

Discussion Note RIGHT TO SECURE & ADEQUATE HOUSING

Context:

Mumbai is expected to become the seventh largest urban conglomerate and we are estimated to have a population of well over 15 million currently. Studies undertaken by the government and social scientists estimate that between 55-60% of Mumbai's population reside in slums – informal settlements characterized by structural and environmental degeneration.

The issue of housing in Mumbai is directly related to the problems of access to and affordability of land. Since a large proportion of the city's population cannot find affordable housing, they survive in sub-standard housing and environmental conditions, commonly identified as slum, chawl or pavement settlements. The Urban Land Ceiling Act of 1976 was intended to ameliorate the housing situation in the city by making surplus vacant land held by individuals available for public use and low income housing, however the effective implementation of the Act has been limited, stalled by litigation and inadequate institutional mechanisms.

The Right to Adequate Housing, as defined in the International Covenant on Economic, Social and Cultural Rights makes it the responsibility of the State to provide adequate housing to all people, including women, children, indigenous people and workers. The 'Adequate Shelter' involves ensuring all the conditions that are necessary for people to live in security, dignity and peace. Thus, the Right to Housing includes protection from Forced Eviction and any sort of harassment or threat, the availability of services, materials and infrastructure, as well as affordable, accessible, habitable and culturally adequate housing.

In relation to the Constitution of India, the Right to Housing, in the comprehensive sense that it has been articulated above, can be construed as the essence of the Fundamental Right to Life itself by the Supreme Court of India and the High Courts of various States. The Draft National Slum Policy of 1999 also recognizes the economic contribution that slum settlements make to the through their labour and informal production activities, and emphasizes that the provision of security of tenure to the poor is the only sustainable solution to the issue of housing.

The Maharashtra Ordinance No. XV of 2001 dated 18.5.2001, on the other hand, regresses on the right to housing ensured at the national and international levels. It not only divides the poor into people residing in Mumbai before and after January 1, 1995, and but also discriminates between the rich and the poor in the city – if you are rich and in a position to acquire a flat you are welcome to Mumbai, but if you are poor and have come to the city for survival and have no money to acquire/rent a dwelling you are not welcome.

The Development Plan of the city also fails to recognize the needs of the poor, be it of the slums, pavements, the homeless groups or the tribal communities, and does not take their needs into consideration while planning for the city. The result is that more than half the population, and a sizeable part of the city remains unaccounted for in the planning process.

Demands:

1. All city dwellers should have affordable access to the facilities essential to the basic standard of life, such as shelter, food, water, sanitation, electricity, transport, education and health and opportunity for livelihood. Special measures should be taken to ensure that these facilities are accessible even to the slums and pavement communities as well as the homeless and destitute groups of the city such as the street children, the women and aged who are on the streets.

2. The City Development Plan should integrate provisions for the redevelopment of slums, pavement communities and the homeless groups and recognize these communities as the legitimate half of the city. The practice of 'Zoning' should be incorporated into the Plan, wherein 15-20% of the land available for development is demarcated for housing for the poor. The rehabilitation of the poor to these zones are facilitated by the provision of basic infrastructure at affordable rates and the availability of housing finance.
3. The State must take serious steps to ensure that measures to make land available for housing for the poor are effectively implemented. The State should consider measures such as providing constitutional protection to the Urban Land Ceiling Act so that its provisions can be carried out without hindrance, and 'Zoning'.
4. All policies and laws that penalize the poor, and refer to slum., pavement dwellers, the homeless and tribal communities as 'encroachers' or 'unauthorized dwellers' are unacceptable and should be repealed immediately. Similarly, the concept of a 'cut off date' in determining the security of tenure is unacceptable and a contradiction to the universal Human Rights.
5. Forced evictions conducted by the State machinery and other agencies are a gross violation of human rights. The state machinery to take comprehensive measures to check and control the practice of forced evictions.
6. In cases where evictions are inevitable, the following conditions must be satisfied prior to the eviction.
 - evictions must only be conducted in exceptional circumstances and in public interest, e.g. life threatening to the residents
 - the relevant mohalla committees should determine whether eviction is necessary in public interest
 - adequate notice with all concerned details must be given to those likely to be affected by demolition
 - no forced eviction can take place in the absence of the availability of developed alternative sites and the preparation of time bound rehabilitation plan
 - rehabilitation sites and plans should be determined and prepared in consultation with those persons likely to be affected by the demolition and/or their representatives
 - in no event must a demolition take place in a manner so as to adversely affect children's education and during harsh climates, such as monsoons, heat or cold
 - no atrocities, such as beatings, imprisonment, burning of belongings, contamination of drinking water sources, etc. can take place during evictions
 - a senior government or local body functionary should be present during demolitions
 - people faced with evictions should have an opportunity for legal redressal and appeal
7. Pavement dwellers are most vulnerable to the denial of the shelter and basic services, and subject to forced evictions. Special measures to ensure access to shelter and basic services to these communities in their present location should be undertaken. The rehabilitation of these communities is critical to the development of the communities as well as the city, and must include the provision of alternative sites that comply with the standards of adequate housing outlined in the International Covenant of Economic, Social and Cultural Rights.
8. The violation of the land rights of tribal communities in the city is a serious concern that must be addressed immediately. The land rights of the tribal communities are legally and constitutionally protected and cannot be infringed. All constructions that have been built by usurping tribal land should be declared as illegal and the land of the tribal communities must be strictly protected from encroachment.

9. Special attention should be given to address the deprivations faced by the especially vulnerable groups such as street children, destitute women, the aged and the handicapped. These are the groups that have least access even to the most basic facilities that sustain life. Specific programs need to be implemented to assess and meet the needs and issues of these groups in the city, and to provide them the dignity, security and peace that is the right of each individual.
 10. The legitimacy of tenants, who contribute to their premises through payments and other means, must be recognized by legislation. Such legislation must also include essential protections for tenants against harassment and arbitrary eviction by the landlords.
 11. The State must develop and support Housing Co-operatives in slum and pavement communities to ensure the participatory management of resources and public services. The appropriate changes in the Co-operative legislations must be made in order to facilitate the formation and functioning of such co-operatives.
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- ① Survey land status of all shuns
Survey & document all shuns.
- ② Regularise occupied land excepting
a few agreed sites needed for
other priorities.
- ③ Rehab policy.
- ④ Reserve land for rehab ~~only~~ exclusively.
- ⑤ Re-draft D.P. plan.
- ⑥ Rehabilitate Footpath shun-dwellers.
- ⑦ Do not repeal VLC
declare all VLC land status.
- ⑧ Make public all SRA approved schemes
& how they have been allotted.
- ⑨ Make public all FDR benefits now arising
from shun projects & how how they have
been utilised.
- ⑩ Allot SRA schemes to the entitled &
rehab eligible lot.
- ⑪ All Rehab & Dev comm must include
the rep's of the shun & parent dwellers.
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Suggested Discussion Points

RIGHT TO BASIC SERVICES

Access to basic services is a Human Right
All city dwellers should have access to quality basic services.

Access to basic services like water, toilets, sewerage, drainage, roads, transport, electricity, health and education is a basic right of all the citizens of a city and is a prerequisite to ensure a decent quality of life. Unfortunately in urban settlements like Mumbai majority of the population which resides in slums and pavement communities are largely devoid of adequate and quality access to basic services. Many of the slums and pavement communities are completely devoid of any access to basic services.

Further, the privatization of amenities and services with the purported intention of reducing the administrative and financial 'load' of municipalities have put the poor and the marginalized at a particular disadvantage to access services. Such an arrangement shifts the control of public resources outside the purview of the local authority and the larger community, and excludes them from the spaces for dialogue and decision on public resources, contrary to the objectives of the national and global endeavors for good governance.

The entry of national and international corporations into the arena of public amenities is oriented towards increasing the costs of amenities on the lines of pricing based on actual costs of delivery with insufficient accommodation for the needs and capacities of the poor. In cities like Mumbai, the dialogue on the corporatization of basic services such as Solid Waste Management does not strategically include or involve the poor.

Demands:

- All slums and pavement settlements irrespective of their legal status and ownership of land (Central, State or Private land) should be provided adequate access to basic services.
- The provision of basic infrastructure facilities like water, toilets, drainage and sewerage should wherever possible be at the individual household level. This should be made a pre-requisite for all slum redevelopment and rehabilitation initiatives.
- In cases where due to physical and social constraints the provision of basic services at the household level is not possible adequate access to quality infrastructure services should be ensured.
- The slums and pavement settlements should be connected to the city level networks (water, drainage, sewerage systems).
- The standards, which are currently in practice for planning the provision of basic services, need to be made more people centric.
- The City Development Plan as a tool for planning for the city on a long term basis should specifically address and integrate the needs of the communities residing in

slums and pavement communities while making provisions and planning for the provision of infrastructure services and facilities.

- The special needs of the most marginalised population groups in the society like women, children, aged and the physically challenged should be integrated while planning and designing the provision of basic services.
- The privatisation of basic services should be discouraged to ensure equitable access of basic services and facilities to the poor. In place of privatisation, communitisation of infrastructure services and facilities should be promoted, whereby the communities are directly involved in the planning, implementation and operation and maintenance of infrastructure services. Apart from ensuring the equitable access to basic services at the community level the same would also provide a scope for employment generation for the communities.
- The operation and maintenance of infrastructure services should be as far as possible be by the local communities in partnership of the MCBM with the but the terms and conditions of the same should be decided by the community and not the MCBM. While the communities can be responsible for the onsite infrastructure, the MCGM cannot shirk from its responsibility of maintaining the offsite infrastructure.
- In slum redevelopment initiatives the standards ascribed by the Urban Development Department of the Government of Maharashtra through the Development Control Regulations for Greater Mumbai (1991) should allow for appropriate alterations without compromising on the safety and quality and still allow scope for application of innovative methods and standards.

Water Supply

Context:

The slums in Mumbai city largely depend upon community level sources of water supply, of which shared¹ type of water supply and stand-posts are the most common. A large proportion (975, 49%) of the slums in the city in which reside 30 lakh (48%) people have access to water supply through shared system. Further, there are 229 slums (12%) which have access to water supply through stand-posts.

A total of seventeen slums in which reside 1.05 lakh people have no source of water supply within the settlement. In addition to this pavement settlements in which reside approximately 5 lakh² people are completely devoid of any provision of water supply. The communities in these slums and pavement communities have to face the hardships of collecting water from other settlements, which in many cases are quite far, and still the amount of water that they manage to collect is far less than their requirement. Women and children spend a lot of their daily time in collecting water. Apart from physical hardships they waste economically productive time in collecting water and in many instances have to buy water at astronomically high prices.

¹ Water pipelines from one stand-post are extended to individual households / common points

² MMRDA Report

Inappropriate timing of water supply creates problems for women who have to adjust their work schedules and sleeping patterns to be able to get up early in the mornings or stay up till late at night for filling water. While duration of water supply is an issue, the low pressure at which the water is being supplied is a more serious issue facing the communities. The people in slums and pavement communities also have access to poor quality of water. Majority of the communities report that the initial supply of water is always contaminated. The maintenance of the water supply network (water pipelines) is also very poor and substandard, in many places the pipes have been corroded and during low flow the external material finds its way into the water pipelines and contaminates the water. The situation is further complicated due to the proximity of sewage and water pipelines.

All communities are making payment for water supply based on the bills received. However, due to dysfunctional meters many a times the amounts that they pay are not based on their actual consumption which was perceived as unjustified.

Demand:

- The *provision of water supply* should, wherever possible, be at the individual household level. The same should be linked with the city level water supply system. In settlements, where due to physical or social constraints, the same is not possible there is a need to ensure that adequate community level provisions are provided.
- In slum redevelopment initiatives the *development standards* ascribed by the Urban Development Department of the Government of Maharashtra through the Development Control Regulations for Greater Mumbai (1991) should be relaxed and allow scope for innovative solutions for slum redevelopment.
- The *timing for the water supply* in slums is usually at a very awkward time sometimes in the middle of the night or early in the morning. The time of water supply should be at a reasonable time during the day and the same should be planned in consultation with the community.
- The *water supply system (water pipelines)* should be maintained properly by the local authority. In many instances the water pipelines have been corroded and during low flow the external materials enter the water supply system that leads to the water getting contaminated.
- Ensure that the *pressure at which water is being supplied* is adequate. In cases it would mean ensuring access to bigger diameters pipes for slum and pavement dwellers. The argument of the MCGM has been that the pressure is low as one connection is further extended to many more families but the planning for the same needs to be in tandem with the local situations.
- An *assessment of all the water meters* to ensure that dysfunctional meters are rectified and that the charging to slum communities is realistic and there is no over charging.

Toilets:

Context:

The slum population in Mumbai largely depends on public toilets for their sanitation needs with 1,488 (76%) slums in which reside 39.22 lakh (64%) people dependent exclusively on Public toilets. There are 209 slums in the city in which reside 1.79 lakh people accounting for 2.68 percent of the total slum population which are completely devoid of any public toilet facility within the settlement. Also the pavement communities are completely devoid of any sanitation facilities. In the absence of any public toilet facility, the residents of these slums and pavement communities are forced to defecate in the open or make use of the public toilets in neighbouring slums. The individual types of toilet facilities have not been regularized by the MCBM.

That there is poor level of maintenance of the toilet blocks by the MCBM is a universal complaint of all communities. The toilet doors are often broken, latches are pulled off, pans are damaged and clogging due to improper and infrequent de-sludging of the septic tanks renders several of the toilet seats unusable. The conditions inside the toilets are unhygienic and create situations that lead to proliferation of disease spreading vectors.

The inadequate provision of toilet seats results in a very high number of people being dependent on one toilet seat. The situation is further worsened due to the poor level of maintenance of the available toilet facilities which renders many toilet seats useless and thus further increases the pressure on the existing infrastructure. The present average ratio of persons per toilet seat in Mumbai slums is 81:1. The variation is from 273:1 in A ward to 56:1 in FS and S wards. In none of the wards, the ratio is below 50:1 (though there are many slums which have a ratio below 50:1), indicating that the target is not achievable unless the authorities take very drastic steps.

No cognisance is taken on the needs of special groups like women, children, handicapped / aged in the design of the toilets. There is a clear absence of a conscious thinking with regards to the sanitation needs of women and children. Owing to unclean and overloaded toilets and lack of electricity in toilet blocks, women often change their body clocks to answer nature's call. Women use *mishri*, or tobacco as a laxative. Women control their intestinal urges to school their bodies leading to lifelong constipation for many of them. They then use *mishri* as a laxative, which being tobacco based causes other complications such as mouth ulcers, mouth cancer etc. In the absence of child specific toilet facilities, the children defecate in the open, on *nallas*, outside toilet blocks, in bylanes and on newspaper outside the house, anywhere but in the toilet block.

The public toilet blocks lack basic facilities like water, electricity, dustbins, etc. In the absence of water, electricity the use of the toilet block is limited.

Demands:

- ***Regularising individual type of toilet facilities*** for slums and pavement communities.
- ***Provision of individual household level toilet facilities*** wherever technically and socially feasible.
- In areas where individual toilet facilities are not feasible adequate ***shared or public toilet facilities should be provided***. The same should be based on the need assessment

survey conducted by YUVA and Montgomery Watson for MCBM under the Bombay Sewage Disposal Project.

- The toilet facilities whether individual or public toilets should be *connected to the city level sewerage system*.
- Complete *discontinuation of the practice of puncturing the septic tank and connecting to the sewerage system*, instead the septic tank should be disbanded and a link to the sewerage network established.
- The *needs of population groups like women, children, handicapped and aged* should be taken into cognizance while planning and designing the shared and public toilet facilities.
- The *shared and public toilet facilities should have the provision of all facilities* like water, electricity, dustbins, etc.
- The *operation and maintenance of shared and public toilets should be done by the community based organisations and MCBM*. The division of responsibility between the two should, however, be on the terms and conditions of the people.

Solid Waste Management

Context:

Collection of garbage, refuse and solid waste is a basic responsibility of the MCBM. Approximately 3000 M.T.³ of refuse is generated by slums and pavement communities in the city.

The present system of collection of refuse in slums is limited to placing a portable receptacle or built up refuse bin in the vicinity of the slum at a place accessible by Municipal refuse collection lorry. The residents are expected to deposit their household refuse into these bins which are emptied by the Municipal vehicles during the day.

The communities in a majority of slums are indulging in dumping of garbage at a variety of locations including by-lanes, drains, *nallas*, open area, railway tracks, roads, near toilets, and in municipal bins. The location, size and the condition of the municipal bin is inappropriate in majority of the communities. Along with this the irregular frequency of clearance of garbage from their settlements by the municipal staff.

Demands:

- Access to the solid waste collection service by the MCBM to all slums and pavement communities.
- Regular frequency of clearance of the municipal bin preferably daily irrespective of the legal status and land ownership of the slum and pavements by the MCBM staff.
- Location of the municipal bin should be planned in consultation with the community.

³ every person generates 480 gms. of refuse daily

- Launching awareness generation campaigns in slum and pavement communities to ensure that they change their current practices and organise settlement level (*Chawl / lane*) collection system and its subsequent dumping in the municipal bin.

Drainage

Context:

The drains in the slums and pavement communities serve the purpose of carrying the sullage water from individual houses as well as draining the storm water.

The slums in the city have different types of drainage systems present, namely, open *kutcha*, open *pucca*, covered *pucca* and underground. Depending on the level of community initiatives taken to upgrade the drainage system there has been a progression from its most rudimentary stage that is, open *kutcha* to open *pucca* and covered *pucca*.

Demands:

- The drainage facilities should be provided at an individual level in all slums and pavement communities irrespective of the legal status and land ownership.
- The drainage system of the settlements should be connected to the city level drainage network.
- Regular cleaning of the drainage network by the MCBM staff irrespective of the legal status and land ownership of the slum and pavements.

Roads

Many slums in the city are devoid of roads / pathways which limits their accessibility.

Demands:

- Provision of paved accessways to slum communities. The same would facilitate the introduction of other related infrastructure such as storm water drains, drainage, sewerage, water supply and collection and transportation of garbage.

Health

Demands

- All promotive, preventive and curative health services should be provided to all slums and pavement communities.
- The provision of health services should be through the PHCs and also through mobile services that can reach out to the slums and pavement communities.
- All promotive, preventive and curative health services for slums and pavement communities should be planned on a participatory basis with active community participation.

- Urban health centres (PHCs), should be strengthened to ensure that they can adequately serve the population residing in slums and pavement communities.
- In case of privatization of medical services there is a need to regulate these private practitioners and monitor the quality and affordability of the services offered.

Education

Demands:

- The MCBM should ensure the provision of free, quality and compulsory provision of elementary education covers all slums and pavement communities.

Discussion Note **RIGHT TO PARTICIPATION & INCLUSION**

Context:

Good governance can be measured in two ways. Firstly, by how and to what extent people have access to the potential benefits of the city such as employment opportunities, housing infrastructure and services such as education and health, and secondly, by the level of participation in the decision making process and activities taking place in the city.

The 74th Constitutional Amendment Act (1993) of India emphasizes both the above aspects of governance by combining the issues of poverty, environment and participation as the elements of the good governance of a city.

Schedule Twelve of the 74th CAA outlines the comprehensive list of functions that a municipal corporation must undertake in the city. This ensures that the municipal corporation goes beyond its former role of only providing basic services, to also include a responsibility for the holistic development of the city, including such responsibilities as planning for economic and social development, safeguarding the interests of the weaker sections of society (including the physically and mentally challenged), urban poverty alleviation and slum improvement and upgradation.

The Twelfth Schedule also specifies the function of environment protection, the provision of urban amenities and the promotion of the urban ecology. These functions have been further emphasized in the context of Maharashtra through the formulation of the 'Environmental Status Report', which the municipal corporation is supposed to publish every year. Such a report can be a critical instrument in measuring the access that people of the city have to a basic quality of life, in keeping with the principles of dignity, security and peace.

The 74th Constitutional Amendment also focuses on strengthening public participation, building a democratic culture and enabling people's action. It includes provisions for direct intervention of people in local planning through Wards Committees and the representation of specific population groups (such as women and representatives from scheduled castes and tribes) in the governance of cities. However the achievement of the fullest spirit of this Act can only be achieved with the implementation of measures such as the inclusion of NGO-CBO representatives on the Wards Committees, and the genuine involvement of people's groups in determining and monitoring the use of Development Funds at the local level.

The underlying issue however is one of the growing alienation of the poor and other vulnerable groups from the city, inspite of such progressive legislation and movements such as the Global Campaign on Urban Governance and the National Campaign on Urban Governance. On one hand, there has been a trend towards dispossessing the poor and the working classes not only of their access to the city's resources, but also to their very identity as legitimate residents of the city. The application of terms such as 'encroachers', 'non tax-payers' and 'illegal settlers' reflect a motive to disregard the long standing contributions of a significant part of the population to the city, and deny them their right to have legitimate access to the resources that they have helped to build.

Further, existing provisions to discuss the resources and priorities of the local government have not been made available to the larger public. The 74th CAA makes the chief executive, the Municipal Commissioner, responsible to publish a "Subsidies Report" of the city which describes the concessions granted for the distribution of basic services across the city.

The "Subsidies Report" would enable us to discern access to resources across sections of the urban community and raise the important question of 'Subsidies for Whom?', i.e. where are subsidies utilized and for what purpose? Several groups believe that the pattern of subsidies distribution is likely to expose a fundamental inequity in the facilitation of costs provided to those who can afford to pay (the well-to-do, commercial establishments, etc.) as against the poor whose settlements and enterprises are not recognized as entitled to receive the services of local authority.

The publication of the report is also in keeping with the Right to Information of the people, which has also been legalized in Maharashtra. There can be no meaningful participation without access to the right and relevant information, and it is the responsibility of the State to ensure that all people can access information.

Demands:

1. The City belongs to all communities residing in it, especially the poor who are an indivisible part of its social, cultural and economic fabric. The economic contributions of the poor to the city should be formally recognized by the Municipal Corporation, in terms of their labour, the contributions of their production processes and the direct and indirect taxes that they pay. Moreover, the concessions available to the non-poor classes through the subsidies on basic services, meant for the poor, must also be made transparent through the publication and dissemination of the Subsidies Report.
2. The Municipal Corporation must implement specific programs for social welfare and empowerment, particularly in the context of urban poverty alleviation and the needs of specific groups such as women, children, the aged and the physically and mentally challenged, in keeping with the directives of the Twelfth Schedule of the Constitution.
3. The right to participation must be ensured through the immediate inclusion of NGO-CBO representatives on Wards Committees, in keeping with the 74th Constitutional Amendment and the Maharashtra State Guidelines for the inclusion of representatives of non-governmental organizations and community based organizations. Such participation should be representative of the cross-section of society relevant to the particular ward for which the Committee has been established, and particularly inclusive of the needs of groups that are can be considered marginal on the basis of class, caste, religion, ethnicity, age, ability or gender.
4. The Municipal Corporation must also facilitate the preparation of people's groups to participate in Wards Committees by supporting the formation of NGO-CBO Forums, and providing them with information and other resources to play their intended role in local planning and administration.
5. The Development Funds available to the Wards Committees and the Elected Representatives must be regarded as the 'People's Fund', and the people must be effectively involved planning, implementing and monitoring these works at all levels. It must be mandatory for the Ward Office and Elected Representatives to regularly publish all details of intended works as well as completed works from time to time for the information of their constituents.
6. The Right to Information is indivisible from the Right to Participation. The Ward Office and Elected Representatives must also facilitate greater access to information and innovative methods for participation such as through the effective functioning of Single Window systems, making information easily available through websites. Location Maps of Development Works or Management Information Systems.
7. Elected representatives must also be accountable to their constituents with regard to the proposals and issues that they have raised in the House of the Corporation. These proposals must be conveyed to and discussion and feedback invited from the larger community. Further, it must be made mandatory for elected representatives to publish the details of the amounts of and sources of personal income every year.

8. The political participation of Scheduled & Backward Castes, Indigenous & Tribal Communities, Women & Children, which has been strengthened by the 74th Constitutional Amendment Act, must be ensured and their needs and interests adequately represented in the city's development.
 9. The Municipal Corporation must use the Environment Status Report, as mentioned in the Maharashtra Conformity Legislation to the 74th CAA, as a tool to monitor the quality and distribution of urban amenities and facilities against the principles of equitable access and sustainability. The Environment Status Report must also recognize that the poor are the worst sufferers of the environmental degradation of the city, in terms of their vulnerability and exposure to pollution, resource deprivations and disasters, and special measures must be taken for their protection and well-being.
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Discussion Note **RIGHT TO SURVIVAL & LIVELIHOOD**

Context:

In the last decade, the impact of the neo-liberal policies of the state has been seen to affect mainly the poorest of the poor. These have led to further impoverishment through policies that distance existing social and economic supports and resources from the poor without first building their economic and social capacities and reforming the existing systemic framework to nurture such capacities.

This accelerated pace of urbanization however is not matched with corresponding urban planning and investment. The result is an ever-growing class of urban poor, engaged in a perennial struggle for foothold in cities, which willingly take what they have to offer in the form of cheap, informal labour but are willing to give little in return. This is the group that exists in all cities of the state but is rendered invisible due to the lack of attention paid to it in planning, policy and resource allocation.

A similar fate is that of the large informal sector that currently accounts for approximately 88% of the entire working population of Mumbai. Informal employment in Mumbai was estimated at 68.1 per cent in 1993. Earlier studies indicate that the numbers of the informal sector increased from nearly half of total employment in 1961 to about two-thirds in 1991 – and it continues to expand.

The informal sector of Mumbai and other cities are not a homogenous group of people. The huge section of the population working on a variety of low paid tasks within the city comes from varying socio-economic backgrounds, and includes hawkers, construction workers, industrial or 'gala' workers, domestic workers as well as workers who are employed in subsidiary establishment of large scale formal sector companies. The most significant shared characteristic is that informal sector workers are vulnerable due to unprotected and unregulated labour and capital markets. For example, they do not have access to formal mechanisms of finance, labour protection laws or working benefits.

Members of the informal work sector are largely inhabitants of the informal housing sector as well. Thus not only do they experience insecure working conditions but also precarious living conditions.

Demands:

1. The city has been built and continues to be sustained by the labour of the working classes. It is this labour that subsidizes the lives of the other classes of the city. The State must formally recognize the economic contribution of the working classes of the city, their Right to Livelihood and incorporate their needs and concerns must take precedence in the development plans and allocations of the city.
2. The informal sector is the mainstay of the sustenance of the city of Mumbai. Not only do large manufacturing and corporate firms depend on the informal sector to subsidize their processes, many of the living needs of the population itself are also met by this sector. For instance, 90% of the vegetable supply of the city is met by the hawkers, who sustain the city by providing such basic necessities at affordable rates. The municipal corporation must strongly condemn actions that aim to repress and harass this sector, but instead take progressive action to formalize the processes of the informal sector and provide them with the basic conditions of safety and protection from all forms of harassment.

3. In relation to the current issues being raised in regard to the regularization of hawkers, a Task Force, which is representative of all groups concerned with the issues of Street Vendors, must be constituted to study their extent and needs across the city and monitor their rehabilitation into Hawking Zones.
4. The reassessment and rehabilitation of hawkers must be comprehensive and extend beyond those located on BMC land.
5. The municipal corporation should license the hawkers which would control arbitrary harrassment and also ensure an increase in the revenue for the local body.