

# **ENSURING THE RIGHT TO LIFE THROUGH BASIC AMENITIES: A HUMAN RIGHTS PERSPECTIVE ON MUMBAI'S SLUMS IN THE 21ST CENTURY**

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## **INTRODUCTION**

Mumbai is one of the major cities of India, widely known for its economic opportunities and often referred to as the "City of Dreams." However, one of the most significant and contrasting aspects of Mumbai is the presence of slums most notably, Dharavi, which is one of the largest slums in the world.

According to <sup>1</sup>Article 21 of the Constitution of India, every individual has the right to life, which includes the right to live with dignity. The current living conditions in Dharavi clearly violate this fundamental right. Moreover, these conditions are also a serious breach of human rights, which are inherent to all individuals by birth. People are entitled to enjoy these rights without having to demand them. Yet, the residents of Dharavi continue to be deprived of these basic human rights.

Our research focuses on studying their living conditions through a human right perspective and the main objective of the study was how failing to provide basic amenities like water, sanitation, housing, waste management, and healthcare results in denial of right to life as guaranteed by Indian constitution and international human rights standards. It is the responsibility of society and the government to guarantee that everyone has access to the essential services required for a dignified life.

Improving living conditions in slums is not simply about building more toilets or water taps. It is about recognizing and fulfilling the rights that all people are entitled to. The goal of this study is to advance that knowledge and aid initiatives that uphold justice, equality, and human rights in Indian cities.

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<sup>1</sup> The Constitution of India, 1950

## LITERATURE REVIEW

1.<sup>2</sup>Mumbai slums since independence evaluating policy outcome.

This article studies the history of slums from the time of independence to recent years. The main idea of this article is study that despite of many efforts of government slums in Mumbai have continue to grow and policies failed to address the real needs of the slums.

Policies that Mumbai tried to implement since 1947

1971 slum areas act - giving legal status to slums

1985 to 1995 slum upgrade- it was a murder to improve the services in the slums but don't provide the land rides to the people in the slums

1995 slum rehabilitation this scheme give free housing through private developer but excluded many people like printer and those who recently migrated

2005 Rajiv awas Yojana aimed to make cities slum free but failure to implement the policy

This policy has only benefited d old slums based on cutoff dates like 1995 to 2000 but new slums are left out as a result they still live without clean water toilets at home.

2.<sup>3</sup>Land security and challenges of realizing human rights to water and sanitation in slums of Mumbai India by Sharmila L Murthy.

This article highlights the denial of basic human rights—such as clean water, sanitation, and hygiene—to residents of Mumbai's slums. Despite being essential for a dignified life, these services are often inaccessible because many slums lack legal recognition. Without it, residents can't get water pipelines, toilets, or waste collection and face constant risk of eviction.

People rely on expensive, poor-quality private water sources and have limited access to toilets, leading to open defecation and serious health risks like diarrhea, especially among children and women. The Supreme Court and Bombay High Court have affirmed that access to water is part of the right to life and dignity, but implementation remains weak.

Maharashtra's cut-off date policy recognizes only slums built before 1995, leaving newer ones without services. In Kaula Bandar, residents pay ₹135 per 1,000 liters of water and

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<sup>2</sup> R. Bardhan et al., Mumbai Slums Since Independence: Evaluating the Policy Outcomes, 50 \_ Habitat Int'l \_ 1 (2015).

<sup>3</sup> Sharmila L. Murthy, Land Security and the Challenges of Realizing the Human Right to Water and Sanitation in the Slums of Mumbai, India, 14 Health & Hum. Rts. 61 (2012).

receive water only every 3 to 15 days, using just 17 liters per person daily—far below the WHO’s recommended amount.

### 3.<sup>4</sup>Economic and demographic analysis of urban slum by Shruti r Pandey

This article provides a case study on Mumbai Islam focusing on the economic and living condition in Mumbai slums. This surveyed approx. 300 households across Mumbai slums lam Kurla, Chembur and Bhandup.

Urbanization in India led to rapid growth of slums Mumbai gate large scale migration from rural areas unplanned growth led to growth of slums.

Demographic status of slums 35% of people living in slums are migrated 41% of families living day pendant or members and 82% of families are living in single room 69% of people living in slums have semi pucca house and 31% of them have pucca house 61% of them have their own house and 39% of people have rented house

Sanitation and water access

55% of them depend on public toilets 34% use shared toilets only 11% of them have private toilets. This shows the situation of the slums in Mumbai. In some areas one toilet serves 700 people and almost 70% of the houses don't have bathrooms. Water access 64% of paper use public tabs 33% have group water connections.

Income: average monthly income of a person in Islam released 8755 the lowest income was 8057 which is in Kurla and highest is 10357 in Bhandup monthly expenses were around 6216.

This is the condition of the slums and people who are living in slums of Mumbai.

## METHODOLOGY

In this study, we have chosen a qualitative research methodology it allows us to understand the reality of the people living in the slums not just in numbers or reports but how their lives are affected everyday our aim is not only to present the facts but also to tell how they are denied by their basic rights and how that affect the life of people in the perspective of human rights. This research focuses on the very basic but very important topic and that is “everyone deserves to live with dignity”. When people don’t have clean water to drink, a safe place to stay, or a toilet to use, their rights are being taken away. We didn’t want to just write about

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<sup>4</sup> Shruti R. Panday, Economic and Demographic Analysis of Urban Slum – A Case Study of Mumbai Slums, 21 Int’l J. Pol’y Sci. & L. 336 (Nov. 2019).

rules or numbers. We wanted to understand what life really feels like when even the most basic needs are missing in a person's life.

We looked at important cases that gave us information about the slum's situation. Street settlers in Mumbai challenged their eviction in <sup>5</sup>*Olga Tellis v. Bombay Municipal Corporation* (1985). According to the Supreme Court, the right to livelihood is a part of the right to life. Since many individuals in Dharavi now fear being evicted under redevelopment plans and potentially losing not just their houses but also their means of making a living.

In <sup>6</sup>*Chameli Singh v. State of Uttar Pradesh* (1996), the Court said that shelter is more than just having a roof it must include access to water, electricity, toilets, and a safe environment. This case clearly supports the view that the basic services missing in many slum areas are not just conveniences, but essential parts of a dignified life.

The case of <sup>7</sup>*Ahmedabad Municipal Corporation v. Nawab Khan Gulab Khan* (1997) dealt with people being evicted without proper notice or any alternative housing. The Court ruled that even if eviction is legal, it must be carried out fairly and with respect for people's dignity. In the context of Dharavi's redevelopment, this raises serious concerns. Many reports and petitions highlight that people are afraid of being displaced without proper information or assurance of better conditions.

Several public interest litigations filed between 2004 and 2024 regarding Dharavi's redevelopment reflect these same concerns. Residents have raised issues about lack of consultation, fear of relocation to areas with poor living conditions, and uncertainty about what the future holds. These legal struggles show that the promises made in earlier court rulings are still not fully realized on the ground.

By this information our research shows that the denial of basic services in slums is not just an issue of poor planning or poverty, it is a violation of basic human rights. The Constitution promises the right to live with dignity, and that includes the right to safe shelter, clean water, and access to health and sanitation. Our aim is to highlight how these rights are often violated.

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<sup>5</sup> *Olga Tellis & Ors. v. Bombay Municipal Corp. & Ors.*, (1986) 3 SCC 545; 1986 AIR 180 (India).

<sup>6</sup> *Chameli Singh & Ors. v. State of U.P. & Ors.*, AIR 1996 SC 1051, (1996) 2 SCC 549 (India).

<sup>7</sup> *Ahmedabad Mun. Corp. v. Nawab Khan Gulab Khan & Ors.*, AIR 1997 SC 152, (1997) 11 SCC 121 (India).

## ANALYSIS

This research paper primarily focuses on the challenges faced by the population of Dharavi, including the lack of cleanliness, healthcare, hygiene, proper housing, and other basic amenities.

In Dharavi, residents are deprived of these essentials, with many relying on shared toilet facilities, open defecation, and unsafe drinking water. These inadequate living conditions not only compromise public health but also directly infringe upon their fundamental rights.

This situation clearly reflects a violation of human rights and also constitutes a breach of Article 21 of the Constitution of India, which guarantees the right to life with dignity.

The situation in Dharavi is not just a violation of fundamental rights but also of basic human rights. If we truly reflect on it, the conditions in Dharavi are extremely poor especially when we consider how people managed to survive during the COVID-19 pandemic. It's nothing short of a mystery. Dharavi is not just a small area; it is densely populated and home to people of all castes and religions, living together in the spirit of humanity. Dharavi contributes around 20% to Mumbai's GDP, yet the government continues to neglect their needs.

### **Lack of Basic Amenities in Dharavi: A Human Rights Concern**

Water access: clean water is a fundamental need in many slums. Water is supplied by shared taps that work only a few hours a day. Some families also buy waste at higher prices from the private vendors; others rely on unsafe sources that increase the diseases. Without access to clean drinking water the people can't maintain hygiene and stay healthy. Lack of water is not only an inconvenience, it also violates the right to health and life of the people.

Sanitation and toilets: proper sanitation is another basic right which people in slums are not getting. Public toilets are there but for one toilet people who use it are more and these toilets are poorly maintained and unhygienic. Some people have no choice but to excrete in open space. This is unhygienic and takes away the privacy and dignity of the people and this leads to diseases. Women mainly face the problem of menstruation. They are denied the safe accessibility of toilets. This is the denial of the right to health safety and dignity.

House condition: houses in slums are usually made of weak material like sheets and plastic roofs. Leak at the monsoon and families often share a single room. Many people living there don't have right on the land they occupied so they can be evicted any time with a short notice. In this unsafe situation people will never invest on the better houses. Without safety, security and a good house people can't live with dignity.

Waste management: garbage collection is often irregular or nil in the slum areas. Poor drainage systems often cause flooding during rain. This water will become the breeding ground for mosquitoes which spread disease like dengue malaria. Clean and hygienic surroundings were necessary for health but the majority of slums remain dirty because of negligence. This violates the people's right to a healthy environment and threatens their health and safety.

We are living in the 21st century, yet many people still lack access to the basic necessities required for daily life. Human rights are fundamental entitlements that individuals are born with; they do not need to be requested or granted by anyone.

The residents of Dharavi are being denied several of these essential rights, which are universally recognized as part of basic human dignity. Their lack of access to clean water, sanitation, healthcare, and proper housing reflects a serious violation of human rights.

<sup>8</sup>Back in 2011, the government counted around 3.4 lakh people living in Dharavi. But even by 2014, that number had grown to around 4.5 lakh, and now it's believed that between 7 to 10 lakh people live there. By 2030, it may cross 10 lakh. What's shocking is that all of them live in just 2.1 square kilometers of space. Across India, slum areas grew by about 1.3 crore people between 2001 and 2011. In Mumbai, about 42% of people were living in slums in 2011, and today, around 25% still do. These areas are very crowded—about 1,420 people live in every hectare, which makes life even more difficult. To help, the government started projects like the <sup>9</sup>Slum Rehabilitation Authority (SRA), which has built about 2.36 lakh homes. But more than 5.2 lakh homes are still just planned, not built. The homes are also quite small. In 1995, people were given homes as small as 180 or 225 sq ft. Later it became 265 sq ft, and now it's about 300 sq ft. MHADA also built 2,160 temporary homes in Dharavi

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<sup>8</sup> Arundhati Nagargoje, Addressing Urban Slums and Sustainability: Case of Dharavi, Mumbai (2023) (unpublished manuscript) (on file with author).

<sup>9</sup> <https://sra.gov.in/en>

for people waiting for better housing. The Dharavi redevelopment project is spread across 259 hectares, but progress has been slow. Still, Dharavi plays a big role in Mumbai's economy. Its people recycle over 80% of the city's plastic waste and run many small businesses.

The government had promised to provide housing for everyone by 2022 under the <sup>10</sup>PMAY scheme, but now the goal is to reach that by 2030, under the global Sustainable Development Goals. A detailed map of Mumbai's slums was made in 2015–2016 to help with this, but change is still too slow.

Even with all their contributions, the people in slums continue to live without the basic things many of us take for granted clean water, proper homes, and a healthy environment this violates the basic rights of people living there.

## CONCLUSION

After understanding the reality of Dharavi and similar slums in Mumbai, one thing becomes very clear this is not just a story of poverty, but of neglected rights. Every person has the right to live with dignity, to have clean water, a safe and stable home, proper sanitation, and healthcare. These are not luxuries. They are basic human needs and rights. But the people living in slums are still waiting for these rights to be respected. Dharavi is home to lakhs of people who work hard every day and contribute so much to Mumbai's economy yet they are still forced to live in cramped spaces, use dirty public toilets, drink unsafe water, and worry about being evicted. That is unfair and unacceptable. The government has made many promises and created many policies, but the changes on the ground have been slow, limited, and in many cases, unequal. This study shows that slums are not just a problem of infrastructure or urban planning they are a human rights issue. If we want to build a just and equal society, we cannot ignore the voices of those living in these areas. Their struggles matter, and their rights must be protected, just like anyone else. It's time to stop treating slum dwellers as invisible. It's time to treat them as what they are human beings who deserve respect, safety, and a better life. Real change will come not just by building houses, but by ensuring that every person, no matter where they live, is able to live with dignity.

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<sup>10</sup> <https://pmaymis.gov.in/>