary, the infrastructure projects carried out widely generated significant displacement across towns. Shelter improvements and resettlements through the Basic Services for Urban Poor (BSUP) and Integrated Housing and Slum Development Programme (IHSDP) experienced high levels of resistance as several of them involved relocation and were not designed with people's participation, keeping their lifestyles in mind. Rajiv Awas Yojana that came in the wake of the JN-NURM, heralded as a front runner urban programme for the next plan period with inclusivity as its prime agenda thus held a lot of promise. Its promise of a new deal for the urban poor was further enhanced as it approached slums as a diagnostic of urban development (in particular planning and housing programmes) as opposed to the conventional view of slums as a deviation, a problem. It discussed property rights, invoking the long neglected issue of land; it brought in the idea of a legal commitment to the urban poor; it tried to go against the grain of cut off lines which have been the bane of most state policies towards slums. As against this promise were also apprehensions about the use of terminology like slum free cities, the preference to property rights as against land rights, the priority to housing over livelihood and other needs. By and large, the announcement of the programme was greeted with hope and excitement and some apprehensions.

This booklet being published five years after the initial announcement of the programme represents one of the first documentations of the programme as it is being operationalised on the ground. Its value is enhanced due to the fact that it is a repository of the experiences of slum dwellers and their encounters with the programme. The most important question being asked through all these experiences is whether the RAY represents an improvement or reduction over past trajectories of slum policies. The answer to this question is mixed. There are some interesting innovations and extensions of inclusivity (for example the increase of in- situ projects over relocation programmes, the award of housing units to occupants at time of survey and the inclusion of tenants as beneficiaries in Rajasthan, award of independent housing unit if son is over 18 also in Rajasthan, the impetus to other housing programmes directed at poor in several states like Gujarat and Andhra Pradesh). Simultaneously, new dimensions of exclusion are also

being added. The prime amongst these appears to be the non inclusion in surveys, declaration of slums as non tenable (without an opportunity to be heard) and non inclusion of critical lands such as company or private lands in Jharkhand. The insistence on participation has certainly brought in new actors such as NGOs but the evidence of participation and its making a difference on ground is minimal. However, the most serious aspect of RAY as it unfolds is, that in states like Madhya Pradesh and Andhra Pradesh which had a Patta act, RAY represents a roll back of entitlements, confining people to property rather than land that provides multiple affordances and opportunities. The legislative promise has been significantly diluted with projects being operationalised without the legislation in place. Above all, the logic of optimization of land seems to driving the programme in most states. Thus even in in-situ projects, there is an insistence on multi-storey dwellings. In the same context it needs to be noted that while relocation projects are few ie less than 16%, but in terms of dwelling units, they represent 31% of the units constructed. Thus, intensified use of land is a principle applied to relocation projects too, forcing affected households to face a double jeopardy i.e. that of relocation as well as change of lifestyle due to multi-storey dwellings. Furthermore, the experience of Maharashtra illustrates that states may be able to thwart the central initiative and thus defeat the entire purpose of the programme altogether. It is significant to note that the programme is being successfully launched in states with low urbanization. This raises another question that is worth exploring – Do states with high levels of urbanization (and high land values) have little incentive to implement RAY? Conversely, what prompts states with low levels of urbanization to implement RAY with enthusiasm? What does all of this mean for Slum Free India? The experiences shared in the booklet illustrate that while there have been some mixed steps towards rehabilitation of existing slums, the vision and the programme for redressing what ails our urban development processes and makes them work for the poor is completely missing. Slum free has become a processes that drives the poor from cities to peripheries – old wine in new bottles.

The prospect of RAY being continued in its original form with the change in government is remote. However, the emphasis on housing the urban poor will continue and it is more than likely that several of the elements of RAY will form the core of a new programme/policy. The current booklet is extremely important from that point of view. At the minimum, it will inform various stakeholders and in particular, people, activists and researchers on various aspects of what has worked and what hasn't, aspects of inter-learning between states, and maximally it can help evolve a collective agenda for advocacy. One hopes to see this as an ongoing endeavor.

*(Amita Bhide is the Chairperson of the Center of Urban Planning, Policy and Governance in the School of Habitat Studies at Tata Institute of Social Sciences, Mumbai)

2. INTRODUCTION

In the recent two decades the rate at which our country is urbanizing, in the near future the urban population is to surpass the rural population in absolute numbers. In towns and cities poor constitute a significant number and they face the issue of in-adequate and absence of housing and other basic amenities. The *India Urban Poverty Report 2009* well acknowledges in detail the condition of the urban poor- “appalling conditions in the slums, with poor access to basic services, insecure tenurial rights; the predominantly informal and self-employed nature of employment and issues related to skill insecurity and access to credit. With the growing urban population there has been growth in the number of urban poor and according to some Scholars urbanization in general is leading to urbanization of poverty also. Although the policy documents acknowledge the growing incidence of urban poverty and poor but the policy prescriptions and practices are not geared towards addressing the issues of multiple kinds of vulnerabilities faced by urban poor. Very recently, the government of India has reiterated the policy agenda of “affordable housing for all” in the 12th Five Year Plan and also has come up with a National Urban Poverty Reduction Strategy. At the same time one is witnessing the urban restructuring and transformations which are happening at the cost of lives and livelihoods of urban poor as the cities are emerging as sites of exclusion and are becoming less accommodative. Many of these changes are due to the policy interventions of the state which are favoring urban development that is exclusive and detrimental to the interests of the poor. Thus one is witness to these contradictory trends, one where there is more and more acknowledgement of the urban poor and initiatives where they are being provided with entitlements and the second where the cities are turning out to be exclusionary and less accommodative.

In the last few years there have been number of initiatives including the Basic Services for Urban Poor (BSUP) and Integrated Housing & Services Development Programme (IHSDP) which had the objective of provisioning of housing and basic services to the urban poor. As these schemes have un-folded they have exhibited the contradictory trends discussed above. The ground experiences of these programmes are in contradiction to the laid down aims and objectives. Since in most of the cities provisioning of housing has meant relocation to the periphery of the city, loss of livelihood and housing designs which are inappropriate to the living style of people. At the same time moving out of the slum settlements from the cities has meant their gentrification.

In this context it is important that we understand the scope and possibilities of RAY as well as its threats to enable a more effective yet cautionary engagement which might lead to some improvement in the situation of the urban poor and prevent further deterioration.

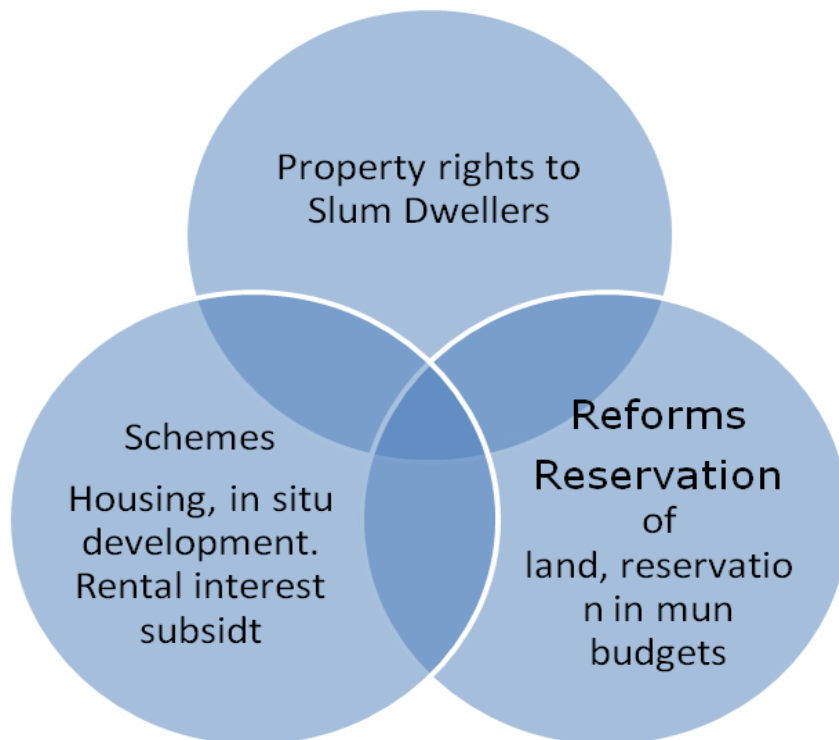
Also due to the past experience many of the organizations working with urban poor and academicians have well placed apprehensions and reservations about the newly introduced Rajiv Awas Yojana and the associated programmes, be it the legislation in regard to assigning property

rights to slum dwellers or the mandatory reform of reserving land and built up area for the poor. Similarly, for many the proposed reforms are nothing but only tokenism as the past experience tells that they are never really meant to be implemented. The slogan of slum free city might turn out to be the excuse to push the poor out of the city and lead to evictions and this has been the allegation of some.

This Report has been prepared with the above objective in mind and is based on the visits made to the different cities, where in collaboration with the local organizations meetings-round table conferences were held with local activists, organizations, government officials, slum dwellers. Information was also accessed using right to information and news reports have also been referred. In Odisha collaboration was done with All India Roadside Vendors Association, in Jharkhand with Adarsh Sewa Sansthan, in Gujarat with Saath, in Madhya Pradesh with Deen Bandhu Samaj Sahyog and in Uttar Pradesh with Vigyan Foundation. The present report is the outcome of this collaborative endeavor.

3. UNDERSTANDING RAY

Rajiv Awas Yojana (RAY) is a flagship programme of the central government being carried out by the Ministry of Housing and Urban Poverty Alleviation (MHUPA) with the vision of a slum free India. As per the RAY Guidelines it envisages a “slum free India” with inclusive and equitable cities in which every citizen has access to basic civic and social services and decent shelter”. The Rajiv Awas Yojna inter-alia aims at (i) tackling the shortages of urban land and housing that keep shelter out of reach of the urban poor and forces them to resort to extra-legal solutions, and (ii) redressing the failures of the formal system that lie behind the creation of slums (iii) bringing all existing slums, notified or non-notified within the formal system and enabling them to avail of the same level of basic amenities as the rest of the town.



Components of RAY:

1. Property Rights to Slum dwellers
2. Reforms
3. Housing Schemes

Model Property Rights to Slum dwellers Act, 2011:

The central government introduced a model bill regarding property rights to slum dwellers act to provide “inclusive growth and slum free cities, to provide assured security of tenure, basic amenities and affordable housing to slum dwellers”. The salient features of the Bill are that it guarantees right to property to every slum dweller provided he/she can prove that they have been residing in that particular slum prior to the date of 9th June 2009. It provides for protection against summarily eviction by keeping the provision for alternate accommodation.

Reservation of 20% BUA for Urban Poor:

A set of model guidelines have been issued which provide for amendment to the respective State Regional & Town Planning Acts, Municipal Acts, Urban Development Acts and/or new legislations to be made by the state governments in order to provide for reservation of land/built up area for EWS/LIG housing. As per these guidelines:

- In all Town Planning Scheme or Development schemes, there shall be reservation of not less than ten percent of the gross land area under each scheme for the purpose of providing housing accommodation to the members of Economically Weaker Sections (EWS) and Low Income Groups (LIG).
- In all plotted development schemes of area above one hectare (10,000 sqm) not less than 10% of the gross land (which should not be less than 20% of developed land) area shall be earmarked for economically weaker sections and low income groups. Either land may be reserved for EWS & LIG or shelter fee as prescribed by the appropriate government, shall be collected as the case may be.
- In all group housing schemes of total plot area of 3000 sqm and above reservation to the extent of 15% of permissible Floor Area Ration (FAR) or 35% of the total dwelling units, whichever is higher shall be provided.

Reservation of 20 % Budget for Urban Poor:

The Urban Local Bodies (ULBs) are expected to earmark 25% of the budget of the municipality to provide basic services to the urban poor. This budget is to be non-lapsable and this reform was earlier introduced under Jn-NURM.

Administrative Structure for RAY:

Under RAY a 3 tier administrative structure has been introduced, under which at the Central government level 3 bodies have been constituted-National Steering Committee(NSC) which is headed by the Minister-MHUPA with the objective to provide overall vision and policy direction related to RAY, Central Sanctioning & Monitoring Committee(CSMC) to be chaired by Secretary-MHUPA for sanctioning and monitoring of projects under RAY and Programme Management Unit (PMU) for assisting in implementation of RAY.

At the state level State Level Sanctioning & Monitoring Committee (SLSMC) is to be appointed which is to be headed by the Chief Minister for the purpose to recommend, monitor and guide the preparation and implementation of projects and reforms. In addition a State Level Nodal Agency (SLNA) is to be appointed which will pursue the projects for approval by SLSMC. In addition Technical Cells are to be constituted at the State & City level (SLTC & CLTC) having experts from the field of MIS, GIS, Town Planning, Social Development, Capacity Building and any other.

At the city level City Mission Directorate (CMD) is to be constituted and to be headed by the Municipal Commissioner/Chief Executive Officer.

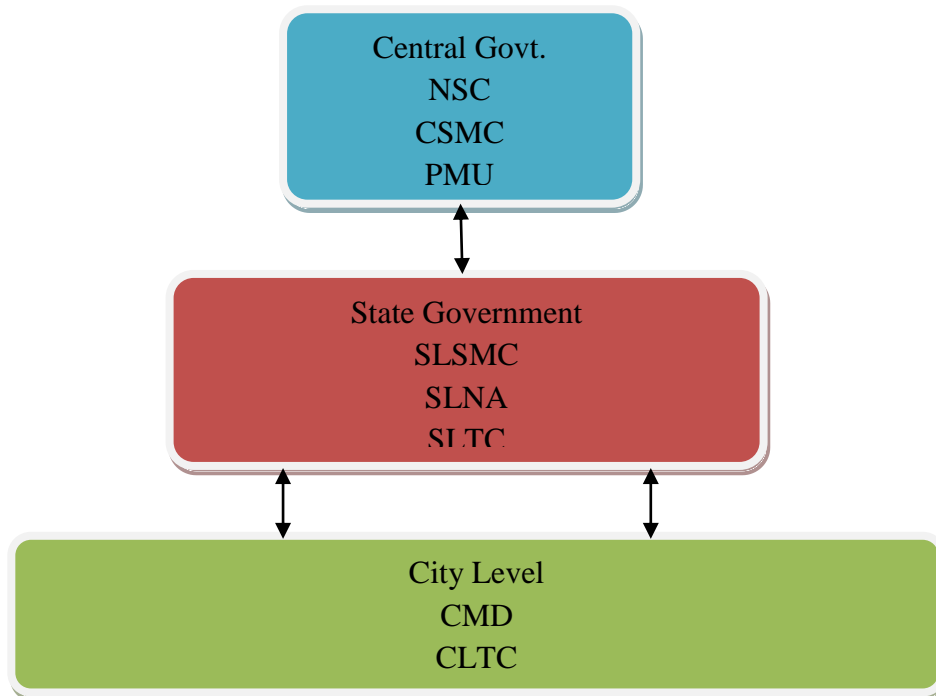


Diagram: Administrative Structure of RAY

In the second step, city and slum profiles are to be prepared which would include listing of slums(notified and non-notified), undertaking of surveys of slums, households, livelihood and integrating along with GIS-MIS mapping. After the analysis and interpretation of the data Micro Level Planning (MLP) is to be done with participation of slum dwellers and CBOs. After MLP, the plan is to be prepared a DPR. The DPR is too approved by the ULB as well as the SLNA which will then be forwarded to Central Steering & Monitoring Committee (CSMC) /Ministry of Housing & Urban Poverty Alleviation MHUPA.

The Process:

The ULB, after finishing the task of each DPR, would submit the DPR through the State Nodal Agency (SLNA) with the approval of the SLSMC for appraisal by HUDCO & BMTPC. In the next stage the DPR along with the appraisal report are to be placed in the Central Sanctioning &Monitoring Committee (CSMC) for consideration and approval.

Admissible & Inadmissible Components under RAY:

Admissible Components-

- Integrated development of all slums, notified or non-notified,
- Development/improvement/ maintenance of basic services to urban poor including water supply, sewerage, drainage, solid waste management, approach and internal road, street lighting, community toilets/baths, informal sector markets, livelihood centers, pre-school, child care centers, schools, health centers to be undertaken in convergence with programmes of respective Ministries.
- Creation of affordable housing stock including rental housing and ownership housing.
- Capacity building, Community mobilization, Planning etc.

In-admissible Components:

- Power generation
- Telecom
- Employment generation programmes
- Staffing

Definition of Slum under RAY:

For the purpose incidental to implementation of RAY the definition of slum proposed by the Pronab Sen Committee has been adopted, the same definition has also been adopted for the Census, 2011. As per the Report “a slum is a compact settlement of at least 20 households with a collection of poorly built tenements, mostly of temporary nature, crowded together usually with inadequate sanitary and drinking water facilities in unhygienic conditions”.

Preparatory Phase of RAY:

The period of the preparatory phase of RAY was from March 2010 to June 2013. During this phase the states were to undertake the following:

1. Preparation of legislation for the assignment of property rights to slum dwellers.
2. Slum surveys, MIS, GIS Mapping of slums,
3. Creating mechanism and structures for community mobilization
4. Developing institutional and human resource capacity, and
5. Undertaking pilot projects

Implementation Phase of RAY:

The implementation phase of RAY will begin as soon as the State/City Plan of Action (POA) is accepted and approved by the Centre. Along with the POA the Act or the executive order related to assignment of property rights to slum dwellers is to be approved by the SLSMC and submitted to the Centre. The Central government support under RAY will be calculated and dependent on the S/C POA.

The States & ULBs would be required to execute a Memorandum of Agreement (MoA) with MHUPA indicating their commitment to implement the reforms mentioned in their POA. Signing of tripartite MoA would be a necessary condition to access central assistance.

During the Implementation Stage, before release of funds for projects it will be minimally required that:

1. Enactment of legislation regarding property rights to be done within one year of the first project sanctioned.
2. Enactment of legislation for enforcement of the pro-poor reforms (begun under JN-NURM) reservation of 20-25% of developed land for EWS/LIG housing in every public/private residential development projects and for a non-lapsable earmarking of 25

% of the budget of all municipalities providing basic municipal services to meet the revenue and capital expenditure of urban poor colonies and slums. It is mandatory to enact the respective legislation for the above reforms within one year of the first project sanctioned.

Financial Implications: Central Support, State, ULB & ‘Beneficiary’ Share:

Fifty per cent of the cost of provision of basic civic and social infrastructure and amenities and of housing would be borne by the Centre.

A minimum beneficiary share of 12% (10% in case of SC/ST/BC/OBC/PH and other weaker sections) of the cost of the shelter is to be recovered.

Guidelines for Preparation of a Slum Free City Plan of Action (SFCPoA):

SFCPoA is an important instrument for cities to attain the objectives of RAY. It is a citywide plan of action, which consists of two parts; a plan to bring about the improvement of existing slums through participation of the existing dwellers and strategies for prevention of future slums.

Broad Principles of SFCPoA:

1. The first principle is of inclusion. This implies no-eviction unless there is no alternative and in such cases alternative locations, chosen in consultation with the concerned urban poor communities must be provided.
2. In-situ upgradation of slums is the preferred option. Slum Resettlement, if absolutely necessary, will be to the extent possible within the same ward/zone or the adjoining ward/zone to minimize adverse impacts on livelihoods and community assets and access to health and education facilities. Plans are to be prepared with the involvement of the people.
3. Community participation should be ensured in all the stages of SFCPoA i.e. pre-survey activities, including mapping, conduct of survey, and development of slum redevelopment model, implementation and monitoring.
4. Retaining livelihood linkages and home based economic activities in the slum redevelopment, up-gradation and improvement.
5. Rental housing is to be developed as an important component of the preventive strategy.

Guidelines on Community Participation:

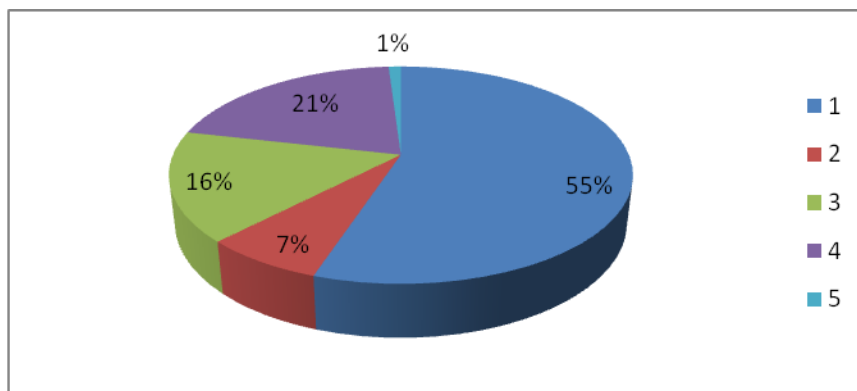
The Guidelines on Community Participation describe the process of engaging communities in all the stages of RAY, including pre-survey, survey, preparation of slum re-development plans/strategy and Slum Free City Plan of Action (SFCPoA), micro planning i.e. preparation of DPR, implementation of slum re-development plans/projects, and operation and maintenance of the created assets.

To facilitate these processes lead NGOs and slum based CBOs/slum dwellers associations will be selected by the ULBs. The guidelines lay emphasis on community participation during the process of survey and preparation of DPRs by the way of micro planning.

4. Pilot Projects (All India) Analysis:

Below here is an analysis of the 55 projects that have been approved till day under pilot project phase of RAY across 16 states covering 48 cities. These projects together total to 42,488 dwelling units (DUs).

4.1) Pilot Projects Distribution as per their Type:



1-In-situ redevelopment(30 projects-54%)

2-Up-gradation(4 projects-7%)

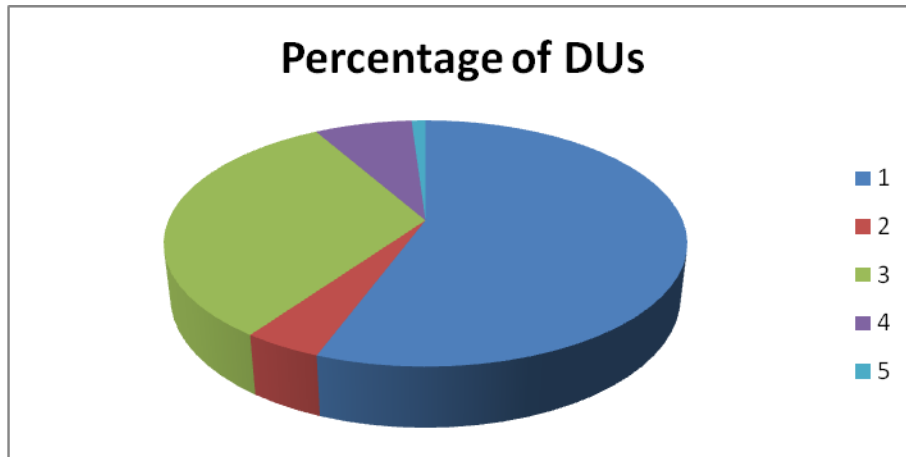
3-Relocation(9 projects-16%)

4-In-situ redevelopment & relocation(11 projects-20%)

5-Rental Housing (1 project-1%)

Till date 55 projects have been approved and more than half of the projects (30) are of in-situ redevelopment and 16% (9 projects) of the projects are relocation projects. Very few projects (7%-4 projects) have been undertaken for up-grading the existing slums.

4.2) Percentage of Dwelling Units as per Type of Project:



1-In-situ DUs (23,186-54%)

2-Up-gradation DUs (1872-4%)

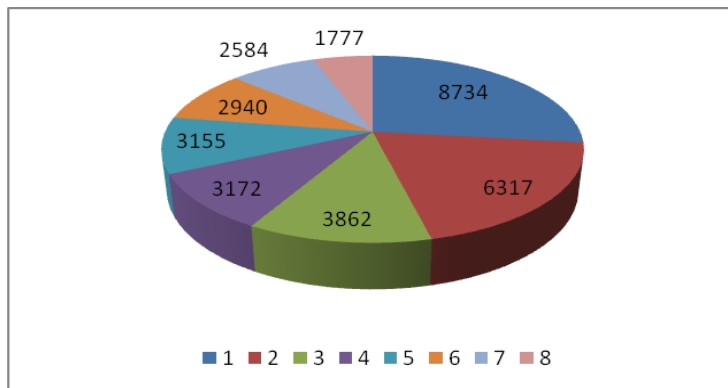
3-Relocation DUs (13,316-31%)

4-In-situ redevelopment & relocation DUs (3000 -7%)

5-Rental Housing DUs (576-1%)

Total Number of DUs - 42,488

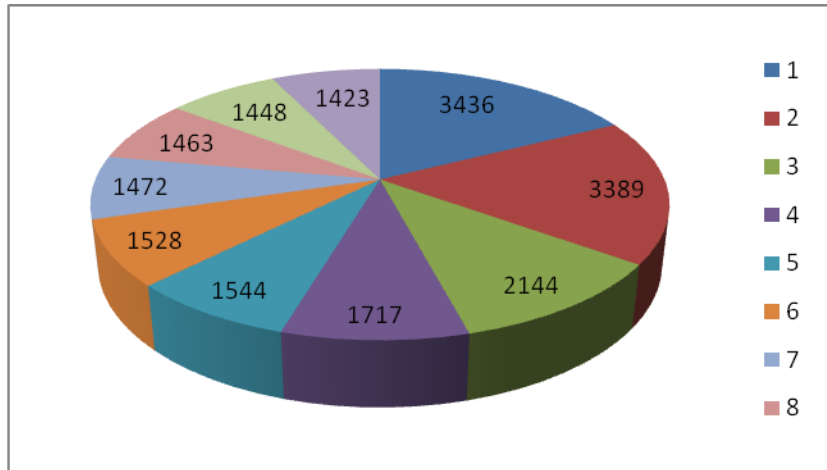
4.3) 8 States having 76% share of RAY DUs:



1-Rajasthan, 2-Madhya Pradesh, 3-Haryana, 4-Karnataka, 5-Andhra Pradesh, 6-Chattisgarh, 7-Uttar Pradesh, 8-Tamil Nadu

Although RAY pilot projects have been approved for 16 states but from the above diagram it is clear that only 8 states have garnered more than 75% of the projects. Thus it is clear that RAY pilot projects are not fairly distributed across the country and only few selected states have managed to get the pilot projects.

3.4) 10 Top Cities in RAY Projects in DUs Numbers:



1-Jaipur, 2-Bhubneshwar, 3-Sirsa 4-Vijaywada, 5-Alwar, 6-Kota, 7-Chennai, 8-Indore, 9-Ajmer, 10-Rai Barelli

Total Number of Cities implementing RAY Projects is 48. In total 42,488 DUs which have been approved are spread across 55 cities but just 10 cities have got about half of the DUs passed under the total RAY projects. The above 10 cities together has upto 19,564 DUs.

5. Findings of the Analysis of RAY Projects in 10 States:

Gujarat:

According to 2011 Census, Gujarat has 2.6% of the total slum population of the country and 42% of its total population is urban. A large number of urban dwellers live in slums, 45 per cent of Ahmedabad's population lives in slums, in Vadodra the slum population is 20 % and in Surat it is 19.25%, similarly about 20 percent of the Rajkot population live in slum areas.

As per records of Ministry of Housing & Urban Poverty Alleviation (MHUPA) Rs. 431.64 lakh has been released for Government of Gujarat to undertake preparatory activities under RAY, to conduct slum survey, GIS mapping, preparation of Slum-free City Plans and undertaking pilot projects for eight cities of Gujarat namely, Ahmedabad, Surat, Vadodara, Rajkot, Jamnagar, Bhavnagar, Bharuch and Porbandar during the financial year 2009-10. In cities like Ahmedabad, Surat, Rajkot Slum Survey, entry into MIS is under process, the process of GIS has also been initiated in the news. Centre for Urban Equity-CEPT is preparing the SFCPoA for the city of Rajkot.

As recently as February 2013, Gujarat government has cleared a pilot project worth Rs 252.67 crore to make Ahmedabad slum-free. The state government has also approved a pilot project for Rajkot worth Rs 20 crore under the same scheme. Meanwhile in the recent past thousands of slum dwellers have been evicted in Ahmedabad for Sabarmati River Front Development, in Surat for Tapi river development and clearing way for BRTS, removal of slums for development of Aji River in Rajkot is also under perusal. It is under the process of drafting Property Right Bill.

In Ahmedabad, 3 slums have been taken under RAY. The total numbers of Households (HH) in these 3 slums are 1460 and out of these 1339 are under RAY. Jadibanagar, Indiranagar and Ramesh dutt colony are the three slum pockets selected for RAY implementation in Ahmedabad. SEWA Bank has been clubbed in for providing mortgage loans to the beneficiaries of RAY.

A certain area, 8-10kms from the centre of the city has been marked for the housing of EWS/LIG. The point of concern here is the demarcation of space/area for this certain group of people. The Gujarat State has merged the state housing scheme – Mukhyamantri Gruh Yojana with RAY. In Ahmedabad, 72% slums are on private land, 13% on Municipal Land and 10% on State Land.

In Rajkot, 124 slums were identified from the survey, out of which 66 were declared non-tenable and 52 as tenable. The issue is this that the basis of govt. declaring a slum is not known. The govt. has no clear cut definition to declare a slum as tenable or non-tenable. The slums which are situated on “hazardous areas” are considered as non-tenable.

CEPT in Ahmedabad and MHT were the leading NGOs for community participation and the Socio-economic survey, in Rajkot the survey was done by Texa. Ahmedabad has recruited SNP and Housing Board as the Technical Cell and in Rajkot, 6 new experts were hired for the same. There is an emerging trend of people from certain community selling and moving into the area of same community. This is being done for “security” purpose. The settlements in Ahmedabad are being marked by religious segregation. In the past Ahmedabad has seen large scale evictions during which people have been resettled in far flung areas.

During the survey, the families occupying the dwelling unit in the slum are being surveyed and those who claim to own it but not staying there are not being surveyed.

In Surat, the same issue is of slums and households being left out and thus now, re-survey has been proposed. RAY in Surat is more oriented towards re-location. And other issue is sub-



contracting of the activities which makes it difficult to keep a tap on the monitoring. In the past, under BSUP thousands of families have been relocated 20 to 30 kms away from the city at Bestana and Kosad. Of the houses constructed under BSUP, about 4000 DUs are lying vacant.

Jharkhand

RAY has been proposed in the 4 cities of Ranchi (5 slum areas), Dhanbad, Jamshedpur and Chass Bokaro (6 slum areas). The Urban Development Department has been appointed as the SLNA. During the pilot phase not a single project from Jharkhand got approved.

A very important point that needs mentioning here is that, most of the slums are located on lands that belong to government or private sector companies and these slums are not entitled for any government program or schemes like RAY etc., whereas slums located on government and private land are eligible. This classifies the slums in two categories (Slums on company land – ineligible and Slums on government/private land- eligible). Although the Model Property Rights Bill does not differentiate between slums on the basis of land title but the opinion of Jharkhand government is still not clear in this regard.

The understanding of Teneable and Non teneable in Ranchi is that old villages should be considered teneable, and household living on rent and encroached communities situated on government or private land should be considered non teneable. Such method is being used to classify the slum communities. The issue here is the need to clarify the definition of non-tenable. In this context, only communities located in hazardous environment should be considered as non teneable. The result of using such method to classify slum community is rendering large number of household ineligible in spite of being eligible, depriving them the benefit of in-situ development. There are greater chances of violation of their right to housing.

Ranchi Municipal Corporation is developing a cluster development project of 4 communities as a pilot project (Lohara koccha, Nagkhumb, Baryatur and Mohavatoli), proposal for the same has been submitted, with regards to the project, members of the committee for Lohar koccha Mr.Sabloo NirajKhan and Jagdish Lohara mentioned in discussion that Corporation has already done the survey and have given information on providing a house 8 months back, however, where will the house be and what is it going to be (structure, location etc.,) is unclear and was not shared by the authorities. RAY guidelines clearly mentions people participation in the process which that does not seems to be the case here.

The budget to be utilized under BSUP is still left unspent and is about to lapse in March 2014. For RAY, the survey started in April 2010. CBOs like Adarsh Seva Sansthan (ASSES) were also involved during the survey process to ensure that all slums are included in it with GIS mapping. Applications are being given to the Nagar Nigam for the slums that have been left out. The Nagar Nigam is accepting the applications. Still approx. 40% slums in the big cities have been left out. The govt. officials are not much serious in taking detailed survey of the communities. Though DPR for slums under RAY in Ranchi has been prepared but during community visit, it was shared by the local residents that no survey has been done in this regard. They knew nothing about the preparation of DPR. Even under RAY, those slums and houses have been taken which already have land ownership rights.

Maximum slums are not accepting even in-situ redevelopment because they are just in requirement of up-gradation in regard to basic amenities. The slums have witnessed more demolitions after 2011 wherein around 4500 households were evicted with no rehabilitation provision. The situation is worse in Bokaro, Jamshedpur, Dhanabad and Ranchi as land in these cities is under the industries. There is no effort by the govt. to take land from TATA and because TATA didn't give NOC, govt. had to cancel a DPR. There is no Slum Free City Plan of Action and Jharkhand has no Land Policy or Urban Rehabilitation Policy for urban poor.

Odisha

Odisha has 2.5% of the total slum population of the country according to the 2011 census. In Odisha, 5 projects have been approved in the three cities of Bhubneshwar(3), Jajpur(1) & Cuttack(1).

According to the Bhubaneshwar Municipal Corporation (BMC) survey there are 377 slums in the city, out of which 56 slums have been recognized by the BMC as tenable and the rest are non-tenable. There is no specific provision under RAY in connection to in-situ for the non-tenable slums, and there is a plan to shift non-tenable slum dwellers in vertical structures (multi-storey building) outside the city, this has led to rise in insecurity within the people.

Community people are opposing the survey under RAY because the institution carrying out the survey is not working in the given community and hence there seems to be lack of trust, there has been no efforts put in building relationship with community members and representative. Had the people known the institution, probably the participation and acceptance would have been higher. Awareness and education on RAY seems to be lacking in communities. At the same time there is a big question mark on the organizations carrying out the survey in terms of their time and resources.

The state government has proposed the Odisha State Property Right Bill but the state assembly is yet to pass the bill. The said Bill does not mention those slums dwellers that are in-eligible, does that mean they would be summarily evicted and rendered homeless? While the central government Model Act mentions that “Every person living in a slum area who is in-eligible under sub-section (1) shall be provided with an all weather built space to live in, with provision of all basic civic services and other infrastructure facilities, which may be on rental basis at the same site as the eligible slum dwellers or elsewhere, so that no slum family is left living in a slum like condition and the whole slum can be redeveloped as per the provisions of the this Act”. This in-consistency of the state law in context of the Central government’s model law needs to be addressed.

Bhubaneswar Municipal Corporation has surveyed a total of 377 slums in the city, out of which 56 slums have been recognized by the BMC as tenable and the rest are non-tenable. The criteria on the basis of which they have decided 56 slums to be tenable and the rest to be un-tenable is that the former are notified while the later are not notified slums. This is against the provisions of the Guidelines that have been issued for preparing Slum Free City Plan of Action. Thus a large number of slum dwellers are facing eviction and rehabilitation far away from their place of residence.

In context of the Pilot RAY project in Bhubneshwar, the relocation site (Rangamatia) that has been proposed is 15 km away from the main city. This site has been identified to make rehabilitation colonies for non-tenable slums, although the same is being used by villagers to conduct its yearly cultural activities hence people of Rangamatia are strongly opposing this plan, they are not ready to come in terms with the fact that outsiders will be occupying their land. Further, relocation of residents of non-tenable slums 15kms away from the city will severely jeopardize their livelihood.

The survey in Bhubaneswar and Puri was done by SPARC. In the survey 15-20% households in each slum were left out and at the same time names of people were included in the slums who don't reside in the slum. 6 slums have been taken under RAY. One of the slums – “Bachelor Barrack” with 1000 households has been evicted. Out these 1000HH, only 150 HH were given transit camp but the rest 850HH were not given any rehabilitation provision. Odisha Govt. wants to adopt RAY under the PPP Model as it assumes that it will be easier to implement it that way. 25 villages are under the process of being merged in the Urban Municipality. This has given rise to the problem of not addressing the village specific issues of the people but viewing it from the urban slum framework. In Puri, 370 HH were evicted from the slums on railway land and on the other hand, they were surveyed under RAY. There is an aspect of competition between the central and state government over taking claim and credit of the funds that is being used for implementation of RAY.

Uttar Pradesh

Uttar Pradesh has 9.5% of the total slum population of the country according to the 2011 census which in the 2001 census was 11%.

In Uttar Pradesh 8 projects have been approved from 6 cities of Lucknow(1), Kanpur(2), Agra(1), Kannauj(1), Rai Barelli(2), Rampur(1). Out of the 8 projects, 6 are in-situ redevelopment and up-gradation and 2 projects of relocation.

RCUES-Hyderabad has been given the task of preparing the SFCPoA. In the year 2012, July State Urban Development Authority (SUDA) was appointed as the nodal agency (SLNA) for RAY. The Bill regarding UP Property Rights to Slum Dwellers Act has been prepared by SUDA and has been forwarded for the approval of state cabinet after which it will be sent to MHUPA. The copy of the same is not available in the public domain.

In Lucknow, under RAY 609 slums have been identified while as per the civil society survey there are 783 slums.

Under USHA a comprehensive Slum Profile, Household Survey & Livelihood Survey was supposed to be initiated, that has not been done properly. Thus the Plan of Action (PoA) is being

formulated without completing the survey. The Slum Free State Plan of Action (SFSPoA) for UP has not been formulated due to which problems is being faced.

In Allahabad 27 slums that fall in the cantonment area have not been surveyed.

There is issue of renters, during the survey, whether they will be surveyed or not, will they be part of the resettlement or not, there is no clarity around it.

In Lucknow there is not only Gomti River but a large number of nallas(drains) and most of the slums are located on the banks of the nallas. Kukral Nala was un-tenable when slums were there but after the slums were removed, the land use has been changed and made as tenable.

Most of the slums in Lucknow are at the banks of either the Gomti River or the natural drains. As per the definition of un-tenable slum given by MHUPA, most of the slums fall under the category of un-tenable.

Rajasthan

Rajasthan is one of the states that have maximum number of RAY projects as well DUs that have been approved till date. In total 18 projects have been approved for 14 cities totaling 14,000

RUIFDCO has been appointed as the nodal agency for approval of projects. Recently Ajmer has been awarded the National prize for best Slum Free City Plan of Action. The cut-off date for eligibility under RAY is 15th August 2009 and five years of stay in that particular slum. In addition to the general documents of eligibility, letter/post card delivered by postal department, schools fees receipt, is also being acknowledged as proof of residence.

Interestingly, only those families are being declared eligible which are staying in the slums at the time of the survey even if they are staying on rent. Those families which are not staying in the slum but claim the ownership of the hutment have been not recognized in the survey. This has been done at the level of the practice and no policy decision has been taken in Jaipur. If there is a separate family within the same household, they are being surveyed as separate household. People's representatives like Corporators, MLAs and MPs have been involved in the process of RAY. Out of the 3 mandatory reforms, 2 have been achieved, reservation of built up area for urban poor and reservation of budgets. The Property Rights Bill has still not been introduced.

In Jaipur, RAY is being implemented for 3 slums namely, Kiron ki Dhani, Bagrana Basti and Sanjay Nagar Bhatta Basti. At Kiron ki Dhani more than 1000 DUs have been constructed and most of the construction work is over and by end of this year people will be given possession of the houses. The houses will be allotted through a lottery system which will be managed by the

community representatives and the RAY implementing agency of Jaipur. The project in Sanjay Nagar Bhatta Basti is planned at 3 phases. The first phase includes construction of duplex houses on the community demand for not wanting to share the roof. However in the Bagrana Basti, the survey has been done but the construction work is still to start.

In Jaipur, the SLNA has not involved any NGO rather direct interaction is between Jaipur Development Authority (JDA) and the slum dwellers through their CBOs. In all the projects some number of houses has been proposed for Rental Houses which will accommodate those who might have been left out from the survey by not being present or are staying in the present slums as tenants. In many of the DPRs work platforms (work space) have been proposed.

In Ajmer, the RAY projects are in 3 places – Pasand Nagar, Loharu Basti and Idgah Basti. In Pasand Nagar, the people are strongly opposing the construction of G+3 building since almost 90% of the households have livestock. The people have built their own “semi-pucca” houses and feel the need of just up-gradation. The consent forms were signed without disseminating proper information and purpose.

In all the sites, the only proof of RAY survey is a mark of numbers on their house doors. Like in other the states, the community participation is not up to the mark as it is proposed under the Guidelines of Community Participation. Though one of the positive points which was observed in Rajasthan was the initiative for Rental Housing and the flexibility in the proof of eligibility for the scheme. The cut-off date for eligibility under RAY is 15th August 2009 and five years of stay in that particular slum. In addition to the general documents of eligibility, letter/post card delivered by postal department, schools fees receipt, is also being acknowledged as proof of residence. Those families which are not staying in the slum but claim the ownership of the hutment have been not recognized in the survey. This has been done at the level of the practice and no policy decision has been taken in Jaipur. Out of the 3 mandatory reforms, 2 have been achieved, reservation of built up area for urban poor and reservation of budgets. The Property Rights Bill has still not been introduced.

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Tamil Nadu

In Chennai, there is no Property Right Bill and the ownership to the resettled houses is only after 20 years. By the time the community gets the full ownership rights, the houses are in terrible condition that no one wants to stay or buy it. The 20-25% ULB budget is also not being completely implemented.

The Tamil-Nadu housing Board has made it mandatory to reserve 10-15% of land for EWS/LIG but only in public housing projects. Whereas 15% houses are being reserved under the Private Housing Projects that has project of more than 1 hectare. They have appointed one State Level Coordinator in the RAY cell along with GIS people. In reality no leading NGO was taken for the implementation of the project but in one of the RTI's response the organization named - Transparent was given. In 1971, Tamil Slum Act came as the first act, after which there has been no new policy or act. The survey has been done by Darsha Shore from a Government organization - Urban Poverty Resource Centre. The survey started in December 2010 and is yet to be completed.

Since July 2013, 85% of the Survey has been done but the results, methods or the process of the survey is in Dark. They are doing surveys in slums but because no information has been shared with the community about the purpose of the survey, there is anticipation in the community that they will be displaced. The list of the slums is decided by inviting the Counsellors and Local Govt. Authorities in a meeting. This is because they rationalize that elective representatives are enough for rectifying the data and going to the public is not needed. There is no transparency in the process and there are many simultaneous surveys going on by Chennai cooperation for occupancy. One is to map the occupancy in Palipatnum in 20000 households and the other is RAY. There is no mapping of the vacant land and it is not even included in the planning. Also there is no information available for the public on RAY. It is just like a black hole. We know that lots of money has been spent on this but there are no numbers on this. But project implementation is moving ahead into another city like Madurai, it has some projects on slum free plan of action, Coimbatore has witnessed people participation, and as far as RAY is concerned they are doing very well. They have conducted surveys and collaborated with lots of other organization in the city and ensured participation of the community people.

There is a slum in Aatipatnum in Chennai which is situated below the High Tension Power Wire and 1472 non-tenable slums households are going to be relocated and this is the only project which has been approved under RAY-1. Here construction was expected to begin in January 2014 with 115 crore. In Chennai there is no in-situ development project due to high land value. Even land transfers between two departments are very tough.

In Tamil Nadu, there is a concept of objectionable and non-objectionable in spite of Tenable and non-tenable which is not in any legislation. Objectionable slums are those slums situated on roads, railways land, and river margins. In Tamil Nadu, Revenue Dept are giving slum dwellers living on naththam poramboke (waste land) Patta. Most of these lands are low level land areas.

Andhra Pradesh & Telangana:

According to a Government Order passed in the year 2009, by the year 2014 AP was suppose to be “slum free”. In total 11 cities of AP have been taken under RAY. A Draft Property Rights Bill was also introduced but till date the State Assembly has not passed it. The survey has been completed in 7 cities and GIS mapping is under process. In AP, cases have been registered in the court against evictions and communities are criticizing the advertisements on RAY as they are victim of the ground reality. The definition used to declare slums as non-tenable on the basis of hazardous is a threat because as per this definition 70-80% slums will come under that category. There are total 4256 slums that have been declared as hazardous and 384 as non-hazardous. Irrespective of RAY, evictions are taking place periodically from the centre of the city. Only 11% slums are given Patta Right. (Attached is the detailed PPT). The slums which have been undertaken under RAY are those which are situated on high value lands.

In Hyderabad, at Keshav Nagar Pilot Project the people are demanding for 60 sq. yards of land.

The problem in Visakhapatnam is different. There are only 288 slums but there is over-projection of slums of 746. This is to get more funds in the name of slum improvement. Most slum colonies are already developed but there are no land rights. Under JnNURM, 15320 houses were built and households from hazardous areas were brought to fill the units. The communities are reluctant to go to these units as they have no basic amenities and services. The state has not earmarked any land reservation for the urban poor and without consulting any stakeholders, the CDP was made. There is also no SFCPoA. 130 slums were relocated. In many places, evictions were successfully stopped but in 2 slums Sewa and Omkar, eviction couldn't be stopped. According to the GOR1048 – civic body has to invest 40% of the funds for urban poor but no such investments were found to be made. A City Level Advisory Committee is established but without proper CDP, it is foolish to expect appropriate SFCPoA.

In the Surya Teja Nagar, where a PPP model of RAY was proposed, the struggle of the residents has forced the authorities to revise the DPR, which now is being formulated by people with support of the CSOs. Under the new arrangement, the money will be transferred directly into the bank accounts of the beneficiaries who will use it for self construction of houses.

Madhya Pradesh:

According to the 2011 Census, Madhya Pradesh has 8.7% of the total slum population of the country which in the 2001 census was 7.2%. 27.7 % of its population is urban. Urban Administration & Development Department (UADD) has been assigned as the SLNA for Madhya Pradesh. The socio-economic survey and GIS mapping was done as part of the DFID funded MPUSP program during 2009-10 and the same has been used for the preparation of SFCPoA. Slum Free State Plan of Action & SFCPoA has been prepared for the cities of Indore, Bhopal, Gwalior & Jabalpur by Mehta & Associates. Mehta & Associates has been appointed as the consultant and have prepared the DPRs for the pilot projects. Thus no new survey was done for RAY, while money has been taken from the central government and shown to be utilized for the survey.

In Madhya Pradesh total of 6 pilot projects have been approved (at the time of writing this report) 1 each for the city for Indore, Bhopal, Ujjain, Sagar, Gwalior & Jabalpur. Out of the six projects, 5 projects are of in-situ re-development and 1 project is of relocation.

The Government of Madhya Pradesh has amended the Madhya Pradesh Nagar Palika Rules 1998 to make provision of 15% of developed plots to be earmarked for EWS/LIG or reservation of 15% of dwelling units. The Draft MP Act for Property Rights to Slum dwellers has been prepared but pending for approval.

For most of the cities the RAY projects have proposed for multi story DUs to which the slum dwellers are in opposition and in response to this, the demand of the communities have been 'hamari chat, hamara makan'(Our house, our roof).

In Indore, few months back the slum dwellers were being asked to sign the consent forms without them being aware of what the consent was all. Due to strong opposition that has been stopped. There is also discrepancy about the total number of slums, as per the government records it is much less than the existing numbers. In Bhopal also there are discrepancies in regard to total number of slums and in the past many of slums have experienced multiple evictions and relocations. In Ujjain about 700 DUs are already lying vacant which were built under BSUP, thus people are questioning the need to construct new DUs when the existing ones are not occupied. For many of the slum families the area of 269 sq.ft is much less than what they are

occupying already. In Gwalior, rather than conducting the survey, the local administration has asked for applications from slum dwellers who are 'interested' in getting houses.

MP already had the Patta Act which provides the right to land and the RAY dilutes it to only right to the property due to which there is opposition, since for slum dwellers it is regressive and dilution of the existing legal provisions. The demand of the local people has been, to club all the pro-urban poor policies implemented in the past and present and put effort to sustain those in the interest of the urban poor. The housing projects, presently being implemented in Indore have high-rise building, which people are opposing. From a long time, advocacy efforts have been going on with the government to not take one of the slums (Indrajeet Nagar) for in-situ re-development but rather take it for up-gradation. This has been accepted by the govt. and they have agreed on not touching the existing structure of the houses. Mohalla Samiti of this slum, under the Community Participation law has been registered.

In context of the Parliamentary elections, the state government had put RAY on a back seat and came up with new scheme named – Atal Bihari Vajpayi Mukhya Mantri Awas Yojana. It is proposed to be in the PPP Model and unlike RAY has no Slum Free City Plan of Action and it does not provide for mandatory consent of the slum dwellers, which is there in RAY.

Bihar:

Currently there is no law by which the urban poor can get land ownership rights. In 2008, BSUP scheme started in Patna and Bodh Gaya. Under this 21,713 houses were to be built. Out of these 2000 were for Bodh Gaya and the rest (19,713) for Patna. To build these houses the State Govt. needed 200 acres of land and the available land were under various departments. Due to non-availability of NOC, only 769 houses could be built and only 234 houses have been allotted. The major failure of this was due to no policy regarding the transfer of land between various departments – may it be govt. or private. The budget for the BSUP programme was 713 crores. To implement the IHSDP programme, 10 new Nagar Nigam, 47 Nagar Parishad and around 86 Nagar Panchayat were created. The responsibility to implement BSUP programme was on HUDCO. The increase in the cost of construction which was due to delay led to withdrawal of the agencies from constructing the dwelling units. This happened till 2010. In 2011 when RAY was launched, Bihar Govt. rejected the scheme by stating that it can't be implemented as the state doesn't have Property Transfer Act. By the end of 2011, Slum Policy was passed. Within the Policy they have defined tenable and non-tenable. Along with this mapping of all the slums was done in which 1847 slums in Bihar were identified in 29 cities. 11 lakh 88 thousands households were identified who were living in slums. But till now, they have not categorized these slums under tenable and non-tenable. Though the present slum policy has covered the homeless population. The major problem in the slum policy is that, it talks about 30 years of

lease with no intension of implementing property right. Thus when it will be converted into Act, it will not talk about Property Right but only about lease. Irrespective of all this, implementation of RAY has begun. Most of the projects are G+3 and around 300-350 sq feet. Out of the total 1lakh 98thousands, 39987 households are covered under RAY. The DPRs are being passed without marking of the land. To support all these, there is a programme called Support Programme for Urban Reform (Samvardhan) which guides and support in the development and implementation of Urban Reforms. Neighborhood groups are being formed at the slum level which will later be referred to create Community Federal named Samudai Vikas Samiti (Community Development Society) by representation of 1 member from the neighborhood groups. Like this there will be 1400 societies to which direct funds will be transferred. This is being done with the objective of community involvement. This is under the process of being finalized.

Maharashtra

According to Census, 2011 Maharashtra has 18 % of the total slum population of the country. In Maharashtra, Maharashtra Housing & Area Development Authority (MHADA) has been appointed as the SLNA for RAY. In the first phase 25 cities have been included in the list of cities covered under RAY. In cities like Nagpur, Thane, Akola, Pune, Mira Bhayander, Bhiwandi the survey has been started. A project was proposed for Sholapur but CSMC has not approved it as yet. WAPCOS, a government of India enterprise based in Gujarat has been given the task of undertaking surveys and preparing SFCPoA.

Slum dwellers from 25 slums from Mumbai are demanding for implementation of RAY but the state government or ULB has not agreed to their demands as yet. One of the major areas of contention has been the issue of cut-off date which presently is 1995 and the state government is not agreeing to extend it to the year 2009.

6. Issues and Concerns Regarding Implementation of RAY:

Community Participation Lacking:

RAY, rightly lays emphasis on the community participation and this has been well laid down with the modalities in the preparatory phase as well as the implementation phase. Comprehensive guidelines have been issued in regard in to community participation and the same has been well laid out in the guidelines of drawing a plan for slum free city. The experience of all the cities visited shows that there is complete violation of community participation norms. In most of the cities slum dwellers are not even aware of the guidelines and it seems that hardly any effort has been made by the state agencies for bringing in that awareness.

Apprehension of Displacement & Relocation amongst slum dwellers:

The past experience of state initiated housing programmes like VAMBAY, BSUP & IHSDP has led to further deterioration and relocation in many of the cities. Due to this slum dwellers have apprehensions that the same will be repeated in RAY. The experience with earlier schemes has been that not all of the slum dwellers have been declared eligible and the rehabilitation has been in the form of relocation and that too at the periphery of the city. The relocation sites are not serviced with transportation facilities and have caused either loss of livelihood or have affected it negatively.

Property Rights Bill

The proposed provision of bringing in a legislation that would provide property rights to slum dwellers is a welcome move since it provides for a legislative framework for protection of rights of slum dwellers with a cut-off date which for many of the states is progressive. Till date very few of the states have brought in the law and even the draft has not been prepared. A need is to initiate state level campaigns on the issues of preparation and passing of the state property rights to slum dwellers act.

Prevention of Evictions

The draft property rights bill can be used as a strategy to prevent or stall forcible evictions where ever they are happening. For this it is imperative that a campaign be initiated which would raise the awareness amongst the slum dwellers as well as the government officials of existence of such a draft law that provides for protection against summarily eviction.

Slum Free City Plan of Action:

The SFCPoA provides an opportunity where the urban poor, if well organized, can intervene at the macro level of the city planning. Since POA is the avenue where decisions related to the overall city are going to be charted out thus intervention with urban poor to enable them in getting their demands and needs included in the POA will be beneficial. In the cities where the POA have been prepared it will be of benefit to critically understand them and in cities where they are under process the local organizations can demand for a participatory approach and an intervention can be made.

Slum Surveys

Surveys form one of the most important aspects of the process of implementing RAY. Although the guidelines lay emphasis on community participation during the stages of pre-survey, survey and post survey. But the experience of the cities tells that it has not been the same. It is important that slum dwellers are mobilized at the very start of the process for conducting surveys so that they can be on board through-out the process of RAY implementation. Measures needs to be taken to ensure that the process of survey is inclusive and slum dwellers are not excluded on the basis of tenability, cut-off date or status of being rental or any other criteria.

In-situ Redevelopment vs. Relocation

It is imperative that the organizations working in slums and slum dwellers themselves advocate for in-situ up-gradation or in-situ redevelopment rather than relocation. If there is no vocal voice of the urban poor in this regard then RAY is going to be used against them as a strategy to relocate them as it has been clear from the past experience of other housing programmes.

Tenable/Un-tenable slums

In most of the cities where pilot projects have been proposed, one of the challenges that slum settlements are facing is the issue of tenable and Non-tenable slums. As per the definition of tenable and non-tenable slums given by RAY, most of settlements get declared as unnon-tenable due to which they are considered un-viable for up-gradation or in-situ redevelopment are still being relocated. In this context it is important either to work for revising the definitions of tenable and un-tenable slums or to work towards developing guidelines for ensuring minimum hardships at the time of relocation.

Awareness Campaign:

In all the meetings that were conducted it has come out clearly that in-depth awareness amongst slum dwellers and even the organizations about the RAY programme is lacking or not up-to the mark. There is general awareness about the programme of what it means but when it comes to the details; its in-depth knowledge the awareness is complete. Lack of such an in-depth knowledge is affecting the meaningful engagement with the state authorities. Complete knowledge about the scheme can help in strategizing better and to conduct meaningful engagement with the state.

Mapping Good Practices:

In many cities we could see that few of the civil society organisations have been able to force the state authorities into meaningful engagements due to which certain good practices are emerging out. These engagements and practices need to be publicised to the maximum so that they can be a good learning lesson for other civil society actors. In Jharkhand, cities like Ranchi & Jamshedpur have been able to have the local activists involved in the process of the slum surveys which has resulted into inclusion of many slum settlements as well as families who earlier were being left out from the process of mapping and surveys.

In Bhopal the local CBOs have been able to form Quality Inspection Teams for projects implemented under JnNURM, which now are intervening in the processes of RAY. In Indore a local CBO has been successful in rejecting the plans of authorities to shift them in high rise buildings instead the authorities have been forced to ask the community for submission of alternative plans.

Unfinished Agenda of Reforms:

With the coming of JnNURM, came the talk of pro-poor urban reforms that were made mandatory in order to avail central government assistance. These reforms have ranged from making amendments in the municipal laws for making reservation in the municipal budget, reservation for urban poor in built up areas etc. Under the RAY schemes reform has been included in bringing Property Rights to Slum Dwellers Bill. The story of a decade of these 'pro-poor' reforms is a story that remains un-finished till date. In the Annexure attached in this report shows that barely one or two states none of the state government has brought in the legislation related to assigning of property rights to slum dwellers. Even in cases where reforms like amendments in the municipal laws for making reservation in the municipal budget and reservation for urban poor in built up areas have been made, there has not been any marked difference in the lives of the urban poor.

Housing for All-A Reality or a Mirage:

Successive governments, over decades have promised to urban poor the provisioning of housing that is affordable. Numbers of policy initiatives and schemes have been declared and launched in this regard. But the fact remains that realization of housing remains a distant dream. This year the central government has again declared the agenda of 'Housing for All-2022' with the aim of constructing 30 million houses by the year 2022. Though this kind of development is welcome but one has to recall that every few years such lofty goals are set and then forgotten. If one is serious about this, then it is imperative that lessons are to be learnt from past failures and successes and the past mistakes should not be repeated.

Annexure 1

MONITORING CHECKLIST FOR Rajiv Awas Yojana PILOT PHASE (2010 – 2016)

INDICATORS FOR POLICY REFORMS:

Administered by: Local Organization/ CBO/ NGO

Has there been state government initiative for the legislation on the Property Rights for slum dwellers?

Has the State Government made amendment in the Regional Town Planning Act, Municipal Act and Development Control Regulation (DCR) for reservation of 20-25% of built up area or land for EWS/LIG housing?

If amendment exists, then has the implementation started?

Has the changes been made accordingly in the Master Plan/SFCPoA/ Development Plan? Is it reflected in the housing schemes?

Has the changes been made accordingly in the Master Plan/SFCPoA/ Development Plan? Is it reflected in the housing schemes?

Is there any State amendment on the Rent Control Act? If yes, then what are the proposal/initiative?

Has there been public consultation on the above mentioned legislations/ amendments? :

Were people's suggestions/ objection asked and incorporated in the above mentioned legislations/amendments?

Has the Govt. earmarked 25% of the budget of municipality to provide the basic services to the

urban poor? How it has been utilized

Is there any provision of 15% of residential FAR/FSI or 35% of dwelling units for the EWS section?

What has been the process and criteria for housing/ land allotment

Have the selection criteria, eligible list of beneficiaries for housing been made public? :

What is the composition of the State Nodal Agency? On what basis have they been selected?

SLUM- FREE CITY PLAN of ACTION (SFCPoA)

Administered by: Local Organization/ CBO/ NGO

Which agency is undertaking this task and on what basis has been selected? What are the terms and conditions of the contract? (Tender Notice, Selection Minutes/ Contract Letter with budget/ financial terms)

Have there been workshops/trainings at the city level for the SFCPoA

Are there any instances of settlement being left out from the survey?

Are there any instance of households been left out from the survey?

Have the marginalized categories like migrants, homeless, pavement dwellers, seasonal workers been included in the survey?

Were the settlements on central govt. land, people staying in rental housing been included?

What is the current and projected housing shortage for EWS/LIG?

Has the socio-economic and housing needs assessment and positioning of the people's need been considered?

Have the Slum demarcation and vacant lands been rightly mentioned

How many new vacant lands are invented for the relocation or new development of the houses

for EWS?

How many slums are declared as tenable and untenable and on what basis?

Which model has been adopted – PPP / Beneficiary Built/ Community Based/ Public Agency Led/ Any other?

Was the above decision made with people's participation and consent

How many slums have been categorized for up gradation/ re-development/ re-location? Was the decision relevant as per the need and demand?:

Has the rental housing need been addressed in the planning for various categories like – Migrants / Homeless/ Pavement Dwellers/ Seasonal workers/ Single Women/ Women headed households? (Rental, transit, Hostel or any other housing options)

On what basis the slums have been taken into the pilot stage? According to need or market land value?

DETAILED PLANNING REPORT (DPR) PROCESS:

Have there been detailed meetings and consultations held with community to discuss the preparation DPR? How many meetings have been conducted?

Were all the households included in the survey brought under the project? If left then how many?

Is the proposed dwelling unit size 269 sq feet (25 sq mt) space more or less than the existing living space of the slum dweller?

How many slums and approximate number of houses been demolished since 2009 till date?

In case of relocation, what steps and safeguards have been taken?

In case of relocation, did all the residents get housing?

Are the members staying in the re- located? If not then why?

How far is the re-located area from the workplace of the community? Has there been any

transportation facility provided?

What has been the effect of relocation on the livelihood of the community and mobility?

In case of Relocation, Resettlement and up-gradation, has the Physical and Social standard been provided as per the UDPFI guideline?

Has it been implemented and benefitted by the community?

Mention the name of the organization that has been appointed as lead NGO.

COMMUNITY PARTICIPATION:

Administered by Community and Local organization

Has there been any meeting/workshop/training involving the community on the objective of RAY projects and slum surveys and its outcome?

Is the community involved during the following steps and how:

- pre-survey and survey,
- preparation of slum re-development plans/strategy
- Slum Free City Plan of Action (SFCPoA)
- micro planning i.e. preparation of DPR
- implementation of slum re-development plans/projects
- identify contractors and monitoring and supervising the construction process
- training for the community people for the quality testing of material

Name of the organization conducted the survey and making reports. What has been the Selection basis?

Has the final data regarding the content of the survey been presented to the residents/ community for their consent?

What percentage of the community accepted the survey outcome and plans? Mention if any objections were raised by the community

Has the acknowledgment receipts been given to the people/ household surveyed?

How the settlement based CBO/ Neighborhood Committee/ Mohalla Samiti from the community was selected and what was the percentage of women?

Have the minority groups been included in the process of survey, planning and finalization?

Is there any tension/ discrimination regarding the planning among the people?

What plan has been created with the community for the Operation and Maintenance of the created assets? Is the maintenance cost 4% of the total project cost :

Annexure 2

Unfinished Reform: Status of Property Rights Bill in Indian States	
Andhra Pradesh	Andhra Pradesh Property Rights to Slum Dwellers Bill 2011 pending before the State Assembly
Arunachal Pradesh	Arunachal Pradesh Property Rights to Slum Dwellers Bill, 2012 passed by the State Legislative Assembly in September 2012.
Bihar	Draft Slum Policy: July 2010 – Government of Bihar is pending before the State Assembly
Chhattisgarh	No initiative taken till date
Gujarat	No initiative taken till date
Jammu and Kashmir	Jammu and Kashmir Property Rights to Slum Dwellers Bill, 2011 passed by the state legislative assembly.
Jharkhand	No information available in public domain
Karnataka	No initiative taken till date
Kerala	Kerala Property Rights to Slum Dwellers Bill 2011 under consideration of the state government
Madhya Pradesh	No initiative taken till date
Maharashtra	No initiative taken till date

Odisha	Draft Bill proposed but not yet approved by the State Assembly
Punjab	No information available in public domain
Rajasthan	No information available in public domain
Tamil Nadu	No information available in public domain
Telangana	No information available in public domain
Uttar Pradesh	No information available in public domain
Uttrakhand	No information available in public domain
West Bengal	Model Bill under consideration

Annexure 3

States/UTs	Total number of households living in Slums (2011)
Andhra Pradesh	2,421,268
Arunachal Pradesh	4,005
Assam	48,122
Bihar	194,065
Chattisgarh	395,297
Goa	4,846
Gujarat	360,291
Haryana	325,997
Himachal Pradesh	14,240
Jammu & Kashmir	96,990
Jharkhand	79,200
Karnataka	728,277
Kerala	54,849
Madhya Pradesh	1,086,692
Maharashtra	2,449,530
Meghalaya	10,936
Mizoram	16,240
Nagaland	15,268

Odisha	350,306
Punjab	296,482
Rajasthan	383,134
Sikkim	8,612
Tamil Nadu	1,451,690
Tripura	33,830
Uttar Pradesh	992,728
Uttarakhand	89,398
West Bengal	1,393,319
A & Nicobar Islands	3,053
Chandigarh	22,080
Delhi	383,609
Puducherry	35,070
India	13,749,424

Note: This table excludes Institutional Households

Source: Census of India 2011, Housing Stock, Amenities and Assets in Slums.

Annexure 4-News Clippings

Central Chronicle, Bilaspur | Monday, January 07, 2013 | Page 20

Slum improvement committee to create awareness

Bilaspur Jan 06: Most of the schemes of urban development are prepared to resolve concerns and needs of the poor but owing to lack of information benefits of such programs fail to reach the beneficiaries. This observation was made during the day long Orientation workshop organized by Society of Participatory Research in Asia (PRIA) and Shikhar Yuva Manch (SYM) at DMA meeting hall, here.

In her address, State coordinator Priya Mahesh Dhanadke stressed upon the need to



create an environment to constitute a slum improvement committee (SIC) in the slum localities.

Director of SYM Bipush Vishwakarma discussed and held interactive sessions over benefits, roles, responsibilities of slum improvement committee.

Social welfare officer BMC Dr. Renuka Pingle gave a discourse on various schemes on urban poor and Dr. Archana on Rajiv Awas Yojana (RAY), urban development Department cited that there remains a lack of

awareness about various Schemes meant for urban poor. She said that responsibility rests with SIC to play effective role to create awareness among the slum dwellers and ensure beneficiaries get their share from schemes. Around 62 members from various SIC participated in workshop and pledged to create awareness in residents living in respective slums and apprise them about various plans and programs. Participation from as many as 9 out of 10 slums was present in the workshop.

SLUM REHABILITATION PROGRAMME State has RAY of hope for 67.35 lakh slum dwellers

SCORE FOR IMPROVEMENT

The state scores 90 per cent in the RAY, which is the highest among all states. The state has the highest number of slum dwellers, which is 67.35 lakh. The state has the highest number of slum dwellers, which is 67.35 lakh.

PICTURES UNDO

RENDERER: A. Srinivasan

TheHindu.com, Chennai, December 21, 2011

50% population of Raipur living in slums!

RAIPUR, Chhattisgarh: A study conducted by the state government has revealed that 50 per cent of the population of Raipur lives in slums. The study, conducted by the state government, has revealed that 50 per cent of the population of Raipur lives in slums. The study, conducted by the state government, has revealed that 50 per cent of the population of Raipur lives in slums.

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प्रभात खबर

19.12.2013

25 फीसदी लोग आवासीय की सुविधा नहीं

राजधानी के विकास के लिए आवासीय सुविधा की आवश्यकता है। सरकार को इस पर ध्यान देना चाहिए।

बढ़ती लागत से अधर में लटके गरीबों के आशियाने

राजधानी के विकास के लिए आवासीय सुविधा की आवश्यकता है। सरकार को इस पर ध्यान देना चाहिए।

5 अरब की जमीन 'फ्री'

राजधानी के विकास के लिए आवासीय सुविधा की आवश्यकता है। सरकार को इस पर ध्यान देना चाहिए।

Up for grabs

राजधानी के विकास के लिए आवासीय सुविधा की आवश्यकता है। सरकार को इस पर ध्यान देना चाहिए।

5,000 residents displaced for a pond in Raipur

राजधानी के विकास के लिए आवासीय सुविधा की आवश्यकता है। सरकार को इस पर ध्यान देना चाहिए।

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छिरुपतिर्लो मुणिकिवाडल सर्वे प्वालि

राजधानी के विकास के लिए आवासीय सुविधा की आवश्यकता है। सरकार को इस पर ध्यान देना चाहिए।

शेरा में नहीं लगा हुआ है। विसं

राजधानी के विकास के लिए आवासीय सुविधा की आवश्यकता है। सरकार को इस पर ध्यान देना चाहिए।

केन्द्र ने पैसा दे दिया अब यूपी की बारी

राजधानी के विकास के लिए आवासीय सुविधा की आवश्यकता है। सरकार को इस पर ध्यान देना चाहिए।

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ANNEXURE 5 – Delhi Declaration

National declaration on

‘urban governance and housing for all’

Adopted on 3rd July, 2014

At the conclusion of the national conclave of ministers and workshop of secretaries on ‘urban governance and ‘housing for all’: opportunities and challenges’

The Ministries of Urban Development and Housing & Urban Poverty Alleviation, Government of India, in partnership with the Governments of State and Union Territories of the Republic of India, held a Conclave of Ministers of Housing & Urban Development of States and Union Territories and Workshop of State/UT Secretaries on ‘‘Urban Governance and ‘Housing For All’: Opportunities and Challenges’’ on 2nd and 3rd July, 2014.

Participated by over 250 delegates including Union, State and Union Territory Ministers for Urban Development, Housing and Urban Poverty Alleviation, along with the respective State Principal Secretaries/ Secretaries for Housing & Urban Development, policy-specialists and experts comprising the delegates from Government of India, experts from State Level Nodal Agencies, Housing and Urban Development Corporation, Housing Boards/Corporations, Slum Development Board/Authority, etc.

concluding there from that –

WHEREAS decent housing is recognized as a part of the dignity and indicator of quality of life of the individual and with the burgeoning population of cities and towns in India the gap between the supply and demand of the housing has been widening.

AND WHEREAS the total housing shortage was estimated to be 18.78 million as at the beginning of the 2012, and the projected shortage is estimated at 30 million by 2022, if not acted upon decisively.

AND WHEREAS housing and construction industry supports more than 250 ancillary industries and contributes nearly 9% to the GDP.

AND WHEREAS the Government of India aspires to provide ‘‘Housing For All’’ by 2022 (the Goal), the year in which the Republic of India will celebrate its 75th year of Independence.

AND WHEREAS the achievement of this goal requires cooperation among the Central Government, State Governments, Urban Local Bodies, Parastatal agencies, Financial institutions, the Private sector, Civil Society/ NGOs etc.

AND WHEREAS special emphasis has to be laid on EWS and LIG and other vulnerable sections of society such as Slum dwellers, Scheduled Castes/Scheduled Tribes, Backward Classes, Senior citizens, Persons with disabilities, Widows etc.

AND WHEREAS the Government of India recognizes need for sustainable livelihoods opportunities for urban poor to eliminate poverty in the country.

AND UPON having met at the National Conclave of Ministers of Housing & Urban Development of States and Administrators of Union Territories and Workshop of Administrative Secretaries on “Urban Governance and Housing For All: Opportunities and Challenges” on the 2nd and 3rd day of July, 2014

AND UPON deliberated at length on the means to achieve the said goal, now, therefore, the Ministries of Urban Development, Housing and Urban Poverty Alleviation, Government of India and the Departments of Housing and Urban Development of all State Governments & Union Territories of India,

affirming their commitment and hereby resolve

THAT Government of India and States shall join together to provide guidance alongside fiscal and non-fiscal support to achieve the goal of “Housing For All” by 2022.

THAT Government of India, will rationalize approval processes and fund flows to States and Union Territories for Government of India Schemes and Projects.

THAT Government of India, State Governments and Union Territories will empower the third tier of governments (ULBs) as envisaged in the Seventy-Fourth Amendment to the Constitution of India.

THAT the States and Union Territories, will make all efforts to encourage and involve all stakeholders for Affordable Housing to achieve goal of “Housing For All” by 2022.

THAT the States and Union Territories, will make efforts to encourage Affordable Housing and will prepare a Comprehensive Housing Policy, if not already notified.

THAT the States and Union Territories, will complete ongoing works of Affordable Housing along with allied infrastructure under various schemes of Government of India and State Governments expeditiously and allot those houses to beneficiaries.

THAT the States and Union Territories, will make efforts to encourage EWS/LIG housing by examining the possibility of liberal FAR/FSI, Density, Ground Coverage along with TDR and examining the concept of deemed building permissions for pre-approved standard lay out plans and building type plans.

THAT the States and Union Territories, will take up the amendment of Rental Laws to balance the interests of owner and tenant with an objective to encourage Rental Housing in urban areas.

THAT the States and Union Territories, will endeavour to implement single window scheme for approval of lay-out and building permission in all ULBs.

THAT the States and Union Territories, will endeavour to expeditiously prepare statutory spatial/Master Plans for cities and towns and regions, with reservation of zones for Affordable Housing

THAT the States and Union Territories, will make all efforts to improve livelihoods of the urban poor with special focus on their skill development to eliminate urban poverty.

THAT the concerned will ensure peoples' participation in governance, maintenance of public amenities, transparency in the system, and accountability for proper growth of cities.

THAT the concerned pledge to provide basic amenities like better roads, transport, sanitation, drinking water, and ensure poverty elimination through skill development.

THAT all concerned resolve to actively consider implementing the 25-point Reforms Agenda, through policy measures and legislation, if required, enumerated by the Union Urban Development and Housing & Urban Poverty Alleviation Minister, Shri. M. Venkaiah Naidu, in his inaugural speech.

THAT all concerned unanimously agree to work together to achieve the target of “ Housing For All” by the year 2022

(M. Venkaiah Naidu)

Minister for Urban Development, Housing and Urban Poverty Alleviation, Government of India, For and on behalf of the Delegates of the Conclave of Ministers of Housing & Urban Development of States and Union Territories Workshop of State/UT Secretaries on “Urban Governance and ‘Housing For All’: Opportunities and Challenges” on the 3rd day of July, 2014

About YUVA

The birth of Youth for Unity and Voluntary Action (YUVA), a voluntary development organization, in the year 1984 marked the beginning of a journey of empowering the oppressed and marginalized in urban areas and later in rural areas. YUVA from last 30 years has been working on issues related to urban poverty and participation of urban poor in the urban governance. It had developed symptomatic responses to address the issues of the most poor and marginalized. YUVA's initial work was focused on grass root intervention to establish legal identities of the community members to secure their rights.

While the range of interventions become wider and broader over the years, the focus of YUVA Urban's programmes remain the same—enable vulnerable groups to access their rights and address human rights violations in the cities. YUVA Urban's strength lies in working at the grass root intervention through which experiential learning are transferred in knowledge creation. This is further shared and disseminated among the likeminded organizations through network alliances for policy engagement and debates to bring change in the policy & practices.

YUVA Urban – National Desk has been working at the national level across 6 States (West Bengal, Jharkhand, Chhattisgarh, Bihar, Odisha and Madhya Pradesh) in collaboration with its local partners on issues related to Social Security of Informal Workers and Housing & Land Rights of Urban Poor.

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