

# ***Shahri Adhikar Manch: Begharon ke Liye*** ***(Urban Rights Forum : For the Homeless)***

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## **PRESS RELEASE**

### **Experts Condemn Government Callousness towards Delhi's Homeless**

- *Only 24 shelters for Delhi's over 1 lakh homeless; only 1 night shelter for city's 10,000 homeless women*
  - *Despite increase in homeless population, number of shelters lower than last year (from 46 to 24)*
    - *MCD destroys homeless shelter in Pusa Road, despite bitter cold conditions and plummeting temperatures; 35 year old dies from the cold*
    - *No comprehensive government policy to address the root causes of homelessness*
  - *Human rights violations of Delhi's most marginalized, especially homeless women & children*
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**New Delhi, 4 January 2010:**

At a press conference organized by the *Shahri Adhikar Manch: Begharon ke Liye (Urban Rights Forum: For the Homeless)*, homeless residents of Delhi and leading human rights experts strongly criticized the apathy and irresponsibility of the various government departments in addressing the crisis of homelessness in the capital. In a city that prides itself on its aspirational “world-class” status, it is a national shame and glaring failure of the state that so many people continue to be forced to live on the streets without any available recourse. Despite persistent civil society efforts, media attention, and pressure on the municipal and state governments to address issues related to homelessness and be prepared to handle the exacerbation of the crisis in the winter, the situation only seems to get worse with each year.

The lack of coordination between the Municipal Corporation of Delhi (MCD), the New Delhi Municipal Council (NDMC), and Departments of Social Welfare and Revenue of the Government of National Capital Territory (NCT) of Delhi, results in no agency claiming responsibility, with each one passing the buck to the other. Tragically, it is the homeless who suffer from this unfortunate bureaucratic impasse.

According to **Miloon Kothari**, former United Nations Special Rapporteur on adequate housing, “The government needs to be held accountable for the persistent human rights violations against the homeless. There is an urgent need for a combined human rights and humanitarian approach to uphold the rights of men, women, youth and children to adequate housing, security of the person, water, health, food and work. Failure to take these steps indicates a clear violation of India’s commitments under constitutional and international law.” He elaborated that a human rights approach to addressing homelessness would involve dealing with the structural causes of homelessness—including the lack of an effective comprehensive policy to address the housing rights of Delhi’s poor, non-existence of low cost and public housing options; large scale eviction drives and slum demolitions without adequate livelihood-based rehabilitation; shift in land use towards intensive infrastructure development—and taking immediate measures to ensure that all city inhabitants are able to live in homes that are safe and secure and adequately serviced. The severe winter, however, calls for an immediate and focused humanitarian response in the form of adequate, warm, and clean shelters that provide all basic services and are located close to people’s sources of livelihoods. The city, tragically, has failed on this front as well. From 46 shelters in 2008-09 in Delhi, the number of homeless shelters in 2009-2010 has fallen to 24 (16 temporary), despite an increase in the number of homeless people.

**Indu Prakash Singh**, homeless rights activist mentioned that, “in compliance with the Delhi Master Plan 2021, the government should be working towards the establishment of 150 night shelters, while on the contrary the government is bringing down the number of shelters, which is further pushing the homeless into destitution.” He also spoke about the skewed priorities of the government as it routinely violates people’s human rights to ensure that the targets of the Commonwealth Games are met.

The recent demolition of the Pusa Road night shelter on 22<sup>nd</sup> December, 2009, reflects not just an abrogation of legal obligations of the MCD but is linked to the government's policy to further marginalize and criminalize the city's poor and homeless. The MCD, for example, has shockingly stated that growing grass in the city's open spaces is more important than ensuring shelters for the homeless. Its claim that the shelter was illegal is entirely baseless, given that it was set up by the Department of Revenue, Government of NCT of Delhi. Despite earnest requests to provide immediate relief to the homeless of Pusa Road along with an alternative temporary shelter, the government did not respond for two weeks. Speakers strongly condemned state inaction which led to the tragic death of a 35-year old balloon seller who was among the 250 rendered shelterless by the MCD. **Usha Ramanathan**, a senior law researcher, said that, "There is an appalling disrespect for the lives of the poor. When people die because they are exposed to the elements, it is not a natural death. It is death caused by neglect and reckless disregard of the responsibility of the state to protect the lives of the poor. It is as if the poor do not matter. As if they have to keep paying for their poverty, even with their lives." She also mentioned the unjust *Bombay Prevention of Beggary Act 1959*, which is routinely used to round up and detain the poor and homeless.

**Mansoor Khan** of the *Beghar Mazdoor Sangharsh Samiti* – a movement of the homeless, highlighted the plight of homeless women and children. He also made several demands from the government on behalf of *Shahri Adhikar Manch* – a broad-based coalition of organizations and the homeless in Delhi. These include: the immediate setting up of adequate shelters where the homeless are; provision of basic services; better coordination among government departments; accountability of government officials; opening of vacant government buildings, community centres and unused premises for the homeless; and establishing permanent night shelters for the homeless, including for homeless women and children. An urgent action plan to tackle homelessness with defined timelines and prioritized intervention needs to be determined by the State.

The Indian government is bound by constitutional and international human rights law to respect, protect and fulfill all human rights. The UN Committee on Economic, Social and Cultural Rights in 2008 also called upon India to address the issue of rising homelessness, including the need for disaggregated data on the homeless. There is a critical need for all government departments to consolidate efforts and take urgent measures to protect the rights of Delhi's homeless. Continued failure to take the required measures is nothing short of criminal negligence of Delhi's poor, and dereliction of duty of elected and appointed officials at all levels of government.

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