

**Fifth Plan Steering Group on  
Housing, Urban Development & Water Supply**

**Report of the working group  
on slums**

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REPORT OF THE  
WORKING GROUP ON SLUMS

I - Introduction

1.1 The Working Group on Slums was set up by the Planning Commission's Steering Group on Housing, Urban Development and Water Supply & Sanitation in its first meeting held on 15th April 1972 under the Chairmanship of Dr. B.S. Minhas, Member, Planning Commission and was constituted vide Planning Commission Order No.Hou/23(8)/72 dated 18th May 1972 (Annexure I) with the following composition:

1. Shri K.C. Sivaramakrishnan, ..... Chairman  
Secretary,  
Calcutta Metropolitan Development  
Authority, Calcutta.
2. Shri K.R. Ramaswamy,  
Chief Engineer,  
Slum Clearance Board,  
Madras.
3. Shri Jag Mohan,  
Vice Chairman,  
Delhi Development Authority,  
New Delhi.
4. Shri Bose Mullick,  
Commissioner,  
Kanpur Municipal Corporation,  
Kanpur.
5. Shri M.S. Achwal,  
Prof. of Architecture,  
M.S. University,  
Baroda.

6. Shri C.S. Gupte,  
Chief Planner,  
Town & Country Planning Organisation,  
Ministry of Works & Housing,  
New Delhi.

7. Shri P.C. Khanna,  
Chief (Urban Development), ... Convenor  
Planning Commission,  
New Delhi.

The Group in its first meeting also co-opted

Shri P. Prabhakar Rao, Joint Secretary (H), Ministry of  
Works & Housing, Shri Rose Mullick, however, resigned  
from the Working Group with effect from August 1972 in  
view of his appointment as Commissioner and Secretary  
Home Department U.P.

1.2 The terms of reference of the Working Group were  
as follows:

- (i) To assess the problem of slums mainly in cities having a population of 3 lakhs and above;
- (ii) To examine alternate methods of improvement/clearance/modernisation of existing slums;
- (iii) To suggest measures for prevention of new slum growth and alternate methods of housing the urban poor; and
- (iv) To suggest a legislative, administrative and financial framework of implementation of important programmes.

1.3 The Working Group met for the first time at Delhi on the 30th and 31st May 1972 and inter-alia decided to visit some of the metropolitan and other large cities to acquaint itself with the action being taken in regard to improvement and clearance of slums in these cities. The Working Group - or some of its members - accordingly visited Jhuggi Jhonpri resettlement schemes of Delhi Development Authority on the 31st May 1972, Bustee Improvement Scheme of Calcutta on the 19th and 20th June 1972, Bombay, Poona and Ahmedabad from the 17th to 19th August 1972 and Madras, Madurai, Bangalore and Hyderabad from the 27th to 31st October 1972. During these visits, it had consultations with several officers of the State Governments, Municipal Authorities, Housing Boards and Slum Clearance Board Tamilnadu. The Working Group is grateful to them for their views and suggestions and also for the courtesy and consideration extended to it during these visits.

1.4 In pursuance of a decision taken in Working Group's first meeting, a Questionnaire (Annexure II) was also addressed to 18 cities to ascertain information regarding the magnitude and nature of slums, nature of ownership of land and terms of tenancy in slum areas and the statutory provisions as in force regarding the

improvement and acquisition of slums. Whilst fairly comprehensive and useful information was received from Calcutta, Bombay, Delhi, Madras, Ahmedabad, Poona, Baroda and Madurai, no information was received from other cities.

## II - Magnitude of the problem

2.1 In developing countries, growth of slums is usually parallel to the growth of urbanisation. Since the word 'slum' is itself a relative term dependent on the general standard of living, identification of slums have tended to be dependent on the community awareness regarding the minimum requirements of environment, safety and privacy as reflected from time to time. This makes the task of quantification of slum growth difficult. Census data does not contain information on slum population and hence no precise information regarding the size of this problem over the year 1951, 1961 and 1971 are available. A recent assessment of slum growth as obtained by the Working Group from some of the metropolitan and major cities above 5 lakhs people however indicates that about 20 to 25 percent of the population may be living in slum areas. On this basis, out of 1971 urban population of 108.7 million, nearly 22.0 million or in other words

about 4.5 million households may be living in slum areas.

2.2 Slum growth also is not exclusive to metropolitan cities and is prevalent to a varying degree almost in every town. Even in new towns built after Independence, slums have come up and in many cases account for 1/4th to 1/5th of the population.

#### Definition of Slums

2.3 The Central Act viz. the Slum Areas (Improvement and Clearance) Act 1956 which applies to Delhi and other Union Territories contains the following definition of slum areas:

" 3(1) Where the competent authority upon report from any of its officers or other information in its possession is satisfied as respects any area that the buildings in that area -

- (a) are in any respect unfit for human habitation; or
- (b) are by reason of dilapidation, overcrowding, faulty arrangement and design of such buildings, narrowness or faulty arrangement of streets, lack of ventilation, light or sanitation facilities, or any combination of these factors are detrimental to safety, health or morals,

it may, by notification in the Official Gazette, declare such area to be a slum area.



(2) In determining whether a building is unfit for human habitation for the purposes of this Act, regard shall be had to its condition in respect of the following matters, that is to say -

- (a) repair;
- (b) stability;
- (c) freedom from damp;
- (d) natural light and air;
- (e) water supply;
- (f) drainage and sanitary conveniences;
- (g) facilities for storage, preparation and cooking of food for the disposal of waste water;

and the building shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that is not reasonably suitable for occupation in that condition.

Similar legislations have been enacted by several States which embody almost a similar definition of slums. For instance, the Maharashtra Slum Areas (Improvement Clearance and Redevelopment) Act 1971, reproduces the Central Act's definition. The Tamilnadu Slum Areas Improvement and Clearance Act 1971 adopts the Central Act's definition in respect of slum structures and adds that any area which "is or may be a source of danger to the health, safety or convenience of the public of that area or its neighbourhood by a reason

of the area being low-lying, insanitary, squalid, over-crowded or otherwise" may be declared a slum area. The West Bengal Slum Areas Improvement and Clearance Act 1970 has summarised the main features of the Central Act and Section 3 provides "if the State Government is satisfied that the condition of the land, huts or other structures in any area is such that the continued existence of such conditions would be injurious to public health or safety or to the health, hygiene or morals of the inhabitants of such area, it may be declared as a slum area."

2.4 The above definitions are based on a combination of factors relating partly to the environment and partly to the condition of the slum structures. Prima facie there is a merit in basing the definition of slum areas on environmental considerations especially in the context of present public policy to afford to the citizens a minimum livable environment. On the other hand, a definition based exclusively on environmental criteria ignoring the aspects of the slum structures will not enable even the minimum corrective action to be taken with regard to the structures in an improvement programme much less in the clearance and redevelopment of slum areas. It is, therefore, felt that the

definition of slum areas should continue to be based on a combination of environmental and structural aspects with some bias towards the environment.

#### Types of slums

2.5 While statutory definitions may help quantification of slum growth, a major element of complexity is ownership and tenancy patterns prevailing in slum areas. Briefly, on the basis of ownership and tenancy criteria, slums in Indian cities could be classified as follows:

- (a) Squatter settlements such as Jhuggis and Jhonpris in Delhi; Cheries in Madras; Zopad-Pattis in Bombay, where the slum is a collection of individual hutments erected by the dweller himself usually on land belonging to the Government or the local authority without permission.
- (b) Squatter settlements with a slight variation of the category above, where the hut is erected by one person but is sublet to another.
- (c) Squatter settlements which are inspired by some people who seize a sizeable stretch of public or municipal land and organize unauthorised construction by prospective hut dwellers in return for some consideration
- (d) Settlements where the title to the land and structure is valid but the structure itself is divided by the owner and sublet to a very large number of people with resultant overcrowding and insanitation. The Chawls in Bombay, Ahmedabad and some of the industrial towns fall in this category.

- (e) Tenancy settlements such as Bastees in Calcutta and Ahatas of Kanpur, where the title to the land is held by one person; the structure belongs to the second person and the third person is the dweller who is a tenant of the hut owner.

Usually, slums in category (d) and (e) are on private lands while the other categories are on public lands though in some cases squatter settlements as in category (a) and (b) may exist on private lands also..

2.6 The structural aspects of different kinds of slums are not uniform and vary from one part of the country to another. For instance, in the South, the slums comprise invariably of single storey huts usually roofed with hey, palm leaves or other combustible materials. The Chawls in Western India may be structurally of brick and mortar but would present all the features of congestion and blight. The Bastees of Calcutta would be a mixture of single dwelling or multiple dwelling units usually with some fire-proof roofing like tiles or GI sheets. However, though the physical aspects of the individual slum structures vary, the slum areas as a whole, share serious deficiencies in regard to essential services and amenities.

Location of slums

2.7 The location of slums does not follow any uniform pattern. For instance, it cannot be said that slums occur on the peripheries of a city only. Setting up of industries and other important economic activities, the routes of transportation, availability of land, etc. influence the location of slums. For instance, in Bombay, in the Southern portions of the city proper, slums are not noticeable whereas to the North there is almost a continuous chain of slums along both the Eastern and Western routes leading into the city. In the case of Delhi too, the same phenomena is observed with regard to New Delhi and its environs which are of recent origin and where most of the land has been under intensive planned development along with a greater degree of enforcement. In Madras, slum locations are scattered but more dominant in the older part of the city proximate to industries. In the case of long established slum growth as in Calcutta and Kanpur, however, the slums occupy a large and contiguous areas of the city. For example, in Calcutta there are a number of slums with a population exceeding 8 to 10 thousands people in each case. The slums in Howrah are closely packed communities of as many as 25 to 30 thousands people. To some extent

the slums adjoining industries in Kanpur present the same picture. In these cases, the line of definition between the slum and the non-slum is almost indistinct.

III - The Slum Clearance & Improvement Scheme - A review of

The scheme and its various components

3.1 Under the Plan programmes of social housing, the Slum Clearance and Improvement Scheme has been in operation since 1956. This scheme primarily aims at rehousing of slum dwellers on rental basis -

- (a) in small two-roomed pucca tenement of 180 sft. in floor area with individual bath and latrine of 28 sft. and
- (b) on open developed plots of size ranging from 1000 sft. to 1200 sft. with an earthen platform to limit the area of construction, a pucca latrine and an enclosed pucca bathing and washing platform with a tap wherever possible leaving the housing structure to be raised by the slum dweller.

From 1962 onward provision for financial assistance for the improvement of existing slums, where possible, by laying out of essential services, was also incorporated. The rehousing component of the scheme as distinct from clearance and re-development for alternative use is subsidized to the extent of 50%.

Before the Fourth Plan, when Central assistance was being given on scheme-wise basis, the scheme carried a financial assistance of 50% loan and 37½% subsidy from the Centre and 12½% subsidy from the State Government/Municipal Authority. During the Fourth Five Year Plan, the scheme is being wholly financed from the State Plans which consist of States' own resources plus Central assistance in the form of block loans and grants. Generally speaking, subsidy upto 50% is being made available by the State

Governments either wholly from the State Plans or, as in the past, the State Governments are requiring the Municipal Authorities to meet 12½% towards subsidy.

Regarding improvement of existing slums, prior to the Fourth Plan, financial assistance consisted of 100% grant limited to 25% of the Plan provisions under this programme.

The slum clearance and rehousing component

3.2 The ceiling cost of pucca tenement including cost of land and estate services which have been revised from time to time and ranged between Rs.2700 to Rs. 4000 in 1956 now ranges from Rs.5340 to Rs.8800 depending on the location of such rehousing units and whether such units are constructed single storeyed, double storeyed or multi-storeyed. According to the Annual Report of the Ministry of Works & Housing

for the year 1970-71, 83804 tenements had been constructed by December 1971 and construction of another 5000 was in hand. The total financial assistance given by the Centre before the Fourth Plan is Rs.35 crores implying a gross expenditure of nearly Rs.46 crores including contribution from the State Government and Municipal Authorities. Adding an estimated expenditure of another Rs.14 crores during the first 3 years of the Fourth Plan, total expenditure upto 1971-72 may be taken as Rs.60 crores.

3.3 Even though such tenements are subsidized to the extent of 50%, it has been brought out that due to the extremely low rent paying capacity of the slum dwellers, State Governments and local authorities have had to further subsidize this scheme on recurring basis by charging rents lower than the subsidized rates. For example, it is reported from Madras, where this scheme has been undertaken on a vast scale, that while the economic rent of pucca tenement works out to Rs.45 to Rs.50 per mensem, rent charged is only Rs. 15 p.m. In Delhi, where this programme has also been taken on a limited scale, it has been reported that either the slum dwellers have not occupied the rehousing units because of their low capacity to pay the fixed rent or



where they have occupied these tenements, realisation of rent in many cases is very low or slum dwellers have further rented the out to ineligible persons belonging to comparatively higher income groups.

The open developed plot component

3.4 It appears that this form of rehousing in the Slum Clearance and Improvement Scheme has not been very widely implemented except in its initial stages in Madras from where it has been reported that 8000 plots were laid out and necessary assistance in the form of thatched material etc. given to the slum dwellers. The scheme has also been implemented in Delhi on a large scale but in a modified form called the Jhuggi Jhonpri Resettlement scheme which is described in the subsequent para.

Jhuggi Jhonpri Resettlement scheme

3.5 This scheme was started in Delhi Union Territory for the rehousing of squatters on Government lands in 1960. In the beginning, partially developed plots of 80 sq.yds were allotted to the squatters on nominal rents but in view of the pressure on land in Delhi and the fact that allotment was misused, the size of plot was reduced to 25 sq.yds - 22½ x 10 feet. According

to the Annual Report of the Ministry of Works & Housing for the year 1971-72, upto December 1971, 3746 plots of 80 sq.yds and 43014 plots of 25 sq-yds. had been laid out in a number of such colonies, with paved streets, street lighting and storm water drainage. No sewerage has been provided and the colonies are serviced through community latrines with individual septic tanks to eliminate cost on sewerage which would otherwise be involved in case individual latrines are provided. Some of the colonies in Delhi by area and in population, are very large. The original concept of such resettlement colonies was more in the form of camping sites with minimum civic amenities. For example, no shopping centres were provided and slum dwellers whose plots are situated on vantage points have converted them into shops catering to the local needs. Very recently, however, D.D.A. has introduced additional facilities and amenities such as provision of community centres and dispensary buildings etc.

The quality of housing structure

3.6 In the matter of quality of the housing structure put up by the slum dwellers on open developed plots or in the J.J. Schemes, whilst the slum dwellers in Madras had been content to put up only improvised

thatched structure of mud walling etc., in the bouyant economy of Delhi, the hntment is usually of pucca bricks and mortar. Even though the concept of JJ scheme is based on single storeyed structures of one room to be fitted into a plot of  $22\frac{1}{2}$  x 10 ft., in a number of cases, particularly in areas which are comparatively more centrally situated, double storeyed construction have been improvised. This has indirectly led to demand for better sanitation facilities on the plot itself resulting in a demand for augumentation of water supply and sewerage facilities. It also appears that the economic status of the so-called squatter in many cases is much better than normally expected of persons within the income group of Rs.350 p.m. per household.

3.7 In the case of open developed scheme or JJ sche the land is let out on rental basis but both Delhi and Madras have reported that an increasing pressure is being brought on the administration that these lands be allotted to them on long term lease-hold basis.

The 'Improvement' component

3.8 As mentioned, this component of the original Slum Clearance and Improvement Scheme was introduced from 1962 with a stipulation that only 25% of Plan funds

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could be utilised on such schemes. During the Third Five Year Plan and the three Annual Plans 1966-69, this element of the scheme does not seem to have made much use of possibly because of the limited finances as also the reservation and doubts in the minds of competent authorities regarding the feasibility of such measures even though the Government of India scheme on Slum Improvement and Clearance as formulated in 1957 clearly emphasises that "In order to keep down rents within the paying capacity of slum dwellers, the emphasis should necessarily be laid more on provision of the minimum standards of environmental hygiene and essential services rather than on the construction of elaborate structures."

#### Revival of the Improvement Scheme

3.9 In view of the vast problems of Bastees in Calcutta where because of physical and financial constraints, it was not possible to do much towards slum clearance and redevelopment, the improvement scheme was revised in 1971 as Calcutta Bastees Improvement Scheme with a provision of Rs.8 crores as 100% grant from the Centre to the Calcutta Metropolitan Development Authority (CMDA), the primary objective being to provide some level of relief in the squalid conditions

of these bustees and indirectly to also provide employment to the residents of such areas. From 1972-73, in pursuance of Public policy to fulfil minimum needs of livability, this scheme has been extended on a national scale, with a provision of Rs.15 crores in 1972-73 for the improvement of slum areas in 11 metropolitan cities, namely, Calcutta, Bombay, Madras, Delhi, Ahmedabad, Poona, Hyderabad, Bangalore, Kampur, Nagpur and Lucknow. Through the agency of State Governments and Municipal authorities, this Central scheme aims at provision of environmental services such as water supply drainage, pavement of streets, street lighting, community latrines, filling up of low lying areas in slum areas which are not scheduled for clearance during the next 10 years. The scheme also provides for the acquisition of land under slums which are privately owned and funds to the extent of 1/3rd of the allocation made for a city could be spent for this purpose. As a further measure, it has been decided to extend this scheme from 1973-74 to 9 more cities situated in States where the benefit of this scheme has not yet been extended.

An analysis - the three approaches

3.10 The approaches described above can be viewed in 3 categories. The scheme for open developed plots recognizes that at the present economic level, certain income groups are priced out of the pucca city and as such it seeks to provide an environment which fulfils the minimum sanitary requirements but allows flexibility as regards the standards of the housing structure allowing single storeyed semi-pucca structures to be built. This approach however is contingent on the availability of land and also on locations which can provide gainful employment to the settlers. It is also presumed that a view has been taken about the likely pattern of the cities growth. In other words, the approach views it as a transitional arrangement viz. of sanitised villages where as the economy improves and incomes rise, it would be possible to redevelop the semi-pucca settlements in a more intensive and economic way and integrate them into the city-scape. Its obvious drawback is its application to central parts of the city particularly with regard to re-layout of existing slum areas where slum dwellers tend to concentrate in search of gainful employment. This approach, therefore, appears particularly suitable to those cities where growth is rapid and where continued migration of poor people is almost inevitable.

3.11 It is also to be ensured that the minimum standards of environment prescribed at the beginning of an open developed plots settlement are sustained during the interim period and also that a tendency to sublet and further crowd the settlement, as noticed in some cases, is avoided. It is also important that opportunities exist for the settlers to advance economically so that they can effectively participate in the redevelopment process at a later date.

3.12 There is however another aspect in the open developed plot scheme i.e. pertaining to the question of ownership of the plot which is to be considered. If the ownership is retained by the public authority then the redevelopment of the area at a later date become easier. If on the other hand the title to the land is passed on to the allottees of the plot, the chances are that at a future date when redevelopment becomes economically feasible, it would obviously be very difficult for the public authority to acquire these plots and undertake redevelopment. From the allottee's point of view, it may be urged that only a title to the land would be incentive to the allottee to mobilise and invest his own funds in the redevelopment. It is, therefore, to be decided in keeping with the Land policy for the cities concerned whether open developed

plots should be viewed as transitional settlements or evolutionary settlements i.e. settlements where the housing unit as such as transformed from kucha to pucca in stages.

3.13 The second approach viz. environmental of slums is based on the recognition of slums as they exist and since it is not possible to mobilise the resources for proper rehousing of the slum dwellers, the approach seeks to ensure at least minimal condition of environmental hygiene to them. It has to be conceded that this approach is an interim palliative approach only but important nevertheless because of the very large extent of slum population and the recognized obligation of the society to provide for minimum livability conditions. Since the environmental improvement programmes commenced only recently it is too early to evaluate its results. This programme is expected to continue during the Fifth Plan period.

3.14 The third approach i.e. clearance and redevelopment is the ideal one which views slums as an incompatible part with well-ordered urbanisation. The main difficulties encountered in this approach may be



summarised as below:

- (a) the high cost of land acquisition and rehousing; the inability of the slum dwellers to pay the economic rent for the rehousing units, the financial liabilities thus involved and the consequent constraints on expanding the size of the rehousing programme;
- (b) In view of (a) above, the reluctance of slum dwellers to move into rehousing units and continuing to occupy the slum area scheduled for clearance thus fouling the main objectives itself;
- (c) The displacement of work opportunities for slum dwellers where rehousing is provided elsewhere; and
- (d) The failure to follow-up slum clearance with redevelopment of the cleared land for alternative and more remunerative uses mainly due to financial reasons.

Despite these difficulties, there is still a strong case for continuing with the clearance approach provided clearance is viewed as a part of redevelopment or renewal of the area. This aspect will be discussed in greater detail subsequently.

#### IV - Recommendations - Scope of various measures

##### General Approach

4.1 Considering that physical conditions and ownership tenancy patterns vary widely in slums, it is obvious the

the general approach to their improvement or redevelopment and connected matters will have to be a flexible package of the three approaches as already discussed in para 3 viz. (a) anticipating poor migrants into the city and providing for them in settlements with minimum amenities, (b) recognising the difficulty in replacement of existing slums and provide the minimum environmental improvements in such areas and (c) take advantage of favourable situations where slums are located on lands with good economic potential and where rehousing and redevelopment can be done on a self-financing basis.

Environmental Improvement Scheme :

4.2 We may take up the environmental improvement programme first which has been revived on a large scale during the Fourth Plan. Since the rationale of this scheme is to assure minimum livability conditions for the slum dwellers in their existing locations, there appears to be a strong case to enlarge the scope of improvements. The components of the environmental improvement programme now in operation amounts to "sanitising" the slums. Livability would require a few others especially minimum health services, nutrition, education and recreation facilities, at least for children. In many cities, programmes for augmenting health, education

and recreation facilities may be running concurrently and in such cases it is most desirable that the slum areas where environmental improvements are undertaken the augmentation of these facilities are also coordinated with the same. However, it is generally seen that major obstacle in extension and convergence of these social services is the absence of necessary organisation and physical infrastructure from where these social programmes could be operated. For instance, a multi-purpose community centre in a slum area could easily serve not only as a meeting place for the slum dwellers but also for operation of these social services. However, since this will increase the cost of the programme, it is strongly urged that at least as an experimental measure, such facilities be immediately started on pilot scale in some of select areas of the major cities where environmental improvement schemes are in progress and scope of the improvement scheme extended to provide for the physical infrastructure necessary for this purpose.

4.3 The Working Group is further of the view that the impact of environmental improvement measures can be assured only where community participation and support of the slum dwellers are ensure. It is desirable that

slum dwellers are associated with formulation of improvement schemes from the initial stages regarding assessment of needs and siting and planning of some improvement facilities like community latrines and latrines on shared basis. Since slum areas are usually congested and present difficult working conditions, association of the slum dwellers will considerably facilitate smooth execution.

4.4 As regards the scope and cost per capita of this scheme, there appears to be need for slight modification on the following lines:

- a) In addition to items like water supply, sewerage storm water drains, community baths, community latrines, widening and paving of existing lanes and street lighting, the physical improvements should also include re-alignment of the pathways where necessary even if some displacement in odd cases is caused thereby;
- b) The per capita cost should not be a ceiling for each scheme but should operate as an average ceiling for a number of schemes taken up for execution in the same city during a particular plan period. Within the overall per capita ceiling cost, it should be open to the authority concerned to modify the provisions for the new components of the improvement. It is, however, desirable that the Housing Ministry prescribed a range of quantitative indices within which such modifications would be allowed, as for instance, number of persons per latrine, number of persons per water tap, etc;

- (c) Since the scale of improvement works is sizeable and as the existing machinery with the municipal or other authorities may not be adequate, the administrative overheads to carry out the improvement works should be charged to the programme.

4.5 Another crucial aspect of the environmental improvement programme is that in several cases the slums are situated on private lands. The question is often raised as to whether it is legitimate to effect improvements in such slums at public expense. Since this programme is based on the public policy to provide minimum livability needs, the ultimate beneficiary in view is the slum dweller. It is therefore not very material as to whether his dwelling is on public or private land. Besides, if environmental improvements at public expense can be effected on squatter slums on public lands, it appears rather anomalous to deny these facilities to slum dwellers on private lands who after all for several years have been rent paying tenants. Nevertheless, it is necessary to ensure that improvements at public expense on such privately owned slums are not cashed upon by private land owners. Whilst from this point of view, it may be advisable to acquire lands under such slums particularly those which are situated in the central areas, there are however other aspects which need to be taken into account in this regard.

4.6 Firstly, the initial cost of land acquisition will be quite high implying a diversion of resources to acquisition of land. Secondly, the acquired land will have to await suitable opportunities and additional resources for redevelopment at a later stage during which period the investment in land acquisition is blocked. Thirdly, with lands held in public ownership with numerous slum dwellers residing thereon as ipso-facto tenants, there is genuine fear of pressure being rightly or wrongly built and forced for passing on the ownership rights to the slum dwellers. This would thwart the very objective of redevelopment of such areas for more economic and intensive use at a future date for which purpose such areas are in fact being acquired in the overall public interest.

4.7 However, since it is essential to take steps short of acquisition, it is suggested that legislation should immediately be enacted by the State Governments which (a) provides for pegging down compensation for land, if and when acquired at a later date, to exclude any increment in value resulting to the land owner through the improvements effected at public expense and (b) plugs any loopholes in existing legislation regarding restriction on rents, as chargeable to the slum dweller to the date before the improvements

The open developed plots system

4.8 The concept of open developed plots settlements with single storeyed improvised housing structures is a departure from the usual concepts of urban form and design and raises issues like uneconomic use of land and lack of aesthetics in civic designs. The need for such a programme is however inescapable at the present economic level of urban population, the lowest 40% having an income level below Rs.250 p.m. and the next 35% between Rs.250 and Rs.350 p.m. The additional factor in favour of open developed plots is the fact that supply of land even on austere standards of planning provides the much desired incentive for housing and is a positive measure against haphazard development and squatting. The more relevant consideration in the overall context, therefore, is whether such sanitised settlements should be laid out as transitional arrangements eventually to be totally redeveloped or as evolutionary settlements in which the allottee transforms or expands his house from kucha-pucca into pucca structure according to his income and needs. Perhaps the answer is both. In the case of transition settlements they could be laid out on curtailed standard of services to last for a period of 10 years. In such cases land may only be licensed on annual basis.

It would not however be advisable to base the size of the plot on the Delhi Model of 25 sq.yds which, notwithstanding the transitional concept inherent in the JJ Resettlement appears to be on the low side. It should be of 40 to 50 sq.yds to enable accommodation of a minimal house i.e. space for 1½ room, an individual latrine and bathroom. In the case of second category viz. evolutionary settlement, the plots could be given on lease-hold basis except that certain phasing in the provision of services should be planned to keep down the liability of initial costs and financial resources to meet the purchasing capacity of the settler. In such cases, the size of the plot should be adequate to accommodate the concept of a growing house and may range from 60 to 100 sq.yds depending upon the pressure on land and their locations.

4.9 Conditions of allotment of developed land should include effective powers for resumption of plots and this should be vigorously enforced in case of misuse. Type designs of improvised huts or a kucha-pucca growing house should be also evolved and supplied to the settlers with necessary technical guidance which should be provided by the authorities concerned. It may also be helpful to put up a few of such houses as



Models for the new settlers to put up their own huts.

Any radical deviation in construction from such concept or models should attract the penalty of resumption of plots.

Slum clearance and rehousing

4.10 Keeping in view its limitations already explained in para 3, the success of slum clearance and rehousing schemes would depend upon the extent they form part of composite schemes which, inter-alia, include redevelopment component for remunerative purposes. It is also necessary that transitional period of dislocation of the affected population between the time of clearance and rehousing is kept down to the minimum. The planning and execution of such schemes therefore requires very judicious and careful phasing and a quick pace of reconstruction. In fact the phased programme should aim at construction of rehousing units in advance of clearance as the best means to secure the cooperation of the affected population. Where this is not possible, prior allotment and earmarking of proposed rehousing units in favour of individuals could well secure the same purpose.

Provision for Employment

4.11 It is also necessary to think of such schemes not only as a part of comprehensive redevelopment or urban renewal but also as comprehensive rehabilitation schemes. The scope of such composite schemes should be enlarged to provide additional facilities and an improved place for work e.g. through location of innocuous type of small scale industry such as is being now thought of in Madras Slum Clearance programmes. In Delhi, a number of slum dwellers on the J.J. Resettlement Schemes have been able to find employment in the large scale building programmes under execution by the D.D.A. on adjoining land. Slum Clearance and improvement works by themselves should be able to generate some employment. These objectives could be promoted through organised training programmes to train the slum dwellers in elementary type of construction works. Such facilities, apart from raising the economic level of slum dwellers, would directly help to increase their rent paying capacity, thereby, reducing the burden of recurring subsidy or enable them to purchase these tenements on hire purchase system and thereby facilitate funds being ploughed back for more of such schemes.

Increase in housing stock - a simultaneous requisite

4.12 In view of the experience in some of the metropolitan cities, there have been many reservations and objections to the sale of such units on hire purchase system. Firstly, it is generally felt that there is not enough paying capacity. Secondly, houses once sold are let out or resold to comparatively higher income group brackets. The Working Group is of the view that for so long as housing shortage remains acute, such misuse to some extent is inherent in any housing scheme. The positive solution lies in increasing the housing stock in the lower income or even middle income group categories, namely, those who would normally tempt the slum dweller to part with his house. It is, therefore, essential that slum clearance and rehousing programmes are simultaneously accompanied by adequate housing for the low and middle income groups.

Prevention of New Slum Growth

4.13 While some amount of slum growth is an inevitable part of the process of urbanisation in cities of developing countries, it should be ensured that where substantial programmes to deal with slums are undertaken, it does not encourage migrants or further indiscriminate

squatting by such elements. There is a tendency to view squatter settlement in human terms and to discourage any strong action in removing them. While these sentiments are laudable, the ultimate losses are to the community as a whole since indiscriminate squatting pre-empt the option upon a community for the optimum use of urban land. Where necessary, more effective legislative powers should be assumed which make squatting on Government or public lands as a cognizable offence punishable with fine as well as imprisonment and speedy action taken to evict and remove these squatters at the best to the receptive centres on the outskirts where minimum facilities like drinking water supply and community latrines are provided. Necessary understanding should be created amongst the slum dwellers in a particular area that they would take the responsibility to see that they prevent additional population infiltrating into their area. The system of issuing photographed passports to bonafide residents as introduced in Madras may be useful in this respect.

4.14 Whilst it is recognised that migration into towns cannot be prevented as such, it should be possible to offer alternatives to the migrants through a policy that seeks to distribute urban activities in a region as a whole and also extend the kind services like water supply,

sanitation, schools and other facilities to the rural areas. At least a part of the solution to the city has to be found outside. A policy of steady support to rural growth/service centres and a better distribution of urbanisation is a pre-requisite for any effective solution to the problem of the urban poor.

V - Recommendations - Legislative and administrative measure - finances and maintenance

Slums vis-a-vis municipal functions

5.1 Review of the functioning of the municipal authorities and of their legal powers would show that, generally they are equipped to deal only with the problems of maintenance and management of cities and not with the functions of their expansion and development. It is possibly due to such gaps that parallel and special bodies like the Improvement Trusts, Development Boards or Development Authorities were created from time to time to deal with the developmental functions or alternatively Municipal authorities were charged with them through special legislations e.g. under the Town Planning Acts as in the case of Maharashtra, Gujarat and Tamilnadu. The Slum Clearance and Improvement Acts enacted by most of the States on the lines of the Central Slum Clearance and Improvement

Act 1956, are an example of such special legislations.

These Acts have however not been much used due to -

- (a) limited efficacy of legal provisions and procedures;
- (b) lack of administrative set up;
- (c) lack of any sizeable programme because of the paucity of funds.

### Regulatory measures

5.2 Taking, first the legislative provisions, in their regulatory aspects, they are based on the concept of calling upon the owners of slum lands or buildings to first carry out necessary work and in the case of default the 'competent authority' is empowered to execute them and recover the cost from the owners. In actual implementation, however, these provisions have been of little avail because of various reasons such as (a) the varying pattern of ownership and tenancy in slum areas and (b) the difficulties foreseen regarding the recovery of such costs from the owners due to limited or no income from rent accruing to the landowners because of the restrictions under the Rent Restrictions Act or due to the sheer pressure of slum dwellers against any increase in rents. The obvious consequences have been an attitude of indifference on the part of owners leading to the familiar phenomena of disrepair and growth of slum.

5.3 Suggestions for incorporation of necessary provisions have already been made in para 4.7 to cover cases where improvement works on privately owned slums are required to be carried out of public funds but a comprehensive review of other regulatory measures in these Acts would be necessary to ensure better and more realistic workability such as in regard to improvements or repairs to individual buildings etc.

Acquisition of slums

5.4 As regards provision relating to clearance and redevelopment, one of the important provisions contained in these Acts (not in the Tamilnadu Slum Clearance and Improvement Act 1971) is the formula for payment of compensation for acquisition and clearance of slums, namely, "An amount equal to 60 times the net average monthly income actually derived from such lands under the period of 5 consecutive years immediately preceding the date of publication of the notice." This formula is a departure from the principles of market value as implied in the Land Acquisition Act 1894 and was evolved and inserted in these Acts in the light of the 4th Amendment of the Constitution in 1955 which amended Article 31(2) and provides "that no such law (i.e. acquisition law) shall be called in question in any court on the ground

that the compensation provided by that law is not adequate." However, as is well-known, many statutes on the subject which were enacted in pursuance of Article 31(2) and provide for compensation on basis different from those provided in the Land Acquisition Act 1894 were questioned and struck down by the judiciary on ground - not on the adequacy or inadequacy of compensation - but that principles of compensation provided were discriminatory or illusory in their application or that they conflicted with the fundamental rights etc. Consequently, this provision in these Acts has never been invoked.

5.5 These difficulties have been now overcome through the 25th Amendment of the Constitution, which inter-alia, inserts a new Article namely Article 31(c) which reads as under:

" 31(C) - Notwithstanding anything contained in article 13, no law giving effect to the policy of the State towards securing the principles specified in clause (b) or clause (c) of Article 39 shall be deemed to be void on the ground that it is inconsistent with, or takes away or abridges any of the rights conferred by Article 14, Article 19 or Article 31; and no law containing a declaration that it is for giving effect to such policy shall be called in question in any court on the ground that it does not give effect to such policy:

Provided that where such law is made by the Legislature of a State, the provisions of this Article shall not apply thereto unless such law, having been reserved for the consideration of the President, has received his assent."



To ensure more effective use of this provision relating to compensation, it is suggested that these Acts be reinforced by necessary declarations to the effect that they are meant to give effect to the policy of the State towards securing the principles specified in Article 39 of the Constitution.

Administrative set up

5.6 As regards administrative set up, the Slum Clearance & Improvement Acts for the purposes of enforcement and implementation provide for appointment of a "Competent Authority" and Municipal authorities have generally been so appointed as a matter of course. Only where any sizeable programme of slum clearance and improvements have been undertaken, there have been really any serious thinking or urge in regard to their strengthening or establishing it on a pattern different from the normal pattern. For example, in Madras, Tamilnadu Slum Clearance Board has been established under the relevant Act to exclusively deal with this work. In Delhi, though this work remains with the Municipal Corporation or with the Delhi Development Authority, both have set up special wings or departments within their overall organisation to exclusively deal with this work. Depending on the size of programme

and pattern of local Government structure, State Governments would need to be strengthened or set up separate administrative and technical organisations at the State and local level. Apart from administrative and technical staff, these organisations would also need to include persons having experience in organising social work in slum areas such as in regard to extension of services like Health, Education, Family Planning, Nutrition, maintenance and conservancy in association with the expert staff or with voluntary organisations interested in social and philanthropic work.

Administrative and technical staff employed in these organisations will ~~also~~ need to be trained to acquaint themselves with the special problems of slum areas.

#### Financial requirement in the Fifth Plan

5.7 It is perhaps needless to reiterate that slum clearance, rehousing and improvement schemes need to be viewed as a part of redevelopment and renewal programmes and the latter further as a part of overall programmes of urban development in terms of its several aspects such as land acquisition and development, housing, basic civic amenities like water supply, sewerage and traffic and transportation. The Working Group is of the view that the provisions for these items,

which are at present reflected in the Plan as separate allocations, should be consolidated into a specific head viz. integrated urban development enable these provisions being allocated and utilised by the cities as per their needs and priorities.

5.8 Nevertheless keeping in view the priority that is to be attached to the minimum needs programme of slum clearance and improvement, it is necessary to indicate the order of provision required for this purpose. The terms of reference of the Working Group require study of slum problems of towns above 5 lakhs. The population of these towns (43 in number) as per 1971 census is roughly 41.6 millions i.e. out of a total urban population of 109 millions. The rate of growth of population towns of 1 lakh and above during the decade 1961-71 was nearly 50%. At this rate of increase, we may assume that by 1974, the beginning of the Fifth Plan - another 15% increase would take place in the population of these towns namely the population would be of the order of nearly 43 millions. Assuming that 25% of this population is living in slums, the size of this population by the end of 1974 may be taken as 12 millions. It may be further assumed that half of this population is living in slums where, for the time being, improvement

works may be considered as an interim solution and half in areas which call for clearance and rehousing. Thus the figure for these categories by 1974 would be 6 millions each.

Provision for slum improvement

5.9 During the year 1972-73 and 1973-74, an amount of Rs.30 crores is likely to be spent on slum improvement. On the basis of an average of Rs.120 per capita as allowed at present, it may be assumed that 2.5 millions of this population will stand covered by 1974 leaving a backlog of 3.5 millions. It has already been recommended that the scope of slum improvement scheme should be extended to include provision of physical infrastructure required for organising community and social services like extension of education, nutrition, family planning and health. If this recommendation is accepted, it may be necessary to raise the scale of grant per capita to Rs.150 in the Fifth Plan. Further, assuming that it is the State policy that provision of minimum need in this respect is completed in all such areas in towns of 5 lakhs and above during the Fifth Plan period, coverage of 3.5 millions - or one million household - of this population would imply an outlay of Rs.52.5 crores. This programme also provides that, in crucial

areas requiring redevelopment after 10 years or so lands should be acquired. Therefore, an equal amount of, say, Rs.50 crores may need to be provided for acquisition of lands, where subject to the observation made in para 4.5 and 4.6, immediate acquisition may be necessary. The total requirements for Slum Improvement Scheme may therefore be taken as Rs.100 crores.

Provisions for clearance and rehousing

5.10 As regards slum population requiring clearance and rehousing, the backlog, as indicated above, would be 6 millions by 1974. During the period 1974-79 there would however be an addition of nearly 5% per annum in the urban population of towns of 3 lakhs and above and therefore the figure of 6 millions may be expected to increase to 7.5 millions requiring provision of nearly 2 millions housing units. On an average Rs.7000 per such unit, the cost involved would be Rs.1400 crores. Since this would be beyond any foreseeable resources, it would be realistic to cover the problem of backlog over a period of say twenty years. We may, therefore, assume that only 25% of the backlog as existing in 1974 i.e. a population of 1.5 millions plus increase of another 1.5 millions anticipated during the period 1974-79 viz. a total of 3 millions may be tackled in the Fifth Plan period. This would imply a

a provision of nearly 7.5 lakhs housing units. It is also not necessary that rehousing should be in pucca units. For the Fifth Plan, it may be more realistic to fix a target of 2.5 lakhs for pucca units and 5 lakhs on open developed plot system. The size of financial requirements would thus be as below:

	<u>Rs. crores</u>
2.5 lakh units at Rs.7000 per unit	175
5 lakh units of open developed plot at Rs.2000 each	100
Slum Improvement and acquisition (3.5 million population or 1 million houses holds)	100
Total:-	<u>Rs. 375 crores</u>

#### Maintenance

5.11 With large scale programmes in operation for provision of environmental improvement works in slum areas, the need of their maintenance and repairs and extension of day to day services is imperative. Provision of these services would involve additional liability on the municipal bodies in areas from where there is at present very little or no income in the form of municipal taxes or rates and the beneficiary would be exclusively the

slum dweller. It is, therefore, suggested that a special levy be imposed on the beneficiaries to meet the cost of maintenance and extension of daily services like conservancy and street lighting. Where necessary, ~~and also to cover the cost of the works to be undertaken~~ legislation amended by the State Government ~~to enable~~ the municipal authorities to impose this levy. It is expected that this levy would be of the order of Rs.2 to Rs.4 per month per household. The Working Group would like to emphasise the urgency of this measure particularly because of the nature of such works and intensive use to which they are likely to be subjected.

5.12 --- A view has also been expressed that in view of the present level of resources of the local authorities and the fact that it may take time for them to impose the levy suggested in the preceding para, the scale of Central grant per capita for improvement of slum areas should be increased to include cost of maintenance for the first 3 years. This would mean an addition of Rs.72 to 144 per household or Rs. 15 to 30 per capita in the grant. The Working Group is of the view that apart from additional liability involved, it would not be expedient to do so as it would be contrary to the need of a much needed policy of creating a sense of participation amongst the local authorities and slum dwellers in such social measures.

No.Hou/23(S)/72  
Government of India  
Planning Commission  
(Housing and Urban Development Division)

.....

Yojana Bhavan,  
Parliament Street,  
New Delhi, the 18th May, 1972.

ORDER

Steering Group on Housing, Urban Development and Water Supply

Working Group on Slums

In pursuance of the decision taken in the first meeting of the Steering Group on Housing, Urban Development and Water Supply held on 15th April 1972, a Working Group on slums has been appointed. The Working Group will comprise:-

1. Shri K.C. Sivaramakrishnan ... .. Chairman  
Secretary,  
Calcutta Metropolitan Development Authority,  
2-A, Auckland Place, Calcutta-17.
2. Shri K.B. Ramaswamy,  
Chief Engineer,  
Slum Clearance Board, Madras-55.
3. Shri Jag Mohan,  
Vice Chairman,  
Delhi Development Authority,  
Vikas Bhavan, I.P. Estate, New Delhi-1.
4. Shri Bose Mullick,  
Commissioner,  
Kanpur Municipal Corporation,  
Kanpur.
5. Shri Achwal, M.S. University,  
Baroda.
6. Shri C.S. Gupta,  
Chief Planner,  
Town & Country Planning Organisation,  
E-Block, Vikas Bhavan, I.P. Estate,  
New Delhi-1.
7. Shri P.C. Khanna,  
Chief (Urban Development), ... .. Convener  
Planning Commission,  
New Delhi.



2. The terms of reference to the Working Group are:-

- (i) To assess the problem of slums mainly in cities having a population of 3 lakhs and above.
- (ii) To examine alternate methods of improvement/clearance/modernisation of existing slums.
- (iii) To suggest measures for prevention of new slum growth and alternate methods of housing the urban poor.
- (iv) To suggest a legislative, administrative and financial frame-work of implementation of important programmes.

3. The Working Group may meet as often as necessary at new Delhi or any other place.

4. The Working Group will submit its report within three months.

5. It has been decided with the approval of competent authority that the non-official members of the Working Group including co-opted members will be entitled to claim TA/DA for their journeys in connection with attending the meetings as is admissible to First Grade Officers of the Govt. of India.

Sd/-

(P. C. Khanna)

Convener, Steering Group on Housing,  
Urban Development and Water Supply.

Copy forwarded to:

1. All Members of the Working Group.
2. All Members of the Steering Group on Housing, Urban Development and Water Supply.
3. Secretary, Ministry of Works & Housing / Secretary, Ministry of Health and Family Planning.
4. Planning Secretaries of all States and Union Territories.
5. Vice Chancellor, M.S. University, Baroda.

Copy also forwarded to:

Lt. Chairman  
Minister of State  
Members  
Secretary  
Advisers  
Joint Secretaries  
Heads of Divisions  
Dy. Secretary (Accounts)  
Dy. Secretary (Administration)

No.Hou/23(8)/72-WG.I  
Government of India  
Planning Commission  
(Housing and Urban Development Division)

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Vojana Bhavan,  
New Delhi.

22nd June, 1972.

From:

P.C. Khanna  
Chief (Urban Development)

To

The Commissioner,  
Municipal Corporation,  
Bombay/Delhi/Hyderabad/Bangalore/Ahmedabad/  
Kanpur/Nagpur/Poona/Lucknow/Agra/Jaipur/  
Varanasi/Kodre/Madurai/Jabalpur/Surat/Baroda.

Sub:- Advance action on 5th Plan-Working Group on Slums

Dear Sir,

For taking advance action in connection with the preparation of the 5th Plan, the Planning Commission has set up a Working Group on Slums to study the problems of slums. The Working Group in its last meeting held on the 30th and 31st May 1972 has desired me to request you if you could kindly furnish information regarding the problem of slums within your city as per questionnaire attached.

Yours faithfully,

Sd/-  
(P.C. Khanna)

Copy forwarded to:

- (i) Shri Jég Mohan, Vice Chairman, Delhi Development Authority, Vikas Bhavan, I.P. Estate, New Delhi, with the request that information regarding Delhi on the lines indicated above may kindly be supplied immediately.
- (ii) Shri K.C. Sivaramakrishnan, Secretary, Calcutta Metropolitan Development Authority, 3-A, Auckland Place, Calcutta-17, for information.

Sd/-  
(P.C. Khanna)

Questionnaire

- (i) Criteria adopted for identifying slum areas;
- (ii) A note explaining the slum problem in relation to -
  - (a) population of a city and of slum dwellers; Number of pavement dwellers;
  - (b) number of slum areas and their situation within the city, namely, those in the centre or at the fringes with approximate population in each category;
  - (c) general condition of the slum areas such as in terms of structural quality of buildings, congestion and deficiencies of environmental facilities like drainage, pavement of streets, sanitation facilities, street lighting and community facilities;
  - (d) nature of ownership of land and various forms of tenancy under which slum houses have been built.
- (iii) Main occupation of the slum dwellers and their level of income;
- (iv) Average size of the family; and
- (v) Statutory provision regarding improvement or acquisition of slums.