



The prevalence of social justice among homeless dwellers in Guwahati city, India

Bibeka Nanda Gogoi and Bimal Kumar Kar

Department of Geography, Gauhati University, Guwahati, India

Abstract

Social justice aims at administering justice in the society between classes and not between individuals. It is to end the class difference by removing inequalities and affording equal opportunities to all citizens in both social and economic spheres. Thus, it is a democratic polity which stressed to act as a bulwark against abuse or misuse or excess of power on the part of the executive and to protect the citizens against the governmental lawlessness and the level of quality of public administration. The urban areas of the country like India, especially of homeless dwellers in the big metropolis and cities, are reaching alarming proportion. The Constitution of India ensures right to each and every persons in this country under Article 14, 19 and 21 of the Constitution of India along with the right of equal treatment and protection of law within the territory of India. The homeless dwellers are entitled to their basic rights of life's and living to provide adequate shelter along with infrastructure for foods, means of pursuing livelihood, sanitation, health care and other basic facilities needed for their survival with human dignity with meaningful purposes. In this paper an attempt has been made to throw light on the present scenario of homelessness, as the state administration has completely failed to ensure justice to this group of people in the city of Guwahati both spatially and socially. The paper has been prepared on the basis of both primary and secondary data.

Keywords: social justice, homeless, population, livelihood.

1. Introduction

The modern concept of social justice has been originated due to the condition created by the modern times, particularly after the industrial revolution. Though there is no generally accepted simple definition of social justice, to all 'social justice' is a particular application of just principles to conflicts which arise out of the necessity for social cooperation seeking individual advancement. The principle of social justice starts with the skeleton concept of "a just distribution justly arrived at" (David Harvey, 1973).

It can be said that social justice aims at administering justice in the society between classes and not between individuals. The method of administration is also different from that of legal justice. The motto of social justice is to introduce a

common economic class for which the means sought is raising the condition of poor. The objective of social justice is to end the class difference by removing inequalities and affording equal opportunities to all citizens in both social and economic spheres. Social justice is thus a democratic polity which stresses to act as a bulwark against abuse or misuse or excess of power on the part of the executive and to protect the citizens against the governmental lawlessness and the level of quality of public administration. In other words, it denotes a judiciary which discharges its functions in a decisive and vigorous manner to achieve dispensing justice with a view to righting wrongs or fashioning remedies where the rule of law is threatened. The urban areas of the country, especially of homeless dwellers in the big metropolis and cities, are reaching alarming proportion. The Constitution of

India ensures right to each and every persons in this country under Article 14, 19 and 21 of the Constitution along with the right of equal treatment and protection of law within the territory of India. The homeless dwellers are entitled to their basic rights of life's and living to provide adequate shelter along with infrastructure for foods, means of pursuing livelihood, sanitation, health care and other basic facilities needed for their survival with human dignity with meaningful purposes.

It is the duty of the state and administrative machinery to ensure protection and security of its citizens. The present status of social justice is very high among the affluent sections of the society. It is also necessary where the violation of constitutional or legal rights of a large number of people including the poor, ignorant or socially or economically disadvantaged takes place. Further, due to legislative insecurity and lack of appropriate action taken by the administration or authorities in time, people often suffer from social justice in a variety of ways. Here arises the need to protect the people for having social justice and therefore, the role of judiciary is highly crucial for delivering justice to the deprived. Guwahati is one of the premiere cities in the entire North-East India, where people suffering from securing social justice is a common phenomenon. Thus this paper is an attempt to understand the prevalence of social justice among homeless dwellers in Guwahati city.

2. Objectives

The main objectives of this study are-

- (i) to study the prevailing scene of social justice among the homeless dwellers of Guwahati city;
- (ii) to trace the variation in access to social justice as per different levels of social and economic classes and groups in the city; and
- (iii) to assess especially the emerging trends in access to social justice in the city.

3. Methodology

The study has been carried out systematically on the basis of both secondary and primary data collected from various sources. Secondary data have been collected from sources such like books, journals, articles, reports and internet. Information and data so collected have been processed and analyzed in order to arrive at meaningful conclusions. A simple quantitative technique has been applied for analyzing the data collected for the work. The primary data have been collected from different sample areas in the city.

4. The study area

That people suffer from securing social justice is the common phenomenon in various parts of our country including the state of Assam and its capital city Guwahati. It is the largest city of the entire north-east region of India with present population exceeding one million. The cities of Assam, like the other cities of the country, are differentiated both spatially and socially. The urban areas of particularly Kamrup Metro, Nagaon, Barpeta, Dibrugarh, Dhubri, Nalbari and Cachar districts have been experiencing a heavy influx of people from both rural and urban areas. The migration of illiterate and unskilled poor people mainly from the remote rural areas have led to the formation of the urban poor and increased the number of slum and homeless dwellers in the urban areas.. The condition of the roads, public transport facilities, location of the shopping centers, offices, educational institutions, market places, the situation of civic amenities, health condition, housing, sanitation, child labour, unemployment and underemployment, etc have not improved uniformly across the city. As a result, the cities and other urban areas have become the breeding ground for many anti-social activities like black-marketing, smuggling, income-tax evasion, food and drug adulteration, cheating, corruption, bribing, gambling, immoral trafficking, etc. Such a diverse nature of problems of socio-economic disparities is well reflected in inequities in social terms.

5. Scenario of Homelessness in Assam and Guwahati City

Homelessness is a condition of detachment from society characterised by the absence or attenuation of the affiliative bonds that link settled persons to a network of inter connected social structures (Glasser, 1994). The various voluntary and non-governmental organizations had already had already brought to the notice of the concerned authorities that the number of destitute homeless is increasing in the urban areas like Guwahati, Nagaon, Barpeta, Dibrugarh, Dhubri, Nalbari, Silchar, etc. The groups of such homeless include old age homeless and destitute homeless with different forms of disabilities including women, mental illness, mentally retarded, persons with physical disabilities, street children, etc.

The needs of different categories of homeless people are different from one another. The causes of homelessness are diverse and multifaceted. The major causes behind homelessness as reported and studied include natural disaster, ethnic violence, forced migration due to economic and social reasons, mental

instability, re-entry of criminal/convicted persons into mainstream, physical disability including incurable diseases, unattended elderly disabled, etc.

The various non-governmental organizations like Action Aid India, SOS, sSTEP (Society for Social Transformation & Environment Protection), Sishu Sarothi, Snehalaya, Help-Age India, etc are engaged with great devotion, motto and vision to ensure a society in which every person enjoys a life with dignity. Rights of homeless/street dwellers and justice have been taken in various projects with the mission of empowerment of marginalized community to advocate for ensuring rights to the poorest as well as to reduce the vulnerability of the

poor and marginalized community and to improve their living conditions. Some of these organizations sSTEP is present engaged in exploring the prevailing condition of the homeless citizens living in the cities on various issues of health, drug addiction, livelihood and shelter.

As per the study of sSTEP, among the shelterless migrated people from within Assam to Guwahati city, Kamrup district has the highest proportion of 25%, followed by Nagaon (11.67%) and Dhubri (10%) (Table 1). The other districts where from these groups of people are mostly migrated are Goalpara and Nalbari. This is indicative of the fact that rural Assam still has large number of extremely deprived poor.

Table 1: District-wise origin of single shelterless people in Guwahati City

District of origin	Percentage out of total shelterless people in the city	District of origin	Percentage out of total shelterless people in the city
1 Kamrup	25.0	12. Lakhimpur	1.67
2. Dhubri	10.0	13. Dhemaji	1.67
3. Jorhat	4.17	14. Dibrugarh	3.33
4. Karbi Anglong	0.83	15. Nalbari	6.67
5. Bongaigaon	2.5	16. Golaghat	4.17
6. Darrang	0.83	17. Cachar	3.33
7. Goalpara	6.67	18. Morigaon	3.33
8. Nagaon	11.67	19. Karimganj	0.83
9. Barpeta	3.33	20. Kokrajhar	3.33
10. Sonitpur	4.17	Total	100
11. Tinsukia	2.5		

Source: The Reports of sSTEP, Action Aid India, 2010.

It has been observed that there has been a large volume of migration of rural poor to the urban areas in search of livelihood in the informal sector. Further, a large chunk of these migrated people is engaged either as daily wage labourer or vendor and hawker for their livelihood. But the survey conducted by sSTEP reveals that the proportion of beggars is the highest among the homeless people in the city of Guwahati (Table 2). Another sample survey conducted during 2012-13 reveals that although homeless people are distributed throughout the city in varying number,

its major concentrations are found in Fancy Bazar, Hatigaon, Paltan Bazar, Ganeshguri and Santipur areas of the city. Many of these urban dwellers live in a slum-like environment. Again, there are concentrations of poor and deprived people who live a poverty-ridden condition without having provision for basic amenities like water, sanitation, health, electricity, etc.

Since no vending and hawking zones are demarcated in the urban areas, the street dwellers have to carry out their livelihood activities in public places, which include pavements, road side space, space

adjacent to railway tracks, temples, bus-stoppage sheds, under the fly-over, periphery of different markets regulated by The Assam Municipal Act, 1956. Till date, there is no specific state policy in the line of the National Urban Vendors Policy, 2005, nor there

any initiative on the part of state govt. to provide license to legitimize, protect and regulate their livelihood activities and social security (pension, insurance, etc) programme or any credit facilities for the street/homeless dwellers.

Table 2 : Livelihood pattern among the homeless dwellers in Guwahati City

Sources of Earning	Proportion to the homeless dwellers
1. Beggars	60%
2. Vending and Hawking	6%
3. Wage Labour	10%
4. Domestic Labour	5%
5. Rickshaw/Cart Puller	5%
6. Hotel Helper	6%
7. Rack Pickers	6%
8. Dead Body Pickers	1%
9. Others	5%

Source : sSTEP and Action Aid India Report, 2010.

The homeless people have to face ire of the authority in the form of forceful eviction and displacement which is carried out without giving any prior notice or rehabilitation. In absence of regulations to protect of their right to livelihood, they have been facing harassment from the regulations to protect of their right to livelihood and continuous facing harassment from the authority in the form of eviction, confiscation of saleable good, high rate of fine by Municipality.

Age group : The age distribution of the shelterless people of Guwahati city shows that more than half of it belongs to the age group 26-45. This group of population could be rehabilitated through an integrated livelihood support programme. But, the major issue lies with the higher proportion of old age-shelter-less in the group 46 and above (about 37%) and 8% of shelterless alone in age group 66 and above. (Table 3). The deplorable condition of the destitute homes could not give an answer to this poor and helpless people.

Table 3: Age composition of shelterless people in Guwahati City, 2010

Age Group	No of Males	No. of Females	Percentage of the total shelterless people
Below 18	1	3	1.65
19-25	19	4	9.50
26-35	47	8	22.73
36-45	64	6	28.93
46-55	33	6	16.12
56-65	22	9	12.81
66 and above	19	1	8.26
Total	205	37	100.00

Source: sSTEP and Action Aid India Report, 2010.

Nature of Disability

Disability in one or the other form is a common phenomenon among a large section of the homeless people in the city. The physical disability in different forms and degrees among the homeless people in Guwahati is very common. Out of 240 sampled

shelterless people in Guwahati city, 43 persons are found to be disabled in various forms. The incidence of disability is more among the males. It has been found that nearly 40% of them are physically challenged. Mentally ill and retarded people constitute even a higher proportion of 44% of the shelterless (Table 4).

Table 4: Forms of disability among the shelterless people in Guwahati City, 2010

Nature of Disability	Number of persons	Percentage of total disabled persons
Physical challenged	17	39.53
Vision	6	13.95
Mentally retarded	14	32.56
Mentally ill	5	11.63
Paralysis	1	2.33
Total	43	100.00

Source: sSTEP and Action Aid India Report, 2010.

Disease Incidence

The prevalence of various diseases among the shelterless people is another common phenomenon. During the survey, it is however found that there are only 12 cases diseased persons out of 206 males. The cases include asthma, leprosy, TB, etc. Among the diseases, the asthma constitutes the most. The information access about the diseases among the women is very difficult. For identification of the extent of health problems, ailments are ranked with respect to numbers of affected people due to different diseases. It means the most common disease among the shelterless is ranked one. From this exercise it has been found that asthma, cough, stomach pain, gastric, diarrhoea, itching and skin diseases are the most common diseases among the pavement dwellers. The main causes behind occurrence of such diseases

include day and night exposure to the polluted environment, consumption degraded and unhygienic food, drinking of unsafe water, lack of health consciousness, etc. The shelterless dwellers in the city have to live without any infrastructure facilities. They have to go for open defecation in the railway lines, bushes, under trees, river banks and drains. All these have far reaching health related negative consequences to the shelterless and also to the other city dwellers.

Educational Status

Most of the shelterless people are illiterate. The illiteracy rate is found to be as high as 85.9% in Guwahati city. The proportions of literates with educational level HSLC and below HSLC are found to be 3.77% and 10.38% respectively (Table 5). Such a status of education bears testimony to the prevailing unhealthy life and living of the shelterless people in the city.

Table 5: Educational attainment among the shelter less people in Guwahati, 2010

Educational level	Number of Single Shelter- less	Percentage
No Schooling	183	85.85
Primary incomplete	8	3.77
Middle incomplete	10	4.72
High School incomplete	4	1.89
High School complete	8	3.77
Total	212	100

Source: sSTEP and Action Aid India Report, 2010.

Occupational Pattern

Most of the shelterless people are somehow are surviving with various low-grade activities including begging. It is found that a majority of the shelterless people (41%) is dependent on begging (Table 6). The second occupation for the shelterless is daily wage

labour as cart pulling, porter, rickshaw pulling, rag picking, dead body carrying, cloth washing, water carrying, etc. In the case of women, majority of them are engaged in begging. Further, it has been found that 5% of the women especially of the younger age are engaged in sex activity.

Table 6: Occupation of the shelterless people in Guwahati city, 2010

Occupation	Number of Single Shelter- less	Percentage
Wage Labour	54	30.68
Rag picking	23	13.07
Begging	72	40.91
Others	27	15.34
Total	176	100

Source: sSTEP and Action Aid India Report, 2010.

Income Condition

The means and levels of earning livelihood among the shelterless people have been quite discouraging. During the survey of the income generating livelihood activities of the shelterless it has been found that dead body carrying is the highest earning activity. But the availability of this job is very limited. According to the engagement in various works, though working as wage labour, cart pushing, rickshaw pulling, rag picking, etc are quite difficult, these occupations provide an income on an average of Rs. 50 per day. The job availability is also limited except in the case of rag picking and rickshaw pulling. Beggary is the most common and available occupation of the shelterless people, and it is

quite common in Guwahati city. The beggars can earn an income of Rs. 30-40 per day without much hardship, except the humiliation they face from the general public. The shelterless people are not sure of getting an earning everyday.

6. Conclusion

From the above discussion it is clear that judiciary has to provide justice to all people irrespective of their affiliation to any religion, language, social groups or social status. It is obvious that many factors, viz. political and administrative, social, cultural and geographical operate behind access to social justice by people or remain deprived. All these aspects are yet to be studied objectively.

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