

COMMENTARY ON SLUM LEGISLATION IN MAHARASHTRA AND  
COMPARITIVE STUDY OF THE SLUM AREAS (IMPROVEMENT AND  
CLEARANCE) ACT, 1956 (1989). By U.P. Deopujari. LA18, Yeshwantnagar,  
Nagpur. Pp. (6) + 430. Price Rs. 260.

THE BOOK<sup>1</sup> under review provoked the reviewer to look into the dictionary for the meaning of the word book. The Chambers 20th Century Dictionary gives the following meaning for the word 'book' as noun: 'a collection of sheets of paper, etc., bound together or made into a roll, either printed, written on or blank; a large scale literacy composition, a division of a volume or composition.'

A collection of printed and bound papers may be classified with reference to the subjects with which it deals, like Physics, history, art or law. They may also be distinguished and named on the basis of the method, quality, quantity and purpose of its composition. On this basis, books may be categorised variously as treatises, commentaries, digests, text books, brochures, pamphlets, compilations, collected works, selected works, reports, documents, etc.

The book under review is titled by the author as a "Comentary on" and also a "Comparitive Study of". But, the reviewer feels not constrained not to express frankly that the book is neither a commentary nor a comparative study if one looks to the substance of the stuff of the book. Mostly, it is a collection of various enactments, rules and notifications relating to slum legislation in Maharashtra.

The author in his preface speaks about the objectives of this publication, "I have undertaken this work on the subject of slums with two intentions, viz., to place all the available legal material before Bar and Bench and to give information about the improvement works executed by the state with further note of necessity of more works in the field in order to uproot the demon of rising slums from the state."<sup>2</sup> The author justified the title of the book in his preface thus "since the slum legislation in Maharashtra and particularly the Slum Act 1971, is enacted on the line of the Slum Areas (Improvement and Clearance) Act 1956, it is proper to have a comparitive study of the provisions of these two laws. Secondly, numerous case law is available under the said Slum Act 1956. With these intentions, the commentary is styled in the form of comparitive study." He further claims, "I have tried my best to put up correct statute laws, rules, notifications, regulations and other information from the *Gazette* publications but inspite of this any mistake is noted by the readers, my request is to bring it to my knowledge so that it should not be committed again in next editions. I hope that my work on the subject will be useful to the members of Bar, Bench and other concerned departments."<sup>3</sup>

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1. U.P.Deopujari, *Commentary on Slum Legislation in Maharashtra and Comparative Study of the Slum Areas (Improvement and Clearance) Act 1956* (1989).

2. *See, id.*, preface.

3. *Ibid*

Slum is an "over-crowded squalid neighbourhood." Slums are the concomitant disfiguration, difilement and defacing of the human inhabitations of urbanisation and industrialisation by the migration and occupation by the faceless masses of labour sellers, parasites and the destitutes — an offshoot of modern civilisation born out of avarice for excessive unbridled commercialisation and production. About 50% of the population in urban settlements in Asia-Pacific region are estimated to live in slums. In the modern mega cities there are two worlds side by side one with filth, dirt, congestion, insanitation and crime, another a five star culture with white collar crimes. It seems in the city of Karachi there is a million of slum population. Slums are the damaged parts of the lungs of the cities. The fortunate parts of the body are not exempt with the consequences of this damage. If not in the interest of the slum population at least for the benefit of the other half of the society legal solution of the social hygienic slum problems are to be found out. The result is the slum legislation. The earliest enactment appears to be the Madras Slum Improvement (Acquisition of Land) Act 1959. It was enacted "with the intention to acquire the lands for the purpose of execution of improvement works in the areas lacking in basic needs such as sewerage, water supply, roads and side drains, etc. The Act mentions in the Preamble the awareness of the problem of slums thus, "Whereas there are a number of slum areas in the city of Madras which are likely to become a source of danger to the public health and sanitation of the city...." Subsequently the Central enactment, the Slum Areas (Improvement and Clearance) Act 1956, was passed for tackling the problems of increasing slums. The awareness of the problem was shown by the Central Government in the objects and reasons of the Act: "The Slums are menace to the safety, health, and morals of the inhabitants and it is of imperative necessity that improvement in, and clearance of, the slum areas have to be taken in hand immediately." The next important legislation in India was passed in 1971 in Maharashtra, the Maharashtra Slum Areas (Improvement, Clearance and Re-development) Act 1971. Another legislation passed by the state government in 1973, is the Maharashtra Slum Improvement Board Act 1973. This was repealed incorporating the provisions of the repealed Act in the Maharashtra Housing and Area Development Act 1976. Various rules and notifications and regulations and ordinances were made under these enactments constituting the corpus of the law relating to the slums.

It is claimed by the author that a comparative study of the Slum Areas (Improvement and Clearance) Act 1956, is made with that of the Maharashtra Act, but it is difficult to trace where such a study is made and one gets a genuine doubt whether such an attempt is made at all. There may be some meagre sprinkling of comparison in the introductory part and in some unnoticeable sections. The claim is not substantially supported by the matter in the book. It is also claimed that this book is a commentary on slum legislation in Maharashtra. The commentary also is very sparse and scarcely distributed in the text of the book. Only in the introductory part of 18 pages and in some parts of the enactment like on chapters I and VI of the Maharashtra Act the commentary is provided. On most of the sections of the state Act and Central Act, there is no commentary.

The legislations, of course, are very important and may serve as useful models

to other mega cities and urban conglamérations.

The formal aspects of the book are very good with a good wrapper, neat printing work and durable binding. It is a good compilation of slum legislation in Maharashtra including notifications, regulations, ordinances, forms, *etc.* The chapter entitled "Achievements in Slum Improvement" is the contribution made by the author with a lot of minute details and evaluation of the operation of the legislations. The author hopes against hope that "We hope that looking at the problem of rising slums with this view will make our state a non-slum state in the country." Let us also hope alongwith the author that these pious hopes and dreams may be realised some time in the next century.

The book is useful, undoubtedly, as a reference to urban local self government administrators and corporators and to the municipal politicians. It appears that the price of a book is fixed in inverse proportion to the extent of the market of the book. The pricing of this book as Rs. 260/- may be a consequence of it as the consumers of this book will be a negligible section of the purchasers books. Most probably only few libraries and some municipal corporations may be the consumers. As it consists mainly bare Acts with rules and regulations attached, it could have been printed in ordinary paper with paper back and priced very much less and thus, more libraries could have got opportunity to purchase. Nevertheless the book is a useful edition to the meagre slum literature with legal dimensions of the problem of slums in India.

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