

RECOMMENDATIONS

I. Housing right and provision of house plots

- 1 The Workshop observed that the right to housing has been incorporated as a basic human right in different International Human Rights Instruments such as the Universal Declaration of Human Rights (1948), the International Covenant On Economic, Social and Cultural Rights (1976), the Istanbul Declaration and Habitat Agenda (Year?), as well as in the Constitution of India, as interpreted by the Supreme Court in many of its judgments.
- 2 Further, the right to housing has been viewed in relation to other human rights and is considered as an essential aspect of the Right to Adequate Standard of Living.
- 3 It noted that the concept of adequate housing refers not only to a physical dwelling unit, but also includes provisions for basic services like safe drinking water, sanitation, drainage, clean and healthy surroundings and environment.

II. Imperatives for providing Homestead Rights to the vulnerable sections

1. The Workshop observed that ownership of even a small plot of homestead land has demonstrated enhancement in status and self image of rural households, and, that it has the potential for providing freedom of choice even to the poorest households. Further, ownership of homestead land also confers other important associated benefits like income, food, economic security, kitchen garden and space of rearing livestock etc.
2. The vulnerable sections include bonded labourers, Scheduled castes, Scheduled tribes, nomads, destitute /deprived women, including widows and female headed households, minorities, physically handicapped, the aged, PTGs (?-full form) etc. The Workshop noted with concern the increasing incidents of atrocities and violence perpetrated against the vulnerable sections due to the weak/faulty implementation of the Bonded Labour Abolition Act, 1976, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 etc. Allotment of homestead lands to vulnerable sections who are victims of atrocities/crimes has, therefore, become imperative.
3. It was also noted that nomads everywhere are one of the most excluded categories and are invariably denied homestead right.
4. The participants observed that the Land Reforms Commission of Bihar, 2009 headed by Shri D Bandopadhyay, IAS had recorded that landlessness in Bihar was on the increase- while only 67 percent of the rural poor were landless or near landless in 1993-94, by 1999-2000 nearly 75 percent of rural poor were landless, an increase of 8 percent. This trend is also noticed in other states of India. Further, he had also pointed out that there is a degree of co-relationship between landlessness and naxalism. The violence perpetrated against dalits by self-styled armies of the landlords, displacement of Adivasis from their land due to left extremist militancy and displacements due to communal troubles also aggravate the problems of landlessness/ homelessness.

III. Provision for Homestead Land as part of Land Reforms

1. The Workshop noted that providing homestead lands has been a part of land reforms legislations enacted right after Independence and that the present proposal for allotting homestead lands to the needy should also be seen as a part of the process of land reforms

