

WHY ARE SLUMS BURNING?



INVESTIGATION BY NIVARA HAKK SURAKSHA SAMITI.

Report of an investigation into fires in Bombay Slums
between October - December 1987, by a team of the
Nivara Hakk Suraksha Samiti.

Introduction:

The complete devastation by fire of several thousand huts in seven incidents within a short space of three months (October - December *987) has raised several suggestions in the minds of those involved in the struggle for housing in Bombay.

- 1) Were these fires the result of accidents as the police reports claimed?
- 2) Was there any nexus between the Government onslaught on slums and these fires?
- 3) Were interested parties delaying aid and succour to the affected slums?
- 4) Was this, in short, a quick way of clearing prime land for speculation and profiteering?
- 5) Was there any nexus between the Government and the Builders, Estate agents and Business interests?
- 6) Were there larger social, political and economic interests leading to attacks on slum dwellers?

Nivara Hakk Suraksha Samiti which was formed in 1981 and comprises several slum, social work and youth organisations as well as individual professionals, set up a fact-finding team to investigate the slum fires. The team visited the sites of all the fires, spoke to slum dwellers as well as ward officers and other authorities.

The team presents below its report. It has also decided to append to the report, three case studies, pertaining to the biggest fires which are marked by a complexity of issues. These are of Rajiv Nagar (Goregaon), Dhobi Ghat (Mahalaxmi) and Ambedkar Nagar (Cuffe Parade).

Before going into the report of the fire itself, the team would like to present a brief background to the housing question in Bombay, which it views as integral to the investigation.

PRESSURE ON URBAN LAND

Over the past decades there has been an increasing number of people migrating to the city of Bombay. Lack of rural development, unemployment as well as widespread draught is pushing people into the cities in search of livelihood. On the other hand, concentration and further growth of industries and work opportunities has attracted the poor from villages and small towns.

Business, private investments and speculation in land and

housing has pushed the price of land to a phenomenal high. For example, in South Bombay, the combined rate of land and building is as much as Rs. 4,000 per sq.ft.

Lack of political will, total disregard and apathy, lack of relevant and systematic planning and total failure in the implementation of programmes by the Government has led to the mushrooming of slums and the total degradation of living conditions in the city. Today, approximately 60 per cent of the city's population live in slums and in the most inhuman environmental conditions, posing a serious threat to their lives and in particular to women and children.

While speculation in real estate has made a few into millionaires overnight, for the vast majority the owning of a house remains an impossible dream. (Average income of a slum household: Rs. 419.00; average price of a one room slum tenement: Rs. 5,000.00; chawl: Rs. 1.5 lakhs, subject to location). Hence, what is a basic necessity has been converted into a luxury and even denied to the vast majority.

THERE IS NO DEARTH OF LAND

The common belief is that there is no land available in the city of Bombay or that it is the lack of space which is causing the congestion and housing problem. But this is patently untrue.

There are 50,000 acres of vacant land available in Bombay according to the Governments own statistics. Of this about 7,500 acres of private land is already vested with the Government under the Urban Land (Ceiling and Regulation) Act, 1976. Even with a density of 200 persons an acre, the total land required for housing the entire 5.5 million slum population would require 25,500 acres. This is exactly half of the total vacant land in the city. It may be noted here that these figures of vacant land does not include the land occupied by existing slums. Decentralisation and change in the priorities of land-use pattern can very easily help the situation.

The problem then is not of too many people or too little land, but of a cogent housing policy for the benefit of the poor and the toilers.

GOVERNMENT'S ROLE:

The gravity of the housing problem in the metropolis compelled the Government to take note of the situation. It came out with a token gesture in the form of a census of slums. This census was conducted in 1976 and the status of "unauthorised encroachments" was bestowed on the slums. Photopasses were given to slumdwelleres at the time and the municipality began collecting a monthly "fine" (dand).

It must be stressed here that the majority of the population living in slums does not comprise of just lumpens and goondas as made out by the Government and its protagonists. In fact, the slumdwellers work in various sectors and form an absolutely essential part of the city's work force. Industrial workers, municipal & Government employees, those employed in the informal sector form the main part of the slum population.

But, in 1980, the Government decided to launch an offensive against slums and the Antulay Government began large scale evictions in the middle of the monsoons. Slumdwellers were bundled into S.T. buses and dumped outside the city. The brutality of these evictions shook the city. A temporary respite was obtained from the courts, but since then the onslaught has continued in a more planned but cautious manner.

VESTED INTERESTS AND LAND:

The skyrocketing land prices have made many a profiteer cover the available land within the city. But it is not only the Builders who are involved in get-rich-quick schemes by taking over whatever sites are available. An increasingly common trend is the development of slum lords, who prey on the poor, pushing them out of their houses and land in order to make a quick buck. These goondas also collect money from slumdwellers at will, enjoying as they do the protection of organised crime racketeers, political patronage, with the police at best turning a blind eye at all this and at worst, in active collusion with these anti-social elements.

LACK OF AMENITIES AND THE RESULTANT VULNERABILITY OF SLUMS

Apart from living under constant threat from both the authorities and goondas and the consequent insecurity that this breeds, the slumdwellers have to suffer a multitude of practical problems.

The manner in which these slums have come up and the way in which they are presently constructed, makes conditions within a slum extremely hazardous. The lack of amenities like roads, water, electricity, adds to this problem. As a rule, the slums are extremely congested and are built mostly from inflammable materials. In the event of a calamity like fire, the dimensions of a tragedy are aggravated. It also means that the task of fire fighting becomes much more difficult in terms of reach and accessibility of water hoses etc. (as we found in the case of the Matunga Labour Camp Fire and Mariamma Nagar)

The location of slums close to railway stations and highways increases the risk of accidents (ref: Mahalaxmi and Vile Parle). As it is, accidents involving children are quite common.

LEGAL STATUS

Most of the affected slums have come up around 1980 and have not been censured in 1976. In line with the official policy they are considered unauthorised and not entitled to any civic rights or amenities. However, residents of Kamaraj Nagar, Vile Parle, have been there since 1970, but they have not been censured.

Despite being unauthorised, all residents are on the 1980 electoral lists. All the slums had been demolished at least once, some twice (Worli Mariamma Nagar) or even thrice (Kandivli, Cuffe Parade). Of the seven slums investigated, 4 were on BMC land, 2 on the Collector's land and 1 on state Government land. In at least four of these slums, there has been a longstanding dispute between the residents and the authorities. They are:

- 1) Ambedkar Nagar, Cuffe Parade: A case has been filed against the Collector and a stay-order obtained against eviction.
- 2) Ganesh Nagar C & D Committees, Mahalaxmi: The land has been reserved for residential accommodation for retired fire brigade officers. The rest of the land is reserved under the green belt.
- 3) Rajiv Nagar, Goregaon: The land has been allocated for a cemetery, a garden, and for the rehabilitation of displaced civic employees.
- 4) Kamaraj Nagar, Vile Parle: The road development authorities want to acquire the land from the BMC to widen the highway by 30 feet.

Residents of 2 of these areas ie. of Ambedkar Nagar, Cuffe Parade and Rajiv Nagar, Goregaon, have been given eviction notices after the fires by the Additional Collector for Slum Encroachments and the BMC respectively. In Cuffe Parade, the authorities have asked residents to produce proof of residence since 1980 which is impossible as all the relevant documents have been destroyed by the fire. In Goregaon, the residents filed a case against the eviction order and obtained a stay on 8th Jan. 1988.

Having lost all their lives belongings and savings in the fire and having re-built their houses by taking loans, the people from all these areas live under the constant threat of demolition.

POLITICAL SITUATION

Despite being sadly neglected in all respects, the slumdwellers right to vote is granted promptly. They serve as vote banks which are wooed by politicians during elections. False assurances of providing basic amenities and security of tenure are made. Residents of Kamaraj Nagar, Vile Parle, have learnt a bitter lesson in this respect. There are 1,215 voters on the electoral rolls of this area. They belong to the mayor,

Dr. Ramesh Prabhoo's constituency. Just a week before the fire, the assembly elections were held and candidates from all parties visited the area and gave tall assurances. Even four days after the fire, the people had not received any relief. To date, no assurance has been given of providing alternative accommodation.

Censuses, recognition of slums, the concept of cut-off dates and electoral rolls only prove to be handy tools to divide and rule the slumdweller.

In Mahalaxmi, the Congress I corporator, Mr. Virji Solanki, has come up with a novel scheme to build new houses. He has floated a co-operative housing society inviting people to join as members by paying a sum of Rs. 2,051.00. He has promised to arrange loans of around Rs. 10,000.00 per member, knowing very well that the people do not have legal rights over the land. What is the Corporator's interest in this scheme? He is a Builder himself.

Further, even the MLA, Mr. Dadu Atyalkar of the Kamgar Aghadi has offered to build houses for people at a cost of Rs. 1,100.00. Some 80 people have already registered in his scheme. Most people however, are afraid to invest any money unless some guarantee against demolitions is given. None of the political parties involved in this area have bothered to raise the most fundamental issue of tenancy rights.

In Goregaon, the local Councilor refused to recognise more than 200-odd people who had voted in the last election. In short, it was a threat to those who did not vote in support of the MLA.

It is clear that while the politicians are eager to use the slums as vote banks, they are doing precious little in the way of actual help in times of emergency. Even on a regular basis, on the question of basic amenities, health and education, they do little.

Further, there are many local lumpens associated with some political parties, who make their living by threatening local residents and extorting money. When their authority is challenged by the local people, they unleash terror by armed assault or by threatening to set the slum on fire. This is what happened in Rajiv Nagar, Goregaon. A group of Shiv Sena goondas have been extorting money and terrorising people here. As local people started resisting, there was an armed attack in October, resulting in serious injury to one person. A complaint was made to the local police station but no action was taken. Before the fire, on Dec. 8th, there were several oral threats by these goondas but the local people were helpless.

ACCIDENT OR ARSON?

After a fire, the local police station investigates the causes of the fire. Their report is accepted as the basis by the Collector (in order to distribute compensation), the fire brigade and the press.

The police have shown much haste in establishing a theory of the fires being an accident. Rumours are accepted as facts and the cause is dismissed as accidental - either a lit cigarette butt carelessly thrown, a stove bursting, self-emolition, a fire cracker being burst etc. No investigation worth the name is done as to the situation in the slum before the fire, history of disputes, etc. People affected in three of the fires investigated, in Cuffe Parade, Goregaon and Mahalaxmi, suspect foul play because there have been conflicts in the area and attempts have been made in the past to evict them. They say that there have been fires in the past due to accidents but these have affected only a few huts and not the whole slum. Further, the fact that eviction notices have been served on two of the slums after the fire, has only strengthened the argument that there was foul play and interests involved.

In Goregaon and Cuffe Parade, the fires broke out at a time when most of the people were away at work and it was known that only a few women and children would be around. In Goregaon, the day the fire broke out is also significant. For the fortnightly rations had just been stopped and every family had its share of kerosene in the house.

In Mahalaxmi, the people claimed that the fire brigade arrived after a significant time lapse and even then did very little to put out the fire. People say that the fire fighting followed the path of the fire rather than stem it.

AID

The victims of the fire were only entitled to a mandatory Rs. 110.00 per person under the National Calamities Provision, from the authorities, though they lost all their possessions and savings (in many cases the slum dwellers just keep all that they have at home). This is a negligible amount with which they cannot even re-build a single hut let alone compensate for their loss.

In most areas, however, we found that it is help from surrounding slum areas and voluntary agencies that really sustained the victims. In cases like Ambedkar Nagar, Cuffe Parade, even the distribution of aids became a racket, and those who have suffered didn't get any relief while several profiteers were at hand to receive the benefits of any scheme.

One important point to be noted is that the destruction of homes by fire means that slum dwellers who have ration cards and therefore, proof of residence also lose these documents. There is firstly the difficulty of re-making ration cards. Then, being temporary ration cards, the new ration cards will be dated according to when they are re-made. This means that the slum dwellers lose whatever rights, available to them under the existing law. Their tenure will be counted from that moment onwards.

CONCLUSIONS

* Our investigations clearly indicate that there is enough circumstantial evidence that a majority of fires investigated were cases of arson, with local goondas, builders and sometimes even the civic authorities, being the prime suspects.

* The wilful apathy and the total disregard of the state Government and the civic authorities towards slum dwellers coupled with their present eviction campaign has created a climate of tension and insecurity among slum dwellers. The local goondas and slum lords prey on these anxieties and further exploit the hapless slum dwellers. These anti-social elements are also emboldened to physically attack slum dwellers as well as set fire to their houses if they display any resistance.

* The lack of basic amenities such as roads, water and electricity aggravates the miserable conditions in which the slum dwellers have to live. This also makes the task of fire fighting that much more difficult when fires break out.

* As the Government refuses to regularise the slums, the fear of demolition prevents the slum dwellers from investing in more permanent and fire resistant building materials. Therefore, most of the huts are built from inflammable materials like jute, bamboo and other scrap. Fires in such slums spread very rapidly and create immense havoc. Realising the situation, slum lords and other goondas use fire as a handy tool to threaten the lives of slum dwellers.

NIVARA HAKK SURAKSHA SAMITI DEMANDS:

- 1) All slum demolitions to be stopped.
- 2) All slums be recognised and regularised.
- 3) Basic amenities such as water, electricity and roads in slums be immediately provided.
- 4) Alternate land/housing for those slums located on marginal land such as along railway lines, pipelines, nallas etc. be provided.
- 5) A judicial enquiry be conducted into all fires and the attack on slum dwellers and the guilty be punished.

SITE OF FIRE	WARD	NO OF HUTS GUTTED	AFFECTED POPULATION	DATE OF FIRE	TIME	LAND OWNERSHIP
1. KANDIVILI	P SOUTH	100	500	24TH OCT.	1.30 A.M.	BMC
2. CUFFE PARADE	A SOUTH	330	1650	30TH OCT.	11.30A.M.	COLLECTOR
3. MAHALAXMI	G SOUTH	2000	10,000	14TH NOV.	7.30 P.M.	BMC
4. WORLI	G SOUTH	170	850	10TH OCT.	2.20 A.M.	COLLECTOR
5. MATUNGA LABOUR CAMP	G NORTH	15	75	2ND DEC.	12.30 A.M.	BMC
6 GOREGAON	P SOUTH	500	2,500	8TH DEC.	5.00 P.M.	BMC
7 VILE PARLE	K EAST	150	750	20TH DEC.	2.00 A.M.	STATE GOVT.
		3,265	16,325			