

# Revisiting the City Makers

## Follow-up Study Report on the living conditions of the Homeless People in Chennai

**1. Homelessness and Disparity in Urban Reforms:** It is an undeniable fact that cities are engines of development for the rich and the powerful contrary to the welfare of the poor and the marginalized. The growth of urban infrastructure development in the Indian cities is overwhelming but amidst the thriving development there constitutes a population who still remain shelterless as far as a roof is concerned, unorganized as far as labour is concerned, marginalized as far as their rights are concerned and invisible as far as the numbers are concerned. They are the 'homeless' - defined as persons denied of a private roof over their head (even as hutments); persons sleeping or returning to sleep in pavements, road side, platforms or sidewalks with their belongings near their sleeping place or hideouts. The homeless are referred to as pavement dwellers by the Government of Tamil Nadu and are now termed as **City Makers** by urban activists to insist on their contribution to the urban economy.

They are featured in the planning of urban centres vis-à-vis as the eye sore of the cities, a pain in the system that just needs to be picked and thrown into the sea or shunned in sub-urban ghettos for the urban poor. When there are grand designs for improving the basic amenities for the urban poor, the stark reality is that there is just one state run shelter available in Chennai (Kannapar Thidal) for the shelter less (apart from the homes that are run under the JJ Act addressing destitute children).

The contribution of the city makers to the thriving urban economy through their immense labour force seems 'invisible' to the state due to sheer negligence. The society by and large frowns upon them, fearing their culture of poverty, branding them 'lazy', 'untrustworthy' and 'criminals'. The sophisticated city dwellers often fail to understand that they are highly dependent on existence of these 'hard working' urban poor for leading a comfortable city life. There is a strong class relation between them with the urban poor being subjected to exploitative relationship within the production systems of the dominant economy. In other words the pool of cheap labour directly or indirectly exists, for the advantage of the rest.

The exploitative system on one hand is thriving out of their abundant cheap labour where as on the other is influencing the state policy to sweep them out of their habitat (pavement and slums) to 'affordable housing' in the outskirts of the city denying them of their right to city. The advocates of beatification of the city, wants to ensure the convenience of the rich by means of expanding the streets/roads they travel, at the cost of unleashing untold human tragedies in the eviction processes that shuns the poor away from the portals of the city. This situation questions the basis of the urban reform policies of the state. With rampant infrastructure development being advocated for, there also exists a situation where people are surviving without basic food, cloth and shelter in cities that are 'engines of development'. This makes us wonder how India as a Welfare State is excluding the most marginalized from the purview of the city planners and Municipal Administrators except when it comes to throwing them out of the cities in the pretext of housing initiatives.

**2. Rationale for Revisiting the Status of the Homeless People in Chennai:** The Policy Note for the year 2010-2011 of the Housing and Urban Development Department (Demand No. 26) points out that Tamil Nadu is the most urbanized state in our country with 43.9% of the population in urban areas. The rapid urbanization has put tremendous pressure on existing infrastructure and public services because of the increase in the population of urban poor in

the cities. Providing 'affordable housing' for the ever increasing sections of Economically Weaker Section (EWS) and Low Income Group (LIG) Categories is viewed as a challenge by the Government of Tamil Nadu.

Chennai City has a slum population of 819,872, which constitutes about 19% of the City Population. The Scheduled Castes Population in slums is of the order of 269,301 (32.84%) persons apart from 1830 constituting the Scheduled Tribe population (Second Master Plan for Chennai Metropolitan Area, 2026). The Second Master Plan also refers to the Survey of 'Pavement Dwellers' in Chennai City conducted by the consultant SPARC (Society for Promotion of Area Resource Centres) for CMDA<sup>1</sup> in 1989-90, the number of households who were living in pavements was 9491 at 405 clusters at an average of about 23 households at a place; their population was 40763 (20811 Male and 19950 Female). This study conducted by SPARC is similar to the study conducted by ActionAid India<sup>2</sup> (2003) in the 10 zones, which states that the total population of the homeless in Chennai is 40,533 of which 22,810 are men and 17,723 are women.

**UNDP's (United Nations Development Programme) India: Urban Poverty Report 2009 states that the total urban homeless population is 7,78,599 people (2001 census) with Tamil Nadu having highest in the national level with 7.3%. Extreme poverty topped the list of reasons for why people come to the streets with the highest being 73.75% in Chennai.** The report also points out that the urban homeless population in Chennai is not "home"-less as much as "house"-less and their condition is chiefly linked to their lack of adequate shelter.

To combat the homelessness in India various National as well as State level policies are in place. The National Urban Housing and Habitat Policy 2007<sup>3</sup> points out that the Urban Planning should ensure that Development Plans/Master Plans as well as Zonal Plans and Local Area Plans are made and updated regularly so that adequate provision is made for the homeless as well as the slum dwellers. The Second Master Plan for the Chennai Metropolitan Area also states that the "**Pavement dwellers will be provided with affordable opportunities for housing in selected sites preferably close to their present pavement residence.**" Keeping the spirit of the National Housing Policy, the Pavement Dwellers Scheme was introduced to provide shelter to the footpath dwellers and the absolutely shelterless in metropolitan/large cities. Under the Action Plan of the Govt. announced in January 1990, the central scheme sought to provide night shelter and sanitation facilities to Footpath Dwellers at a per capita cost of Rs. 5000 with 20% subsidy from Central Govt. and 80% loans from HUDCO<sup>4</sup>. On the basis of the recommendation of a Committee undersecretary (Urban Development), the scheme was extended to all urban areas, wherever the problem of footpath dwellers exists. During 90-91, (as on 31.12.90) HUDCO had sanctioned 6 schemes for the construction of night shelters benefitting 4640 footpath dwellers. Another 22 schemes for the benefit of 2868 pavement dwellers were under scrutiny and was likely to be sanctioned at the earliest. In Tamil Nadu the Pavement Dwellers Housing Scheme was introduced where serviced plots with core housing were

<sup>1</sup> Chennai Metropolitan Development Authority (CMDA) was constituted as an ad-hoc body in 1972 and become statutory body in 1974 vide the Tamil Nadu Town and Country Planning Act 1971.

<sup>2</sup> ActionAid is an International anti-poverty agency working in over 40 countries, taking sides with poor people to end poverty and injustice together.

<sup>3</sup> The National Urban Housing and Habitat Policy 2007 - <http://mhupa.gov.in/policies/duempa/HousingPolicy2007.pdf>

<sup>4</sup> Housing and Urban Development Corporation Ltd. (HUDCO) was incorporated on April 25, 1970 under the Companies Act 1956, as a fully owned enterprise of the Government of India

allotted to the identified pavement dwellers. It was funded by the Government of India (Rs. 4,000/- per household), Government of Tamil Nadu (Rs. 1000/- per household) and HUDCO loan (Rs. 8,000/- per household). Government of Tamil Nadu in the Second Master Plan has pointed out that 7787 families are benefitted under this scheme.

Despite the prevalence of the schemes at the National and State level the shelterless city makers face various untold miseries. They have to live in the streets without a roof over their head sans any basic amenities. They have to combat against the severe weather conditions. During the rainy seasons, they are forced to run from one place to another in search of a shelter to save their lives.

They live in inhuman living conditions without electricity and provision of sanitary facilities. Women and girl children face issues related to security as they have to take bath in the streets or in pay toilets. There are men who exploit these situations of the women and thus safety is in peril for the urban homeless women. The only belongings of the homeless are also left like a heap of garbage, as there is lack of space to keep their belongings safely.

The school going children literally cannot study in the evenings, as there is no electricity they have to study in the street light or get up early morning to do the school work. Above all, the family members, especially the children and the women cannot sleep with security as they will have to be invariably afraid of passer by intrusion, sexual abuse, police beat apart from natural calamities heavy wind and rain.

The city makers are considered as illegal occupants of the city involved in illegal activities. It is an undeniable fact that the homeless are involved in hard labour yet in the eyes of the public and the police they are criminalized because of their poverty. Criminalising the shelterless population is a serious problem; they are routinely rounded up by the police. They then languish for long periods in the jail, because they are too poor, assetless and without legal access or literacy, to secure bail or legal redressal.

Another threat that the makers of the city face is that of eviction. The alternative accommodations are provided only in the outskirts of the city ignoring the fact that the livelihood opportunities of these people are tied up to the local market. Relocation means loss of livelihood and hence the city makers prefer to live in the streets than to move to the alternative locations proposed by the state in sub-urban areas far from their place of habitation.

Till date many of the city makers are inaccessible to the various government schemes and services due to lack of PDS cards and voters ID. Though most of the government schemes are meant for the poor, those who live in dire poverty situation like the shelterless population are unable to avail the schemes. Their voice remains unheard by the policy makers despite the fact that Article 21 of the Indian Constitution recognizes the **“right to life,”** and the Supreme Court of India has interpreted that to mean **“...including the right to live with human dignity and all that goes along with it, namely the bare necessities of life such as adequate nutrition, clothing and shelter”**. The city develops devoid of any development for those who

UN Declaration on Human settlement, 1976 says *“Adequate shelter and services are a basic human right which places an obligation on government to ensure their attainment by all people”*. Article 11 of International Covenant on Economic, Social and Cultural Rights (ICESCR) recognises *“the right of everyone to an adequate standard of living for himself and his family, including... housing, and to the continuous improvement of living conditions.”*

have made the city...

**Research Design:** ActionAid India in the year 2003 had conducted a comprehensive study to understand the status of the 'homeless' in Chennai. In the year 2009 with the UNDP's India: Urban Poverty Report it has felt the need for relooking at the situation of the 'homeless' in Chennai. The initial study undertaken by Action Aid in 2003 was spread across 400 settlements in 10 zones across Chennai Corporation Area; the follow up exploratory study however was taken up by ActionAid along with ICWO (Indian Community Welfare Organization) to assess the situation in 52 settlements across 8 zones of Chennai Corporation.

The 2003 study highlighted that the highest concentration of homeless population were in Zone II with 23%, Zone III and V with 14 %, Zone VII with 13%, Zone VI with 10%, Zone IV and IX with 8%, Zone VII with 5 % and finally Zone I with 2%. The follow up study also concentrated on settlements predominantly in Zone II, III, VI and VII with representations from Zone IV, V, VIII and IX.

All the people of the 52 settlements staying in the streets were enumerated. Each family was considered as a unit sample, 2545 family units were enumerated in eight zones. The schedule mainly consists of their basic profile, vulnerability status, children details, education details and service availability.

The secondary data sources adopted for the study purposes included that of the government documents and data, research studies, journal, articles and newspaper publications. Primary data were collected using the Interview schedule, focused group discussions and case studies. Both quantitative and qualitative information were collected in this study to make the study more validated. Quantitative information was collected to get the basic profile and baseline information and quantitative information were collected to substantiate the quantitative information. Interview schedule was used to collect the information from the respondents in person.

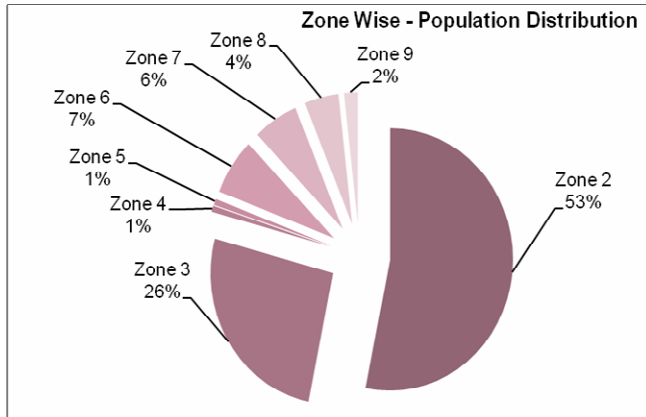
The Interview schedule consists of both open ended and closed ended questions to help the respondents to provide detailed information. The schedule also has sections to capture various vulnerable communities, children details, education details and service availability. Guidelines were derived to collect the case studies among the respondents. Mainly case studies were conducted among various vulnerable communities to understand certain phenomenon in detail. Case studies were also conducted to look into the dissimilarity and causes among vulnerable communities in different areas.

#### **Objectives of the Study:**

- To understand the living conditions of the Homeless community 7 years after the first study was undertaken
- To identify the various vulnerabilities among the Homeless community
- To understand the status of children and their education status

### **3. Findings and Analysis**

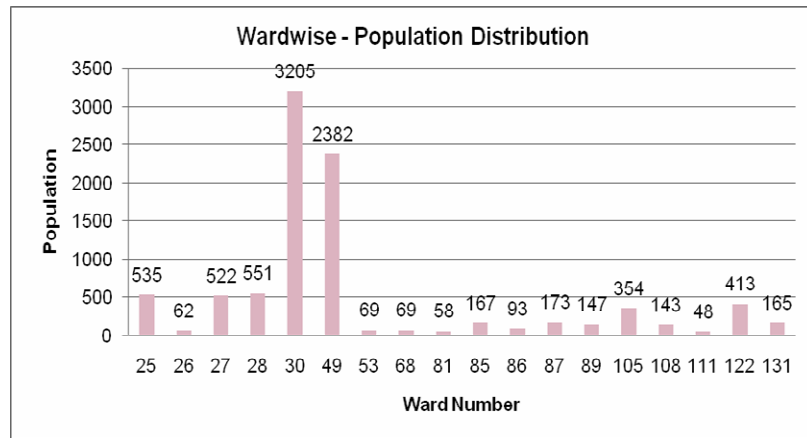
The study was conducted in 8 Zones of Chennai. They are Zone II, III, IV, V, VI, VII VIII and IX. In these 8 Zones 2545 families were enumerated. 53 per cent of the population were enumerated from Zone II, followed by Zone III comprising of 26 per cent, Zone IX, IV and V accounted only very less i.e. 2, 1 and 1 per cent respectively, 7 per cent of people were enumerated VI, 6 per cent from Zone VII and 4 per cent from Zone VIII were enumerated.



Maximum number of Homeless population in 2003 survey was also from Zone II and III consisting of 23 and 13 per cent respectively. The selection of habitations from these highly populated zones was taken up so as to undertake a comprehensive follow up assessment.

Further disaggregating the data into ward wise, it helped us to understand that Ward 25, 26, 27, 30

and 49 comprised of 79 per cent of the population. These wards covers locations including Sembudoss Street, Mooker Nallamuthu Street, Backer Street, Davidson Street, Amman Koil Street, Moor Street, Angappan Naickar Street, Thambu Chetty Street, Mannady, Sundram Street, Sengaharyan Street, Vengatesh Mudaliyar Street, Thangasalai, Periya Mestri Street, Old Collectorate, Narayana Appar Street, Parrys Corner, New street, Sowkarpeta areas, Wall Tax Road, Loansquare, Stringer Street, Amberson Street and N. S. C. Bose Road are some of the predominant settlements.



**Population Details:**

Zone Number	Men	Women	Girls 0-18 Years	Boys 0-18 Years
2	1533	1618	854	870
3	741	788	435	422
4	20	23	12	14
5	18	25	19	7
6	197	214	111	107
7	144	176	103	124
8	132	123	111	50
9	48	52	31	34
<b>Total</b>	<b>2833</b>	<b>3019</b>	<b>1676</b>	<b>1628</b>

36 percent of the city makers population is from the 0-18 years old almost equal to the national average of about 40 per cent. Men comprise about 31 per cent and women comprising 33 percent of the overall population. The total number of girls exceed that of the total number of boys and this is a healthy female sex ratio.

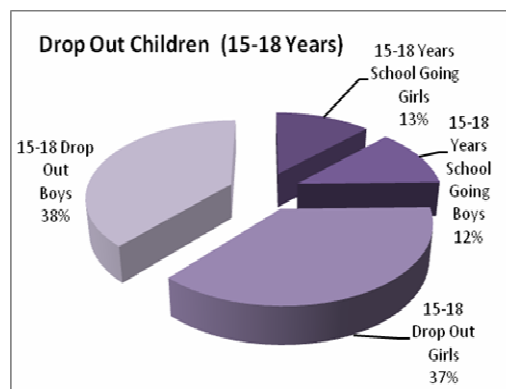
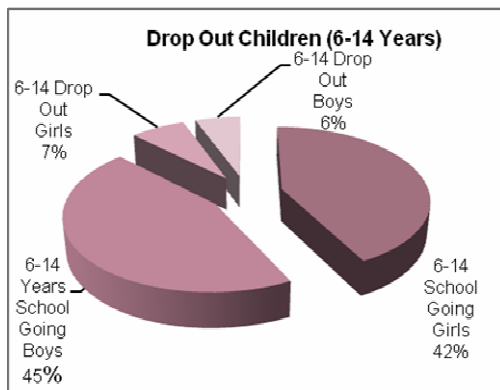
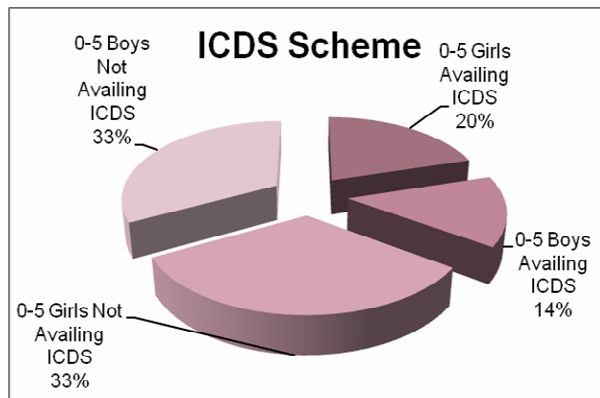
**Adverse Sex Ratio/lack of Health Care Facilities/Increased Drop Out:**



36 per cent of the respondents have children in 0-5 age group. Looking into the male-female sex ratio in the 0-5 age category the female sex ratio is more than the male. It shows that at the level of birth giving there is not much gender discrimination among the homeless people. 48 per cent of the respondents have children of 6-14 years and in this age group the male female sex ratio is adverse. There are 794 girls where as the number of boys is 814.

Ironically, it is to be noted that there is a sudden decline in female sex ratio in the age group of 6-17. This indicates that the girl child are not availing proper health care facilities and that survival of girl child has reduced as they growup. The child in the early age need good nutritious food, health care at the appropriate time and protection from harsh weather.

This also calls for relooking into the ICDS facilities availed by the shelterless people of Chennai. It is to be noted that 66 per cent of the children of 0-5 years are not availing ICDS facilities and those 34 per cent are predominantly availing the creche services of the private players. This could be related to the scarce existance of ICDS centers near the habitations of the shelterless in zone II and III because they are business centers and the people are residing on the road side. The children of 0-5 age are very vulnerable, they need physical, psychological, emotional, social, and economic support. It is very difficult for the shelterless people to provide these support to their children as they are denied of the same being confined in the streets. It is a must for the children to avail facilities like the ICDS that enusres the nutrition, health and education needs of the children. With lack of these facilities the children in the streets are exposed to multiple vulnerabilities caused by health complications and under nourishment as they grow up.



16 16 per cent of the respondents have children of the age group 15 to 18 years. The male female sex ratio is nearly equal in this age group. **It is to be noted while the drop out rate of children of the ages 6-14 is 13 per cent, with the rate being higher among girls. There is an alarming increase in the drop out rate of the ages 15-18 years with 75 per cent. This has to be taken into consideration as there is a heavy decline in the number of children enrolling for higher education.**

### Children Speak...

**"I sell tobacco so that my family do not starve"** Arunachalam (14) from Royapuram is the son of Mani (Rope Walker) and Ammu (Domestic Worker). He had to discontinue his education to help his mother at work and support his siblings as his father is an alcoholic. Street life exposed him to mood altering substances. At present he is addicted to sniffing solvent chemicals like whitener, glue, gasoline, butane gas, bathroom cleaners, and paint thinners. He makes money by selling tobacco and also through gambling. **He has been run over by vehicles at night time and has been admitted at a hospital for a chest operation. He is still scared of sleeping on the pavement and waits till dawn to sleep.** He says he does not want to go to school because he would be embarrassed and humiliated in front of other children and his family would starve. He only dreams of getting some job that would meet his basic requirements.

Selvi (13) from Royapuram dropped out of school in 2009 as she had no interest in studies. She earns 200-500rs per day on the streets through 'golli' and gambling. Her parents separated two years ago and her mother has remarried. She lives with her mother and step sisters on the streets. She uses tobacco and inhales whitener occasionally. Selvi survives in most inhuman living conditions. **She defecates in open and bathes rarely because men in the locality have access to the public toilets especially in the section allotted for girl children and women. They taunt the girls and hence Selvi has avoided using the toilets.**

Shivaranjini (14) of Manadi dropped out of school in 2008. Shivaranjini was just like any other girl of her age till she began using 'mukku podi'. She tried it out of curiosity with her friends and developed an instant liking for it. She gradually became addicted to it. This powder has a foul smell which led to her friends ignoring her at school. She says **her teacher made her sit in a separate bench during class hours and outside the class room during the lunch break. Unable to tolerate the ill treatment she was rendered, she dropped out of school.** At present she sells 'mukku podi' in manadi and enjoys her job. She feels nobody can mock at her stained and stinking clothes anymore.

Vanitha (name changed) of MBC Nagar is a 12 year old girl, dropped out of school when she was in the 1<sup>st</sup> standard. She is fond of non-vegetarian food, which she cannot afford. Therefore, she took up sex work when she was 10 years old. She also steals in order to make money. She has been caught by her mother and other relatives at Parrys Bus Stop soliciting men and has been subjected to physical and mental abuse in the hope that it would prevent her from undertaking sex work. Due to this, she has wounds on her face. Her genitals were severely wounded. Her family sent her to the State Shelter Home but she came back after about two months and refused to go back. She is not interested in going back to school and wants to continue with sex work.

Poovarasu, 12 year old, from Broadway, is a street child who dropped out of corporation school when he was in 5<sup>th</sup> standard about 3 months ago. Before joining the corporation

school, he was in a residential school for 6 months from where he ran away. At present he spends his time wandering in the streets with his younger brother who is a school drop out too. He says that the teachers in the corporation school used to beat him regularly and he was also teased and beaten by the children at school.

Sagayamary (13) from Broadway dropped out of school one year ago when she was in 6<sup>th</sup> standard. The reason she stated was the sudden death of her father. Now, she is willing to go back to school but she feels that she is incapable of studying. She also said that she had been beaten by her teachers for her poor academic performance. Sagayamary spends sleepless nights due to the vehicles that pass by for the fear of being run over by them and also because of the noise.

Chandralekha is a ten year old girl who was studying in 5<sup>th</sup> std in B.T. mission corporation school. She got dropped out 6 months back from school. She is very much interested in studies and she is a rank holder in her class. Now she is staying at home. Her father is working in a steel factory and mother is a flower vendor. There is no proper shelter for the client's family and she stays on the pavement. Client has one younger sister and she is also not going to school because she is not interested. She was beaten and physically punished by a teacher namely, Ms. Mohana for no reasons and she is least bothered about the students in the class. Therefore Chandralekha's parent stopped her from going to school and she is also not willing to go because she is afraid to go.

Manikam is a thirteen year old boy who lives near Roans koil. He is a very energetic and hard working guy, who wants to earn money in order to support his family. He has studied till 6<sup>th</sup> Std in YMCA school and dropped out from school in the year 2007. At present he is working in a vessel shop as a weekly wagger earning Rs. 550/week were it is the main income of the client. The kind of work he does is, polishing the steel vessels and beside this he even helps his mom in flower stitching and gets money from it. Manikam's father had passed away one month back due to jaundice and mother is a flower vendor. Before the death of the father, Manikam's father and mother got separated. Manikam and his elder brother are the bread winners of the family. The other 2 siblings of the client are school going. Manikam discontinued his schooling due to the separation of his father from the family where he was forced to earn so that his family members could live.

#### No Safety for Adolescent Girls:

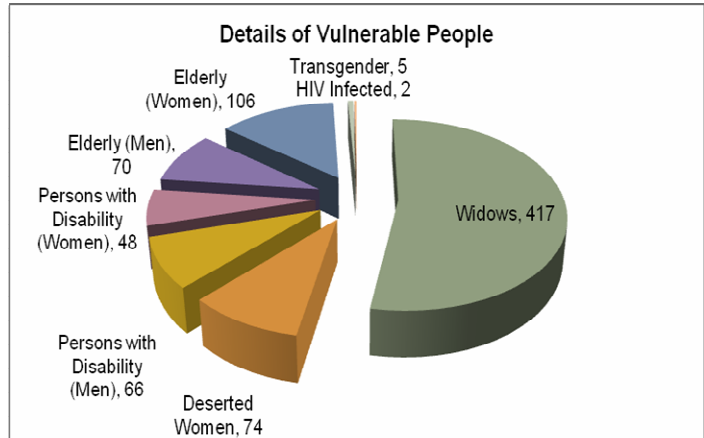
There were individual interactions with 50 (14 girls of the age of 14 to 15 and 36 girls of the age group of 17 to 19) adolsecent girls to understand the issues that they face. 80 per cent of the girls were from Broadway, Bazar Road as well as NSC Bose Road which are the most crowded localities and consist of higher rate of shelterless people. It was revealed that 36 per cent of the girls have never gone to school and 26% have only finished their primary school education. 38 per cent of the respondents have completed high school. 68 per cent of these girls are dependent on daily wage income that they get by selling flowers and fruits in the streets.

It was pointed out that 34 per cent of the girls sleep in the open platforms; 18 per cent in front of shops after it is closed; 12 per cent near the bus stand ; 14 per cent in the parking area and finally 22 per cent seek shelter in the nearby thatched houses. 88 per cent girls use the public pay toilets to take bath where it is often unsafe and they pay upto 11 to 15 rupees to use the toilets on a daily basis.

It is an alarming fact that 39 girls of the 50, that is 78 per cent has faced sexual abuse and that 74 percent of the perpetrators has been outsiders; 24 per cent by officials and 2 per cent by family members. 76 percent of the abuse occurs during the night time; 22 per cent by evening and 2 per cent at day time. It was also pointed out by the girls and the young women that 72 per cent of the abuse occurs at the sleeping place.

**Vulnerability Groups among the Shelter less**

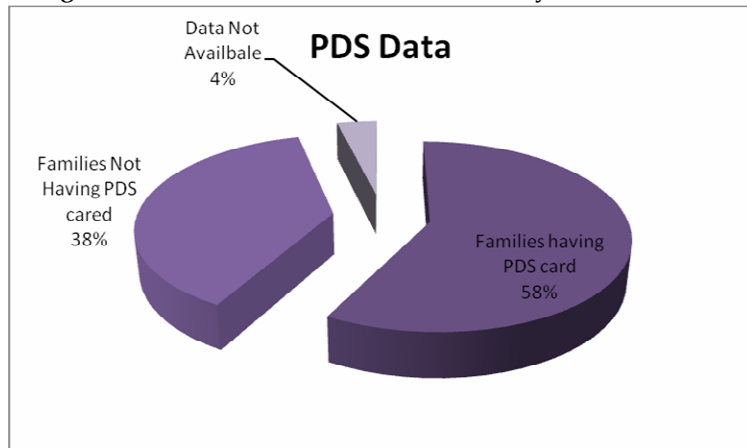
It was attempted to look into other types of vulnerability of these people. Though it was difficult for respondents to reveal some of the sensitive information like HIV, AIDs , MSM, TB etc. as it is stigmised and the people will look low once they reveal this information. But conscious efforts were made to look into these aspects and trust was build on confidentiality to encourage them to reveal this information. It is revealed that 16 per cent of the women population are women headed households.



**Public Distribution Services:**

PDS card is one of the main entitlement of the people. It helps the people to secure food provisions from the PDS center at government rates. Especially for the poor, those who are living below poverty line it is a boon. It is also a right of every citizen to have a PDS card and to avail the ration provided in the PDS center. Every citizen has the right to live, food is one of the vital component to live, so Right to Food has been made universal for all the citizens. Unfortunately few of the citizens of India are not accessing this service, one of the major group are the homeless people, though they are the most visible in the country in all the streets. When it comes to the government schemes and services they are invisibilised, marginalised and excluded.

**It is very much clear in the study though after very hard struggle only 58 percent of the homeless people were able to secure the PDS card.** Though it is clearly stated, it is the duty of the government to provide PDS card to all its citizen. Even after several attempts these people were denied of their PDS card.



It was also identified that the city makers are adopting more than 196 types of occupation that it essentially provides comfortable living options for the sophisticated city dwellers. Yet

their contribution seems pitance for the state who is keen on housing than in sub-urbs. The occupation pattern also cleary points out that the works undertaken by the city makers are location specific.

Zone No	Fish Tricycle, Fish cycle, business, Fish Lorry, Fishing, Fish cutting, Rickshaw Pullers		Coolie, Daily Wage, Load Man, Cobbler, Porter, Cleaner, Painter, Printing Card, Tailor, Temple Church		Domestic Worker and Maid		Flower Business		Waste paper collection/ Sanitation Worker/ Corporation / Sweeper		Tiffen Shop, Food Supplier , Bakery		Companie s Shops (daily wages)		Driver: Auto, Car, Lorry, Van & Tempo, Tricycle		Mechanic, Lorry Shed, Lorry Office, Gas Welding	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
2	400	15	482	84	13	135	17	288	3	28	5	27	124	44	85	3	29	0
3	168	1	300	93	2	31	28	173	1	17	2	18	69	34	44	1	12	0
4	0	0	8	4	0	0	0	2	0	0	0	0	1	0	0	0	0	0
5	0	0	2	2	0	0			1	0	0	0	4	13	0	0	0	0
6	42	4	20	3	2	27	12	36	4	4	1	3	15	2	14	0	4	0
7	19	0	65	1	0	31	16	33	1	13	3	4	11	6	20	0	4	0
8	2	0	23	16	0	10	0	4	1	0	0	0	0	0	5	0	3	0
9	1	0	6	1	0	4		7	1	0	0	0	2	0	3	0	0	0
	632	20	906	204	17	238	73	543	12	62	11	52	226	99	171	4	52	0

In the recent judgement of the Supreme Court of India (I. A. No 94 in Write Petition {Civil} No. 196 of 2001) an assurance was given to the court “that immediate steps would be taken to provide night shelters to the homeless people by the government in coordination with all the agencies, including the Non-Government Organization”. Though the ruling is for Delhi this needs to be also looked at in Chennai having a huge population of homeless communities.

We need to realize that they are not lazy, drunkards, criminals or very different from us. The difference streams from the fact that they are shelterless and poor. The more we understand them the more we need to urge the state to solve the problem. Any efforts to curb urban poverty should take into account the most vulnerable of the urban poor who even do not have the power to put thatches over their heads to protect themselves.

Moreover the Supreme Court of India (Writ Petition {C} 196 of 2001 on 5.5.2010 has passed the following order “In this writ petition, a report has been filed by the Commissioners in which it has been prayed that there is urgent need of night shelters in urban areas. In the report, it is prayed that the Centre and the State Government be directed to **provide permanent 24 hours homeless shelters** in the areas beginning with **62 cities and towns across India**. In the report it is also mentioned that these homeless shelters **need to be opened 24 hours in all seasons**, and should have **basic amenities** to enable a life with dignity. It is further incorporated in the report that winter is a period of severest crises for homeless people and it is directly life threatening, though all seasons pose threats to homeless people. Homeless people are subject to continuous violence and abuse. Living in

the open with no privacy or protection even for women and children, is a gross denial of the right to live with dignity. For this reason the Commissioners are convinced that unless directions are given by this Court, the problems would not be solved. It is further stated in the report that the shelters should have the basic facilities, such as, beds and bedding, toilets, potable drinking water, lockers, first aid, primary health, de-addiction and recreation facilities.

It is also mentioned that shelters must be in adequate numbers and in the ratio of at least **one per lakh of population for every urban centres** according to the Delhi Master Plan. The matter was discussed and the learned **Additional Solicitor General** appearing for the Union of India **submitted that all major cities, which have population of more than five lakhs, will be provided with night shelters in the ratio of at least one per lakh of population.**” The Court, thereafter, after discussing the affidavits of the States, directed them to file detailed affidavits within a period of two months. Based on the affidavits filed by the states, the following chart has been prepared: the status of Tamil Nadu are as follows: “City with more than 5 Lakh: 5 [Chennai, Coimbatore, Salem, Madurai, Tiruchirappalli] **Number of “24 hrs X 365 days” Homeless Shelters: 0, Required: 84.** The last affidavit by the State did not focus on the problem of homeless people in the state. Therefore the Court directed the State to file an additional affidavit in two months. No new affidavit has been filed.

There are two shelters allotted in Chennai one at Kannapar Thidal (Sydehams Road) that houses about 51 families. This shelter was renovated a year back by the people themselves because of the leakages. Another shelter called “Home for the Homeless” located at Ritchie Street, was constructed for 96 families. In 1988, Tamilnadu Slum Clearance Board and the corporation of Madras requested Community Development Information and Action Center (CODIAC) to take up this scheme of housing the Pavement dwellers and help the pavement dwellers to organize themselves into a Housing Co-operative Society, to get the land right to the society and to mobilize the required finance for the construction of multi-storeyed tenements.<sup>5</sup>

The Pavement Dwellers were organized into a registered housing co-operative society by name “Richie Street home for the Homeless Co-operative housing Society Limited” and the houses (three blocks and each block with ground plus three floors) were constructed with assistance from German donor agency by name, EZE, Bonn, who sanctioned free grant of about 60 lakh rupees. The construction was started in 1999 and was completed in all respects by the end of 2000. The people moved into their new houses in Feb 2001 from where they were thrown out. Unlike the usual urban settlements which displaces people against their will to faraway places, this housing programme was initiated and enabled the people to live in the same place of habitation where they were living for years, without affecting their employment opportunities and their access to health care, educational facilities, public distribution system and transport facilities, which they were enjoying till now. Such practice needs to be recorded and replicated. [UN Habitat – Best Practice 2004]

### Recommendation

1. All the people living in the street should be provided with temporary shelter as short term measures and house as permanent solution in the nearby place without

<sup>5</sup> <http://www.unhabitat.org/bestpractices/2004/mainview.asp?BFID=2873>

affecting their livelihood (not more than 3 Kilometers). It helps them to save themselves from hostile weather and from other vulnerabilities.

2. The city makers should be consulted in the planning as well as implementation process of any policies or schemes relating to them
3. Living in the street puts them at risk to police atrocities, and devoid of government facilities. Shelter/house gives them a permanent address to avail the services from the government.
4. The basic entitlements such as the PDS are not provided for 38 per cent of the homeless people, though it is the right of every citizens of India. It has to be provided for the homeless people without much delay. A special drive should be carried out to ensure that all of them have PDS card.
5. Only very few people are availing other entitlement such as the old age pension, widow pension, disability card, most of them are not aware of it, in some case it remains unreachable for them. So measures needs to be taken to provide all the entitlement to the vulnerable and marginalised communities.
6. The children in the age group of 0-5 out of ICDS centre need to be provided with ICDS services. Only very few are accessing the preschool. The rest of the services are not accessed by them. Awareness needs to be created among the pregnant women and lactating mothers on ICDS services and ensure that they avail the services.
7. In case of 6-14 years children there are a lot of dropout. Awareness on importance of education and congenial environment should be provided to reduce the dropout percentage. If poor quality of education among children is the reason then supportive education can be provided to the children. The rate is much higher in the age group of 15 to 18 denying them of higher education. More attention has to be provided for this age group.
8. Though sex ratio is favouring the female child in 0-5 year age group, the trend changes in 6-17 year children. It clearly shows the lack of care, protection, health care facilities as they grow up. So awareness needs to be created among the parents on the importance of female child and their rights should be ensured.
9. There are many issues of abuse faced by young girls. Immediate protection has to be granted and permanent houses at the nearest locations to be provided without further delay.