

AS INTRODUCED IN THE RAJYA SABHA  
ON THE 21ST JULY, 2017

**Bill No. XII of 2017**

THE CONSTITUTION (AMENDMENT) BILL, 2017

A

BILL

*further to amend the Constitution of India.*

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

- |  |   |
|--|---|
| <p>1. (1) This Act may be called the Constitution (Amendment) Act, 2017.</p> <p>(2) It shall come into force on such date as the Central Government may, by notification<br/>5 in the Official Gazette, appoint.</p>                         | <p>Short title,<br/>and<br/>commencement.</p>                             |
| <p>2. After article 21A of the Constitution, the following article shall be inserted, namely:—</p> <p>“21B. The State shall provide affordable adequate housing to all citizens in such<br/>manner as the State may, by law, determine”.</p> | <p>Insertion of<br/>new article<br/>21B.</p> <p>Right to<br/>housing.</p> |

#### STATEMENT OF OBJECTS AND REASONS

Housing is a basic human need. It is considered to be vital for human survival and essential for socio-economic development. India with a population of over 1.21 billion people, is the second most populous nation in the world. According to UN-HABITAT, India is home to sixty three per cent of all slum dwellers in South Asia. This amounts to 170 million people, seventeen per cent of the world's slum dwellers. India's per capita income although rising, ranks 124th in the world. Approximately thirty five per cent of India's population still earns rupees sixty or less per day. Census 2011 reported 1.77 million homeless people across India or 0.15 per cent of the country's total population.

The right to housing is the right to live in adequate shelter in security, peace and dignity. It is not merely having a roof over one's head, rather it requires an accessible habitable space that fulfills the basic human needs to personal space, security, adequate lighting and ventilation, safe structure, protection from weather besides its location, all at reasonable cost. Therefore it is the duty of the State to provide affordable adequate housing for all citizens.

In order to achieve the task, it is felt necessary that a provision should be made in the Constitution as part of the fundamental rights for the purpose. The Bill seeks to achieve the above objectives.

Hence, this Bill.

K.K. RAGESH

## FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to make affordable adequate housing to all citizens a fundamental right. The Bill if enacted will involve expenditure from the Consolidated Fund of India. However, at this stage it will be difficult to make an estimate of such expenditure, both recurring and no-recurring. The exact amount can be worked out only when the provisions of the Bill are implemented.

RAJYA SABHA

---

A

**BILL**

further to amend the Constitution of India.

---

*(Shri K.K. Ragesh, M.P.)*