

Settlement Fieldwork Report

Delhi, India

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PART I³

1

Introduction and Abstracts of the Case Studies

The ambition to develop large Indian metropolises into “global cities”⁴ has led to major restructuring of their urban space. As a capital city, Delhi has always received particular attention from governments and town planners; as the country showcase its image has been enhanced. More recently, urban renewal operations and major infrastructure works, including the extension of the metro railway, got boosted by the preparation for the 2010 Commonwealth Games. The implementation of these projects and “beautification” operations were associated with large-scale slum demolitions (Dupont, 2011a & 2011b), illustrated here by the case of **Rajendar Nagar slum**.

In addition, following urban reforms in India in the 1990s and the induction of the private sector as developer and builder, as promoted in the *Master Plan for Delhi 2021*, significant real estate developments affect now urban land reclaimed from spaces situated in the capital proper, and not only in its peripheral towns as observed initially. These spaces under transformation include reclaimed built-up areas such as slums and mill lands, as well as controversial constructions in ecologically sensitive zones, such as in the Delhi Ridge natural forest (as illustrated by the Tehkhand residential project linked to the aborted rehabilitation plan for **V.P. Singh Camp**), and in the Yamuna river floodplain (such as the Commonwealth Games Village Complex).

Experiences in addressing sub-standard settlements in India have further to be understood in the context of the new national policy for *Slum-Free City Planning* launched in 2010, and in Delhi, in the context of the strategy of in-situ slum

rehabilitation initiated recently by the Delhi Development Authority (DDA) with the involvement of private builders. This will be illustrated here by the case of **Kathputli Colony**, a squatter settlement identified in 2008 by DDA to implement the first project of that kind in the capital.

The first settlement case –**Kathputli Colony**– thus documents the initial steps of implementation of an in-situ slum rehabilitation project under public-private partnership, along with its associated difficulties, as well as the way in which the concerned residents have been –or not– consulted. One major problem and source of delay at the outset was to find vacant land for the temporary transfer of the slum families, in a context of hostile reactions from neighbouring residents and traders’ associations. Within the affected communities, other issues include the lack of accurate information about the project especially at the early stage, and the lack of transparency regarding the list of eligible families and the financial conditionality to access a rehabilitation flat. Mobilization in the settlement to defend the residents’ interest vis-à-vis the town planning authority and the builder took time to start off and remained at a rather low-scale. This can be explained by a combination of factors: the initial low level of awareness, the lack of unity among the residents with multiple factors of division (social, regional, cultural, economic, professional and political), and the lack of a unifying and strong leadership. The role of the two main NGOs working in this settlement tended in the beginning to curb the residents’ capacity for self-mobilization; moreover, the acute conflict between these two organisations aggravated the divisions within the settlement and engendered information control practices. The resulting situation jeopardized the possibility of a fair and representative consultation process and affected negatively the negotiating power of the residents’ community.

The second case study –**Rajendar Nagar Slum and Motia Khan Municipal Shelter for the homeless**– illustrates first of all the consequences of the construction of a mega-project, such as the metro railway, on informal settlements. The affected slum families were rendered homeless following the demolition of their settlement in year 2000 and their exclusion from the resettlement scheme. The case

3 Part I was written by Véronique Dupont; and Section 2 draws from Dupont (2011c).

4 We refer here to the global city model, which was originally proposed by John Friedmann’s (1986) and Saskia Sassen’s (1991) in order to identify cities that are strategic sites in the new world economy, with decisive international functions on a global scale. Whether Indian metropolises do or do not qualify as “global cities” as per Friedmann’s and Sassen’s or more appropriate criteria, the ambition of the political and planning authorities to transform them according to that perceived model has tangible effects and drawbacks, as denounced more generally by Robinson (2006) for cities of the South. For a discussion in the case of Delhi, see Dupont (2011a).

study then focuses on the mobilization campaign for the right to shelter of the homeless, which was triggered off in the context of “beautification” operations during the preparation for the 2010 Commonwealth Games. The forced eviction of the same group of families from a temporary night shelter in winter (December) 2009, its dramatic consequences, and the ensuing protests provide an instance of scaling-up campaign and allows us: 1) to analyse the interplay of actors –a coalition of civil society organisations, the media, and the courts of justice– that contributed to the success of this mobilization, while recognizing the challenges in the long run; 2) to tackle broader issues regarding the right to the city of homeless people. Besides, the resettlement conditions of these homeless families in a municipal building demonstrates that creating a dependency on voluntary organisations’ assistance does not provide a sustainable solution to homelessness and cannot be a substitute to a proper rehabilitation policy taking into account both housing needs and livelihood opportunities. Furthermore, this case study questions the modalities of mobilization by grass-root organisations and spaces for participation and contestation.

The third settlement case, **V.P. Singh Camp**, a squatter settlement in the southern periphery of Delhi, provides an example of past successful mobilization against an attempt

of eviction in 1989-91, thanks to the support of the then Prime Minister, which contrasts with the absence of reaction at the settlement level when DDA launched its rehabilitation project in 2006, and the present lack of social mobilization to improve the housing and environmental conditions in the settlement. The factors lending explanation to this recent situation include: the heterogeneity of the settlement in terms of housing conditions and access to basic facilities as well as socio-economic characteristics of its residents, which contributes to their lack of solidarity; the lack of common leadership in the settlement; the lack of transparency regarding public intervention; and the local leaders’ use of knowledge for cultivating power and personal interests at the expenses of the common cause of development. Moreover, after the in-situ rehabilitation project under public-private partnership was stalled in 2009 for lack of environmental clearance, no urgent issue is likely to unite the residents and trigger a mobilization campaign at present.

Before detailing the settlement cases, the broader context and policy background in relation to slums are expounded, followed by the presentation the methodology applied for the case studies.

2

Background and Context

Indian cities, especially the largest ones, are faced with an acute shortage in adequate housing which has resulted in the growth of sub-standard and illegal settlements – designated in policy documents as slums or squatter settlements, whose residents accounted for 26% to 55% of the urban population at the beginning of the millennium, depending on the definition of ‘slum’ (Annex 1). Since the 1990s, the implementation of urban projects, especially infrastructure expansion, urban renewal projects, and “beautification” operations, in line with the ideals of globalising cities, have resulted in many demolitions of poor or unauthorised settlements and forced evictions, which increased the numbers of homeless people.

a. Policy Background

Since the late 1980s, urban and housing policies in India, including more recent national programmes such as the Jawaharlal Nehru National Urban Renewal Mission (JNNURM, launched in December 2005) and the Rajiv Awas Yojana (RAY

or *Slum-Free City Planning*, initiated in 2010) evidence a major shift in the role of the state, from being a provider of housing and amenities to being an enabler, through the promotion of public-private partnerships, the reliance on market mechanisms and the use of land as a resource.

Although the National Urban Housing and Habitat Policies, or RAY, provide the general agenda and main directives, under the Constitution of India and the federal system of government⁵ the states are assigned responsibility for land administration and land reforms, including urban development. Therefore each state needs to adopt the acts passed by the parliament and is free to frame its own laws and urban policies, including slum policies, except with regard to land owned by central government agencies. The National Capital Territory (NCT) of Delhi is a specific case: the central government retains the control on land, police,

5 India is a federal constitutional republic with a parliamentary democracy consisting of 28 states and seven Union Territories.

and law and order. Thus, the Delhi Development Authority (DDA), the agency responsible for monitoring the planned development of the capital city, is under the purview of the central government.

Slums and Squatter Settlements: historical and legislative background

Just after Independence (1947), the proliferation of slums in the capital city was considered a major issue. The Parliament enacted the Slum Areas (Improvement and Clearance) Act of 1956, a pioneering law that included measures for improving the old housing stock in certain cases, and demolition of dilapidated buildings in others. The Act was first implemented in Delhi and extended to other states. It was not conceived to address the issue of illegal settlements, and “although [its] purpose was to improve the housing conditions, it has frequently been interpreted as giving licenses to demolition and eviction” (HLRN-HIC, 2004: 7). The attempt to prevent the proliferation of squatter settlements also led to the enactment of specific laws and court judgements treating the latter as illegal encroachments⁶ and a cognizable offence. The Slum Areas Act also introduced a distinction between the notified and non-notified slums, likely to generate a new line of exclusion for the provision of basic services.

Under the Constitution of India, the right to shelter is indirectly recognised as a fundamental right, which springs from the right to residence under Article 19(1)(e) and the right to life under Article 21. Until the 1990s, the courts often passed stay orders that prevented forced evictions of slum dwellers (Ahuja, 1997) or passed judgements showing some understanding for the living condition of the poor and the responsibilities of municipal authorities, that summoned the latter to provide civic services to slum dwellers (Ghertner 2008). Reversing a span of progressive judgments, the Supreme Court and high courts have later passed a number of anti-poor sentences in the 2000s, especially in Delhi (Kothari et al, 2006: 43, Dupont and Ramanathan 2008, Ghertner 2008). Nonetheless, views that are more favourable to the right to shelter for the poor reappeared in some recent judgments.

6 As per the Delhi Urban Shelter Improvement Board, the slum areas are those that are notified under the Slum Areas (Improvement and Clearance) Act of 1956 – “Buildings and/or areas that are considered to be unfit for human habitation were declared as the slum areas under Section 3 of the Act. As such, they are considered to be legal structures and are eligible for benefits under the Act. The squatters of Jhuggi Jhopri Clusters settlements on the other hand are considered as an encroachment on public or private lands”. (<http://delhishelter.nic.in>)

Main ad-hoc strategies regarding slums implemented till date

Faced with the extent and persistence of sub-standard and squatter settlements, the governments and town authorities have implemented various types of *ad hoc* interventions: provision of basic services as part of larger poverty alleviation programmes; resettlement on alternative sites, with housing or merely site-and-service programmes; and in-situ rehabilitation. These programmes may be initiated and funded by the central government or the state government, or sponsored by international organisations. However, these strategies concerned only a section of the slum dwellers, whereas many others among those termed squatters were evicted without any compensation; thus they addressed only the symptoms of housing poverty without touching the roots of the problem.

Rajiv Awas Yojana or the new strategy for Slum-Free City Planning (initiated in 2010)

The central approach of the new strategy for *Slum-Free City Planning* is to redress the shortage of urban land, amenities and shelter that lead to the creation of slums. Its plan of action comprises two parts: the upgrading or resettlement of existing slums along with property rights; and actions to prevent the emergence of new slums, including reservation of land and housing for the urban poor. This “new deal for the urban poor” (Mathur, 2009) involves a more comprehensive approach than the previous strategies, and further advocates strong community involvement; but the way in which it would be implemented remains to be seen. Although rental housing is envisaged, the focus on home ownership and its financial modalities raise concerns: the contribution and monthly instalments to pay back loans, which are expected from the slum families may eventually result in excluding the poorest from the programmes, with a capture of the housing schemes by higher income groups.

Strategies implemented in Delhi regarding squatter settlements

○ *Environmental Improvement of Urban Slums*

The improvement of the living conditions in the existing slums through the provision of basic services was initially a response of town authorities to sanitation and public health concerns. In 1972, the Central Government launched the Environmental Improvement of Urban Slums scheme, aimed at providing basic infrastructure in zones officially notified as slums. Other schemes with similar or more comprehensive objectives followed, influenced in particular

by the Urban Basic Services Scheme for the Urban Poor initiated by UNICEF worldwide in the 1980s. More recently, the provision of 'Basic Services to the Urban Poor', with a focus on slums, is also part of the agenda of the JNNURM. This pragmatic, although short term, approach – improving the living conditions of slum dwellers where they are based rather than relocating or re-housing them – does not, however, guarantee them rights of occupancy, nor does it protect them from demolitions and evictions if the land-owning agency comes up with projects of “better public” utility on occupied sites, as in Delhi.

○ *Site-and-Service Programmes and other resettlement schemes*

The removal of squatter settlements –called *jhuggi-jhompri* clusters in Delhi– is in principle limited to untenable sites or when land is required for projects of public utility. In 'site and service' programmes, displaced families have been allotted plots in relocation sites theoretically provided with basic infrastructure, where they had to build their own dwelling. Secure land tenure is granted under the form of leasehold or license with restrictive conditions. Relocation in resettlement colonies without rehousing was the approach favoured by the Delhi authorities from the late 1950s till 2009 to deal with squatter settlements. It nonetheless required a financial contribution from eligible families (INR 7500 –US\$ 167– in the 1990s and 2000s). Moreover, the size of the plots was considerably reduced, from 80 sq.m. in the first scheme of 1960, to 18 sq. m. and even 12.5 sq. m. in the 1990s and the 2000s, which resulted in the recreation of over-crowded settlements. Lately, in 2010, the Government of Delhi modified its policy for the relocation of slum dwellers, with a shift towards the allotment of flats instead of plots. The Master Plan for Delhi 2021 (DDA, 2007) acknowledges the limitations of the site and service approach (as developed below), and envisages a new strategy of in-situ rehabilitation.

The impact of resettlement programmes on slum eradication has been seriously limited by the eligibility criterion referring to a cut-off date of arrival in the settlement. Despite adjustments of this date in the long run, this principle has caused the eviction of large numbers of slum families without any compensation. The financial conditionalities, as well as dysfunctions and malpractices in the implementation of the programmes, have further increased the number of excluded families (Dupont 2010). The list of eligibility conditions to access flats under the modified relocation and rehabilitation scheme for slum and *jhuggi-jhompri* dwellers in Delhi is again likely to exclude a significant proportion of families: the Delhi Urban Shelter Improvement Board (DUSIB) estimates that, in the list of 16 *jhuggi-jhompri* clusters identified for priority relocation, only 40% of the families would be eligible for allotment of

flats, hence leaving a large majority of dwellers without resettlement⁷.

Resettlement programmes most often entail relocation in remote peripheral zones. The long distances between the new sites and the previous ones negatively affect the access to employment and social networks, and more generally access to the city resources and opportunities, while urban services and social facilities in the relocation sites remain deficient (Koshla and Jha, 2005; Menon-Sen and Bhan, 2008). As a result, many allotted plots were resold by the families who could not afford the process of resettlement and its adverse impact on livelihoods, or were grasped by unscrupulous real estate agents.

○ *The extent of slum demolition, and forced eviction without resettlement*

According to DUSIB estimates, there would be 685 squatter settlements housing a population of around 2 million in 2011, accounting for 12% of the population of Delhi urban agglomeration (i.e.16 million without its ring towns), whereas in 1998 the population of squatter settlements was estimated at around 3 million, scattered in about 1100 clusters of varied sizes, and accounting for about 27% of the population of the city at that time⁸. The results of the last Census indeed reveal a considerable slowing down of the population growth from 2001 to 2011 in the inner districts of the Territory of Delhi, including absolute decrease in population in New Delhi District and Central District, which is attributed primarily to the large-scale slum demolitions (Joshi, 2011: 49).

It remains however difficult to assess the exact numbers of evicted slum families excluded from the resettlement programmes. In 2004-2006, demolition of slums affected dramatically the embankments of the Yamuna river (causing the eviction of more than 40,000 households in 2004 alone)⁹, in connection with the redevelopment of the river-front and the construction of the athletes' Village for the

7 Source: DUSIB website: <http://delhishelter.nic.in>. The percentage of eligible families is mentioned in the minutes of the fifth Meeting of the DUSIB, held on 19th December 2011.

8 Source: Slum and Jhuggi-Jhompri Department, Municipal Corporation of Delhi (MCD).

9 See: OMCT/HIC-HLRN Joint Urgent Action Appeal, “Over 300,000 people to be forcefully evicted from Yamuna Pushta in Delhi: 40,000 homes demolished so far”, Case IND-FE050504 (Delhi, Geneva, Cairo, 5 May 2004). The estimate was reported by the NGO Hazard Centre; although it is difficult to assess the real figures, this indicates the extent of the demolitions which took place within a few months in 2004.

2010 Commonwealth Games. Researcher Ghertner calculated approximately that from 1997 to 2007 “close to a million slum dwellers have been displaced” (Ghertner 2010: 202). These figures can be confronted to the official statistics of squatter families relocated from 1990-91 till 2008 under the *jhuggi-jhompri* resettlement scheme, namely around 65,000 families over the entire period, accounting for about 325,000 people¹⁰. Furthermore, the 2010 Commonwealth Games were preceded by a span of “last-minute demolitions” carried out without resettlement (HLRN-HIC, 2011). Forced evictions and exclusion from the resettlement scheme will be exemplified by the case story of the demolished **Rajendar Nagar slum cluster** and their residents rendered homeless.

○ *In-Situ Rehabilitation*

In-situ up-grading or rehabilitation has been an approach recommended in several national policy documents, including the current strategy. In Delhi, the three-pronged strategy implemented from 1990-91 to 2010 by the Government for dealing with squatter settlements included, in addition to (i) environmental improvement of slums and (ii) relocation of squatters in resettlement colonies, (iii) in-situ up-gradation for the *jhuggi-jhompri* clusters whose “encroached land pockets [were] not required by the concerned land owning agencies for another 15 to 20 years for any project implementation” (GNCTD, 1999). However, this option was undertaken only in a very few cases. This amounted in fact to a more comprehensive version of the environment improvement scheme, without any regularisation of tenure for the slum dwellers, and cannot be compared to the in-situ rehabilitation schemes implemented in Mumbai since the 1990s.

Nonetheless, new in-situ rehabilitation projects inspired by the “Mumbai model” (as it is often referred to in the media), namely that will entail the construction of multi-storeyed buildings through private-public partnership, using land as a resource and according to the principle of cost recovery, are in the pipeline. Concretely, only part of the land occupied by the slum is used to re-house its residents, the rest is cleared for residential or commercial development to be sold on the open market. This follows the new strategy recommended in the Master Plan for Delhi 2021 (DDA 2007: Section 4.2.3.1), and is in line with the new national slum policy. This new strategy provides an alternative to the requirement of large amount of lands for site and services developments. The expectation is that “vertical projects” will unlock the land stock occupied by slums. In 2008, DDA identified 21 slum clusters for in-situ rehabilitation, projecting the construction of about 37,000

dwelling units to that end. The first pilot project planned in 2006 in Tekhand (south of Delhi) has been stalled due to the lack of environmental clearance (see the case of V.P. Singh Camp); the second one, in Kathputli Colony is detailed in the settlement study. These two pioneering projects (for Delhi) in the field of slum rehabilitation were presented by the DDA and the Delhi government as a model for further housing projects for the economically weaker sections.

The government responses to homelessness

Although homelessness is not a new phenomenon in Delhi, the number of homeless people has increased dramatically during the last decade: by 68% between 2000 and 2008, due mostly to massive slum clearance without adequate resettlement (IGSSS, 2012). NGOs working with homeless estimate that their current population is around 150,000.

The first government programme of Night Shelters for the homeless was initiated in 1985. From the 1990s till 2010, it was operated by the Slum wing, under the Municipal Corporation of Delhi; it is now part of the DUSIB under the Government of Delhi. The scheme consists of operating night shelters located in areas of homeless concentrations, to provide facilities for night stay including toilets, blankets and jute mats at nominal charges. In December 2009, before the mobilization campaign for the homeless, there were only 12 night shelters in buildings run by the Municipality – and 64 in 2012. There has been in addition a scheme of temporary night shelters in winter to protect homeless people from cold. This scheme was resumed in 2002 following the pressure of some NGOs on Delhi government: the Revenue Department provides tents under emergency relief, and NGOs manage these shelters. Importantly, the current Master Plan for Delhi, which is a mandatory document, stipulates for the first time a ratio of one night shelter to be provided for 100,000 population.

Lastly, in 2008, the Delhi government launched “Mission Convergence”, a new flagship programme to reach the poor through a single window system, that includes Homeless Resource Centres run by NGOs. Under this Mission, a comprehensive survey of the homeless was conducted (GNCTD-UNDP, 2011), which was also conceived as a tool to provide identity cards to the homeless and link this exercise with enrolment in the project of Unique Identification number¹¹. However, the biometric

10 Source: Slum and Jhuggi-Jhompri Department, Municipal Corporation of Delhi (MCD).

11 See: *Social Inclusion and Aadhaar: Introduction & Concept Paper*. Unique Identification Authority of India, 30 April 2012. URL: http://uidai.gov.in/images/concept_paper_social_inclusion.pdf (accessed 12.07.2012)

identification implied by this operation faced practical feasibility difficulties as well as controversies. While there was a consensus among civil society organizations and the homeless to recognize the lack of legal identity and residence proof as a major problem, the enrolment of the homeless in this project raised a series of criticisms (Ramanathan, 2010).

b. Governance System

The specific status of Delhi as the National Capital and Union Territory

Delhi is both the seat of the Central Government as well as the government of the National Capital Territory (NCT) of Delhi. The status of Delhi as the national capital explains the direct purview of the Central Government on the urban development of its Territory, through the Delhi Development Authority (DDA) established in 1957 under the Union Ministry of Urban Development. Even after the NCT acquired the status of a quasi state in 1991, the Central Government retained the control on land; furthermore, it never allowed the World Bank to interfere in land and slum matters. DDA is the authority in charge of land development, including the preparation and implementation of the Master Plan for Delhi (a legal document). The designation of the DDA as the housing agency for Delhi in 1967, including for social housing, strengthened DDA control on slum affairs. There was a Slum Wing in charge of the implementation of programmes for slums and squatter settlements, which was alternatively under the purview of the Municipal Corporation of Delhi (MCD) from 1956 to 1967, of the DDA from 1967 to 1991 (with some intermediary transfers back and forth from DDA to MCD), before returning to the MCD where it was identified as the Slum and Jhuggi-Jhompri Department. In 2010, this Department was replaced by a new “Delhi Urban Shelter Improvement Board” (DUSIB), now under the purview of the Government of Delhi.

The monopoly of the DDA on land acquisition and development in Delhi explains that large-scale programmes of squatters’ relocation were possible and represented till 2009 the prevailing strategy to eradicate slums. Furthermore, as the land occupied by squatter settlements in Delhi is essentially public, with DDA land alone accounting for a large majority, the role of the DDA and till recently of the MCD in slum treatment was reinforced: these administrations have been players as land owning agencies, policy makers, and implementers. Since 2010, the Government of Delhi and DUSIB replaced the Municipal Corporation in its role of implementing programmes for slums and homeless.

Three local authorities are also responsible for urban services in their respective jurisdiction, including in slum areas and resettlement colonies: the Municipal Corporation of Delhi, with an elected municipal council, that covers most of the urban and rural areas of the Territory; the New Delhi Municipal Council, that includes the area of the new capital built by the British; and the Cantonment Board, under the Ministry of Defence.

This specific situation has resulted in a great complexity for managing urban affairs, with “issues of multiple authorities, overlapping jurisdictions, and diffused accountability” (GNCTD, 2006: Foreword by the Chief Minister).

Other actors of the scene of urban governance in Delhi regarding slum policies and homelessness

- *The private sector:* The induction of the private sector in slum redevelopment in Delhi is recent. Nonetheless, since the mid-2000s private-public partnership has become part of the urban development strategy, and is promoted both by the DDA and the Government of Delhi. DDA has consequently launched pioneering projects of rehabilitation and construction of dwelling units through public-private partnership. Yet, till date, DUSIB has not inducted private builders in its resettlement programmes in blocks of flats, constructed by the Delhi State Infrastructure Development Corporation, with a financial contribution of the Central government under JNNURM.

- *The courts of Justice:* India has an independent judiciary system, and the courts have emerged as a major actor in urban governance, especially through the Public Interest Litigation (PIL) procedure. In many cases, especially in the 2000s, the intervention of the courts in Delhi was a response to petitioners representing the interests of industrialists or resident welfare associations, more generally of upper and middle-income groups, who put forward environmental and sanitation considerations, or the “nuisance” factor, through PIL and asked for the removal of neighbouring slums.

- *The non governmental organizations (NGOs):* There have been several attempts to involve NGOs in the implementation of slum resettlement schemes, the first one dating back to the 1990s. Since 2000 the *Bhagidari* policy— or partnership with stakeholders – has become the dominant paradigm and leitmotiv of the Delhi Chief Minister. Although initially the *Bhagidari* policy targeted only the authorised colonies with registered resident welfare associations, and therefore de facto excluded squatter settlements, it also influenced public interventions

in slums. Thus, new schemes inducting NGOs in the field of slum policy were initiated, with a focus on service delivery. Noteworthy, the programme “Mission Convergence”, launched in 2008 to reach the most deprived sections of the society, relies on “public-private-community partnership” with the active involvement of NGOs. Other recent attempts aimed at enhancing NGOs and community participation in slums and resettlement colonies, such as the *Sanjha Prayas* programme – working with poor communities (2009-10, under *Bhagidari*), or pilot projects of socio-economic survey and in-situ upgrading in slum pockets (under DUSIB), were discontinued after a couple of years. In fact, many of the schemes launched over the last two decades suffered from a lack of sustainability. Besides, it would be questionable to interpret the examples of NGOs’ involvement as forms of true social mobilization. These could be seen as part of a cooptation process by the government, interpreted by some activists as a strategy to control the opposition groups and make the NGOs do the work as part of the government policy, with the expected effect of silencing the NGOs.

c. Politics and Power in the City: The Strength of CSOs under Question

We do find in Delhi mobilizations by NGOs, workers’ unions or forums of various people organizations. The types of actions and protests against slum demolitions and inadequate resettlement include public meetings, rallies, sit-in, repel of the demolition squads, petitions, legal actions, awareness campaigns, capacity building among affected people, etc. Yet, NGOs and human right movements in Delhi, in spite of some local successes and general outcries denouncing the large-scale slum demolitions, including the brutality of the eviction process, have not altered the implementation of slum clearance. On the whole, even the impact of empowerment campaigns proved to be limited; it failed to reach many slum dwellers who remained ignorant of their rights during the eviction and resettlement process or helpless to assert them (Dupont, 2010). Despite a certain degree of mobilization by CSOs, there is a lack of efficient root-based organisation among the slum dwellers.

The lack of mass mobilization and significant impact of NGOs’ actions, as far as slum demolition is concerned, may be explained by a combination of several factors. At the outset, the various attempts of mobilization initiated by different CSOs in Delhi have been not only sporadic, but also fragmented. Despite the existence of coalitions and forums, these are not organised into a unified and coordinated strong social movement. Local leadership in slum settlements remains split along political, regional,

social and religious lines, which proved to be a hindrance for contributing to a larger movement. Then, slum dwellers’ movements have gradually lost the support of middle-class political cadres and members, as “the middle-class becomes increasingly co-opted into the globalization agenda” (Kumar, 2008: 91). At the same time, the mainstream media do not highlight slum dwellers’ protests; more generally they do not provide much support to slum dwellers’ issues or may even report those in a biased manner. Kumar (2008: 87) identified two other reasons for the lack of powerful urban movement in Delhi: “The battle for survival keeps even the immediate sufferers away from movements as their time is invested in the search for a livelihood and mobilizing resources for survival.” Secondly, mobilizations carried by NGOs are seldom able to go beyond a certain stage, above all “because of their failure to locate the issues of discontent within the structural dynamics of society” and “the larger political context” (ibid: 85, 92). In addition, the preparation to host the 2010 Commonwealth Games provided a particular context where slum clearance for infrastructure works and “beautification” were prioritized, whereas the protests by slum dwellers were marginalised, if not delegitimised, in the agenda of showcasing the capital city and building its image before the world.

To conclude, one may suggest that, what we have observed till now in Delhi in the context of slum demolitions and related protests, are more often forms of resilience rather than (organised) resistance (as per Katz’s distinction)¹². Yet, CSOs working in the field of homelessness prove to be better organised, and managed to lead a successful mobilization campaign, as analysed in the case of Rajendar Nagar.

12 Sparke (2008: 2) notes that Cindi Katz “contrasts resistance that involves oppositional consciousness and achieves emancipatory change, with forms of *reworking* that alter the organization but not the polarization of power relations, with forms of resilience that enable people to survive without really changing the circumstances that make such survival so hard”.

3

Methodology

a. The Selection of Settlement Cases

At the first stage we identified four settlements in Delhi, in order to represent different types of sub-standard settlements and residential situations: two squatter settlements (Kathputli Colony and V.P. Singh Camp), a planned resettlement colony for previously evicted slum dwellers (Savda Ghevra), and a cluster of homeless families living in a municipal shelter (Rajendar Nagar slum & Motia Khan municipal shelter). This pre-selection also took into account critical issues in policies and politics addressing substandard settlements, namely:

- at the national level the new policy for “slum-free city planning”, reflected in Delhi by the recently adopted strategy of in-situ slum rehabilitation, meant to replace site and service relocation programme: thus, V.P. Singh Camp and Kathputli Colony were the selected sites for the two pioneer DDA projects of that kind;
- homelessness aggravated by slum clearance policy without proper rehabilitation or resettlement (Rajendar Nagar slum & Motia Khan shelter);
- the enduring issue of sub-standard infrastructure and services in resettlement colonies (Savda Ghevra).

Furthermore, the linkages with other Chance2Sustain research areas were considered. Regarding issues related to large-scale urban projects:

- Savda Ghevra resettlement colony houses thousands of slum dwellers who were evicted following the demolition of their settlements for the implementation of real estate development and large infrastructure projects, especially transport infrastructure along the banks of the Yamuna River and the expansion of the international airport.
- The families staying in Motia Khan municipal shelter were rendered houseless following the demolition of their slum (a squatter settlement) for the construction of a metro line, and again evicted for beautification operations during the preparation for the Commonwealth Games.
- The Kathputli Colony in-situ rehabilitation project also includes new real estate development.

Regarding environmental issues: In Savda Ghevra, one major issue is the access to potable water.

Finally, consideration was given to the kind of mobilisation around critical issues:

- Kathputli Colony provides an example of on-going mobilization around the issue of rehabilitation;
- V.P. Singh Camp illustrates a past mobilization against demolition;
- Rajendar Nagar demolished slum & Motia Khan municipal shelter provides an instance of successful mobilization and scaling-up campaign for the right to shelter of homeless people;
- Savda Ghevra resettlement colony provides an instance of NGO intervention along with community participation for a critical assessment of water supply and needs.

A settlement profile following the guidelines detailed in the Conceptual and methodological framework to address issues of sub-standard settlements (Braathen & al., 2011) was prepared for each of the four settlements; information to that end was collected and compiled by M.M. Shankare Gowda in October 2010. The location of the settlements in Delhi is shown on Map 1 in Annex 2. Map 2 and 3 in Annex 3 situate the settlements on the maps showing, respectively, the percentage of slum population and the multiple deprivation index per ward in Delhi, based on the 2001 census data.

Eventually, we did not pursue further research in Savda Ghevra resettlement colony; nonetheless, Malgorzata Huzarska, a master student in Human geography of the University of Amsterdam (under the supervision of Karin Pfeffer) took this settlement as her case study on “water governance, water situation and its implications on the livelihood” of the residents, focusing on issues more relevant for environmental issues and participatory spatial knowledge (Huzarska, 2012).

b. Methods Applied to Collect Data

For the case studies of Kathputli Colony (KC) and Rajendar Nagar demolished slum/Motia Khan municipal shelter (RN/MK) a series of in-depth interviews with the various stakeholders were conducted in 2011 and 2012¹³,

13 All interviews in Hindi or in Kannada (RN/MK case) with the residents and local leaders were conducted and transcribed into English by M.M. Shankare Gowda ; the researcher (Véronique Dupont) also attended some of these interviews, and conducted the interviews in English with other stakeholders.

including residents and local leaders (altogether 25 interviews in KC; and for RN/MK case 7 individual interviews and a focus group interview with another 9 residents), CBOs representatives and activists, elected politicians, government officers, private builders and consultants. We followed the guidelines provided in the Conceptual and methodological framework (Braathen & al., 2011), with necessary adjustments to take into account each specific context. These interviews were completed by follow-up visits in the settlements, attending of public meetings, press reviews and the collection of various secondary data and reports, including an examination of official documents related to court cases (for RN/MK). Details about the interviews, dates, their main contents and other information collected, profile of respondents, etc. are provided in Annexes 4, 5, and 6.

For the case study of V.P. Singh Camp, qualitative interviews with 30 residents were conducted in 2011 by Tara Saharan as part of her Master thesis which focussed on the various needs of the residents of this slum (Saharan, 2011). Although the interviews did not strictly follow the common guidelines, the information collected was re-analysed to contribute to some of the main questions addressed in the other settlement case studies.

The residents interviewed in each settlement were selected in order to represent various age groups, men as well as women, and the various communities and/or occupational groups. In Kathputli Colony and V.P. Singh Camp, attention was also given to the spatial spread of the sample, and to the degree of consolidation/precariousness of the housing unit.

PART II

THE SETTLEMENT CASES

4

Settlement Case 1: Kathputli Colony – An In-Situ Rehabilitation Project in (Slow) Progress¹⁴

1.1 Settlement profile

a. Location

Kathputli Colony (KC) is a four-decade old squatter settlement spread over 5.22 hectares in a rather centrally located area, near Shadipur (bus) Depot and the eponym metro station, about 8 km west from the central business district of Connaught Place. It is well connected to the rest of the city by all means of transport. The larger zone around this settlement is characterized by a combination of residential housing for lower and middle income groups and, to the north, an industrial area undergoing major transformations following the closure of old mills and the redevelopment of the reclaimed brown fields into an upper-end and high-rise condominium and an IT park¹⁵.

b. Origin of the Settlement and Present Population

Kathputli Colony is named after its residents of puppeteers who, along with other nomadic folk artists from Rajasthan, settled in this locality in the late 1960s, which was in those days “a stretch of wilderness forming an unfrequented fringe of West Delhi” (Sandal, 1985: 48). Gradually other street performers and craftsmen from Rajasthan, as well as folk artists of other regions –from Uttar Pradesh, Andhra Pradesh, and Haryana especially– who used to live in precarious conditions in different parts of the city moved into this settlement, thus known as the “artists’ colony”. Other non-artist migrants from Uttar Pradesh, Bihar, Maharashtra, Gujarat also settled there due to the

availability of vacant land, coming directly from their villages or from other places in Delhi.

Today KC houses around 3000 households or 14000-15000 people. The Rajasthani constitute a large majority of the population, occupying the major portion of the settlement; they belong mainly to the Bhat community of traditional artists, listed as a backward caste. The population of the colony is highly divided, on the basis of religion (Hindus, Muslims, and a small minority of neo-Buddhists from Maharashtra corresponding to a converted group of ex-untouchables), caste, geographical origin and occupation (the artists and the rest, mainly unskilled labourers). These different criteria combine to form sub-groups, to which has to be added a group of leprous families. The resulting social segmentation translates into spatial segregation, with distinct sections of the settlement corresponding to different communities (Bouifrou 2008, corroborated by our field observations). Thus, 12 active local leaders –or *pradhans* – could be identified.

In the mid-1990s, the condition of the residents of KC was described as follows by a consultant who conducted an experience of community participatory for a water supply and drainage project in this settlement: “The problems in Kathputli Colony are typical of those faced in similar settlements all over developing countries: malnutrition, high infant mortality, low literacy levels, child marriages, high rate of alcoholism, indebtedness, poor housing and a lack of basic services and amenities” (Marulanda, 1996: 6). Reports of NGOs working in KC¹⁶, interviews with their project directors¹⁷ and field observations confirmed the relevance of this description till today. We could further complete the above list by

14 This settlement case report was written by Véronique Dupont, with the assistance of Shankare Gowda for field work and field reports, as well as press review.

15 See the DLF project ‘Capital Greens’ and ‘DLF Tower’ on Shivaji Marg : <http://www.capitalgreensdlf.in/> (last accessed on 10 August 2011).

16 Annual Reports 2009 and 2010 of Kalakar Trust, downloaded from its website : <http://kalakartrust.org/>

17 Interviews with the Project director of Kalakar Trust on 25-11-2011, and interview with the director of CURE on 30-03-2012.



adding high incidence of health problems, drug abuse, high school drop-out ratio, prostitution, low level of women empowerment, and irregular income especially among the artists.

c. Housing

Kathputli Colony is considered as an illegal slum, a squatter settlement on land belonging to the DDA. This implies for its residents the lack of security of tenure and thus a risk of eviction. The settlement is not planned, and apart from one main street that passes through it, the layout of the area is like a web of narrow lanes. Over time the settlement has expanded horizontally with the arrival of new groups of dwellers, and vertically with the addition of one story to some of the reinforced structures (GF + 1) to respond to families' expansion. Most of the individual houses are now fully or partly consolidated structures built with bricks and mortar. Nonetheless, more precarious hutments made with mud, plastic or jute sheets and wooden poles and planks are also found. The dwelling units are generally small and congested, without proper sanitation facilities and ventilation. Some of them look like dilapidated shanties. Yet, the dwellings have usually electricity connections: before the privatisation of the distribution system in 2006, the slum families benefited from a government scheme providing free electricity (for one bulb or electricity point per family), but there were also illegal connections; now the residents have individual meters and thus electricity bills to pay. In this colony, the proportion of tenants is not very significant, and most the houses are occupied by their owners, who built themselves their *jhuggis* (hutments), and generally upgraded it overtime.

The settlement is densely populated, with only a few trees and not much open public space. The land-use pattern is essentially residential; nonetheless there are convenience shops along the main street, and some economic activities are carried out at home such as the making of puppets, toys and other crafts items. The courtyards of the houses, and terrace roofs if any, are also used by the artist families to rehearsal. Poultry, pigs, goats and sheep are raised in the locality.

d. Infrastructure & Services

Except for the single main street which passes inside the colony, the rest of the streets and lanes are in a bad state. Although at some places cement, stones and bricks were used, it would require repairing works (sometimes undertaken by the residents). There are around 50 to 60

street-lights in the colony, maintained by a private company¹⁸, under a public private partnership.

The drainage system is in very bad conditions: open drains, although cemented, are most often clogged and overflowing due to the lack proper maintenance. Municipal employees are supposed to clean the drains once in a week or so. In principle too municipal sweepers have to clean the streets and remove the garbage. Yet, since streets and open space are used to dump the garbage, heaps of garbage, pigs and stray dogs, flies and mosquitoes buzzing all around, stink from the open drains, are a common sight and experience when walking in the many criss-crossing pathways of the colony.

Regarding water supply, the Municipal Corporation has laid down pipelines feeding public taps, and water is supplied free of cost for the residents by the Delhi Jal [water] Board. However this supply is erratic and the poor quality of the pipelines entails mixing with drain water, leading to health problems. Moreover, water connection in the settlement is not evenly distributed, and some pockets are left out or water supply does not reach the taps due to deficiencies in the system. In some parts of the colony the residents have drawn individual water connections; these are illegal but tolerated by the authorities. In addition, four bore wells were built over the years, sponsored by the elected politicians (Members of the state Legislative Assembly) of the constituency on the budget of their Local Area Development Scheme; another tube well was installed by one the main NGOs working in the colony. Some residents also fetch water from a neighbouring locality.

The settlement is not equipped with underground sewage connected to the municipal sewage system. An insignificant proportion of houses have individual toilets with disposable pits; the residents depend essentially on public toilets. Four toilet blocks were built by the Municipal Corporation, only one of them, located just outside the colony, is connected to the sewage system. All together, there are around 100 toilet seats (for a population of around 14,000 to 15,000 people), including separate toilets for women. The maintenance is taken up by different private contractors, who charge one rupee per visit. Yet the maintenance is on the whole not good (except from one toilet block), some toilets are broken or unusable, and the cumulated fees are expensive for some families. Thus, people also use open areas at the fringe of the settlement to defecate, and small children frequently use open drains inside the settlement. This situation has further contributed to the unhygienic environment of the settlement.

18 In this area of Delhi, electricity is distributed by North Delhi Power Limited, recently renamed Tata Power Delhi Distribution Limited.

Health care facilities in the settlement are provided only by NGOs: some health workers visit the colony frequently, and the Kalakar Trust operates one dispensary. Similarly, in the settlement itself, there is no government school (primary and secondary government schools are located in the adjoining “legal” localities); informal schooling facilities are provided by NGOs. The Kalakar Trust runs a primary school providing non-formal education with vocational training for artist children.

e. Identification and Description of the Relevant Actors

Different actors played a significant role in the present development of the colony, as well as in the on-going mobilization around the in-situ rehabilitation project; the presentation of some of them further help to understand the past political story of the settlement.

Among the residents of the settlement, the main individual actors with a larger impact on the communities are the local leaders or *pradhans*. As mentioned above, 12 active *pradhans* could be identified in KC, representing various communities living in distinct blocks of the settlement, and among them: the president of the Bhule Bisre Kalakar Samiti (the Cooperative of Forgotten and Neglected Artists, created in 1977 – renamed the Bhoole Bisre Kalakar Cooperative Industrial Production Society), representing the Rajasthani artist community and supporter of the NGO Saarthi; and, the only woman (a widow) *pradhan* among the local leaders, member of the Mahilla Congress (the women wing of the Indian National Congress party), representing a rebel faction among the Rajasthani community and supporter of the NGO Kalakar Trust. There are also a couple of politicians affiliated to national parties, but their role as individual actors has not been significant, as the level of political awareness and political mobilisation in the colony is low, owing to the division of the settlement population along caste, religion, geographical origins and profession.

Relevant external actors include NGOs, politicians, public agencies, private builders and consultants.

Two NGOs promoting the traditional artists and artisans have been particularly active in KC, namely Saarthi (founded in 1989) and the Kalakar [artist in Hindi] Trust (founded in 1992). Other NGOs have also worked in the settlement but only for some specific projects, or they target specifically disadvantaged communities (such as an ex-untouchable caste, or lepers). Besides, resident welfare associations from the localities identified by DDA to set up the transit camp for the KC residents during the construction of their

rehabilitation flats also played a role, as their mobilised *against* the transfer of the slum families.

The pertinent elected local politicians comprise: the local councillor; the Member of the Legislative Assembly (MLA) of the constituency where KC is located, who is a member of the Indian National Congress Party (presently the ruling party in Delhi, as well as at the national level as part of the United Progressive Alliance); and the MLA of the constituency where the transit camp is located, also affiliated to the Congress Party. The Member of the Parliament (MP) of the New Delhi constituency, Ajay Maken, affiliated to the Congress Party, is another significant actor at a higher level, not only in his capacity of MP as KC falls in his constitution, but furthermore as the Union Ministry of State for Urban Development (2006-2009) when the rehabilitation project was launched, and since October 2012 as the Union Cabinet Minister, Housing and Urban Poverty Alleviation.

Among the public agencies, the Delhi Development Authority (DDA, under the Union ministry of urban development) is the chief actor: this is the land-owning agency of this settlement, and the implementing agency of the in-situ rehabilitation project. The Delhi Urban Shelter Improvement Board (under the Delhi government) has provided the policy guidelines for implementation of resettlement and rehabilitation scheme for squatter settlements, which should be followed by DDA.

The main private actor is the builder who was awarded by DDA the contract for the KC in-situ rehabilitation project, namely Raheja Developers. Finally, one should mention the private consultant who was awarded by DDA the feasibility study for KC project, including the socio-economic household survey and the detailed project report.

1.2 History of Critical Issues and Struggles in the Settlement

The first attempt of self-organization by the street performers settled in Shadipur (KC) in order to better defend their own interests dates back to 1976, and was triggered by an outsider, “an Indian designer named Rajiv Sethi (...) who had booked some of their acts for industrial shows in Delhi”, and suggested them to form a cooperative. Thus, a group of 35 artists founded the Bhule Bisre Kalakar Samiti –the Cooperative of Forgotten and Neglected Artists, which was “at last awarded official recognition as a cooperative” in 1978 (Sandal, 1958: 49-50). Yet, meanwhile, the residents of KC had to face another



predicament: in July 1977 their huts were demolished as part of a slum clearance drive.

“A protest led by newspapers and cultural agencies prompted the authorities to transfer them by truck to small plots of land in Sultanpuri [a resettlement colony], in a distant part of Delhi. But, says one performer, “people who sought our performances had got accustomed to looking for us at Shadipur. Nobody wanted to go all the way to Sultanpuri to find us”. Stealing themselves [by renouncing to their allotted plots], they trickled back to Shadipur, set up their tents and built a new their mud houses. (*ibid*: 50).

Rajiv Sethi also initiated two in-situ housing projects for the artists of KC.

“In 1979, Sethi sought out renowned Egyptian architect Hassan Fathy, author of *Architecture for the Poor*. They came up with a proposed layout, but the cooperative members balked; the plan didn’t take into account individual ways of cooking in their courtyards, sleeping and socializing, they complained. ‘I realized then that we had to involved them’, says Sethi.’ (*ibid*: 50)

Thus, the conception of the second project followed a participatory method:

“With funding help from the *Times of India* and the Vastu Shilpa Foundation, a team of young architects and sociologists worked closely with the people at Shadipur. The resulting plan calls for the families to build their own homes in styles reflecting their village traditions, while the overall neighbourhood layout of paths and communal areas is derived from how the group actually interacts”. (*ibid*: 50)

The ensuing in-situ pilot project for habitat and cultural complex, with low cost indigenous building skills and sustainable technology, was submitted in the mid-1980s to the government; it was designed for the 350 artist families settled in KC at that time. This model village, named Anandgram (the village of joy) however never materialized, despite the promise of the then Prime Minister Rajiv Gandhi to regularise the settlement (Bouifrou 2008), and the in principle agreement of DDA to allot the land in-situ to the artist families. The reason quoted by the artist cooperative’s patron was the interference of some politicians who wanted to include in the housing project other groups of non-artist people, for the benefice of vote banks. Since they refused this “arrangement”, the project never came out¹⁹.

Nevertheless, the support to the artists of KC has continued till date through an NGO founded in 1989 by Rajiv Sethi, namely *Sarathi* – “Friend of artists in need”. The NGO was active to promote the craftsmen and artists of the colony, and sending the latter abroad to perform for international festivals and other shows. The Kathputli artists were thus often called the “Cultural ambassadors of India”²⁰ and have become “globalized” (Bouifrou 2008). The personal connections of their patron and renowned designer helped the artists’ promotion and also to highlight the problems of KC among the political establishment, including at the highest level. Yet, no success was achieved in terms of land regularisation and alternative housing project. In fact, this NGO and its followers have been demanding allotment of land for the artist community in the present site, and refused resettlement in alternative sites proposed earlier by DDA.

A second NGO, created in 1992 to uplift the low-income traditional artists, namely the Kalakar Trust, established itself in KC: the Trust set up a dispensary and a primary school with performing art and crafts classes for the artists children. In addition to the artists’ promotion (in a way similar to the first NGO), the Trust extended its work and impact in the settlement through various activities such as adult literacy classes, income generation activities, assistance for marketing handicrafts, saving and credit schemes, implementation of a water and sanitation project (Marulanda, 1996).

Eventually, competition and rivalries developed between these two NGOs working in the same field, and with the same community: “As a result the community is divided into two main groups which, from time to time, associate with one or the other of these two NGOs” (Marulanda, 1996: 6). The conclusions drawn from a participatory experience for a water supply and drainage project implemented in KC in the mid-1990s appear still valid today, namely: “The conflicts between the two NGOs (...) have indirectly motivated the divisions within the community and disturbed participation in various stage of the process of settlement improvement” (*ibid*: 10). In the context of the DDA in-situ rehabilitation project, mutual mistrust between these two NGOs have intensified and proved to have a negative impact on the mobilization capacity of the residents and the efficiency of their collective action.

19 Interview with an associate of Rajiv Sethi at the Asian Heritage Foundation, on 17-11-2011.

20 See for instance: H.G. Gera, “Cultural ambassadors of India”, *The Tribune*, 18-05-2002.

1.3 Overview of the ‘Case Story’

The main issue for mobilization in KC is the on-going project of in-situ rehabilitation undertaken by DDA, in partnership with a private builder. It is presented as “a benchmark for many such projects to follow to make Delhi a slum free state”²¹. The project was advertised in the media in February 2009, when the Union Ministry of State for Urban Development, Ajay Maken, laid the foundation stone for a 14-storied complex of 2800 two-room flats of 25 sq.m for the slum dwellers. The private firm which was eventually awarded the development contract in October 2009, namely Raheja Developers, was allotted the 5.22 hectares of land for an amount considered much below the actual market rate (for INR 61.1 million). The developer will have to use 60% of the land cleared from the slum to build and deliver free of cost to DDA the blocks of flats along with mandatory amenities (community centre, school, health centre, convenient shopping, playing ground). On the remaining 40% of the land that can be used for real-estate and commercial development for sale at the market rate, and thus will make the investment profitable, the firm has an ambitious plan for a high-end 54-storied residential tower that would be the tallest building in Delhi, as well as a commercial complex. To that end the Indian developer formed a joint venture with Arabtec Construction, the Dubai-based construction company that built the world’s tallest tower, the Burj Khalifa.

Given the size of the plot, fully and densely occupied, the rehabilitation project requires the transfer of the families to a transit camp before the construction work can start. The private firm has also to take in charge the construction of this camp. A first site was identified by DDA for the relocation, on reclaimed mill land (Swatantra Bharat Mills) near the colony. However, this option faced the opposition of the Supreme Court as the land was meant to be maintained as a green area after the closure of the mills. The second transit site identified was a large tract of empty land owned by DDA, in Basai Darapur, about 2 kms from the Colony. There, the project of transit camp faced the opposition of the neighbouring localities, whose residents claimed that DDA had earlier proposed to build a community centre with a park and other amenities. A federation of local Resident Welfare Associations and traders took out a procession in November 2009, demanding that DDA looked for an alternate site, which they eventually had to do. DDA confront similar protests by the residents in Ashok Vihar, where another possible site was subsequently identified. The next nearby proposed site, a vast sport ground (Ramjas Sport Grounds) also owned by DDA, faced again opposition

by the residents of the vicinity: the local Patel Nagar Welfare Foundation filed a petition in the Delhi High Court to safeguard their sport activities. The residents’ objections were dismissed by the Court in July 2011; yet, to avoid further legal complications and delays, DDA preferred to shift the site to a farther location, in Anand Parbath, on an unclaimed land partly used as a dumping ground, a rocky, undulating and hilly terrain where the construction work for the transit camp has eventually started and should be completed by the first months of 2013. The families will be accommodated in rows of prefabricated one-room tenements, with collective bathing and toilet facilities.

Before examining the reaction and mobilisation of the residents in KC, the mobilisation of civil society organizations against the location of the transit camp in their neighbourhoods, and thus against the interests of the slum dwellers, moreover with successful outcomes, deserved to be mentioned.

1.4 Social Mobilization in the Settlement in Reaction to Public Intervention

The choice of Kathpulti Colony by DDA to launch its strategy of in-situ rehabilitation under private-public partnership may be explained by the specific history and patronage of this “artists’ colony”. The two NGOs active in promoting the artists of KC have good connections with the highest level of the political establishment; some of the artists during their tours and performances had the opportunity of interacting directly with politicians, including former Prime Ministers. These “Cultural Ambassadors of India” and their patrons had thus the occasion to push their demand for better housing, although no project of rehabilitation could materialise till now. The present public intervention and the response of the KC residents may be better understood in this context. Thus, initially, the artists, especially the Rajasthani community, thought that the rehabilitation project would be only for them; the other communities were not invited to the discussions regarding the project, they feared to be excluded and eventually became proactive to get information and follow-up the project.

a. First Reactions and Concerns about the Rehabilitation Project

The current rehabilitation project initially met mixed reactions among the residents. While some sections considered it as a good opportunity, others remained sceptical.

21 Source : www.rahejabuilders.com (last accessed in January 2012).

Table 1.1: Time line of events for the Kathputli Colony (KC) in-situ rehabilitation project

February 2007	Notification of the Master Plan for Delhi 2021 that envisages in-situ rehabilitation for slum dwellers, in block of flats built under public-private partnership.
2008	DDA identified 21 squatter settlements for in-situ rehabilitation, including KC.
June-July 2008	The private consultant appointed by DDA conducted a door-to-door socio-economic survey in KC, with the help of Kalakar Trust, and submitted a detail project report for the rehabilitation of the slum to DDA, for 2800 households.
August 2008	DDA floated a tender for “the prequalification of developers on public private partnership” for in-situ rehabilitation of 3 J.J. clusters, including KC.
February 2009	Union Ministry of State for Urban Development & Member of Parliament Ajay Maken laid the foundation stone for a 14-storied housing complex of 2800 dwelling units in KC. Posters of the project prepared by the consultant were displayed outside in the settlement.
October 2009	Raheja Developers was awarded the development contract for the KC in-situ rehabilitation project.
2009	The first site identified by DDA for the transit camp in Swatantra Bharat Mills has to be dropped for lack of environmental clearance
November 2009	At Basai Darapur, the second site identified for the transit camp, a federation of local residents welfare association took out a procession against the relocation of the KC dwellers, demanding that DDA looks for an alternate site –which they did.
Around end 2009	A model flat was constructed by the builder in the premises of Kalakar Trust school. Following a public meeting organised in KC by the other NGO, the head of the latter, along with a group of artists from the colony and representatives of the media insisted to visit the model flat; their entrance was denied and lead to a clash between the two NGOs.
February 2010	The president of the Bhoole Bisre Kalakar Cooperative Industrial Production Society submitted a Right To Information (RTI) application to DDA, to get information on the KC in-situ rehabilitation project. DDA replied in October 2010.
Around March 2010	The NGO Sarthi invited a famous actress and activist from Mumbai– to a meeting in KC to discuss the experience of slum rehabilitation in Mumbai. The meeting was followed by attempt of the attending crowd and media to visit the model flat in the Kalakar Trust school premises, which lead to a new confrontation between the two NGOs and eventually the Kalakar Trust withdrew from its active involvement in the implementation of the rehabilitation project.
July 2010	After a group of KC residents (supporters of the NGO Sarthi) contested the first survey carried out by the private consultant, DDA conducted another survey in KC to identify the number of eligible households (including verification of identity and residence proof, house numbering, and residents’ photographs taken in front of their house): 2800 households were listed.
July 2011	The Patel Nagar Welfare Foundation, representing the interests of the residents of this locality, had filed a petition in the Delhi High Court to object to the transit camp on the Ramjas Sport Grounds: their objections were dismissed by the court.
Around Aug. 2011	Formation of a pradhan committee in KC including the 12 local leaders, for better representation and coordination with DDA and the builder.
Oct. – Dec. 2011	Levelling of the land on the site eventually approved for the transit camp, in Anand Parvat, and starting of the construction of 800 pre-fabricated transit units.

Table 1.1 continuing: Time line of events for the Kathputli Colony (KC) in-situ rehabilitation project

Nov. 2011 – Jan. 2012	DDA conducted (through private contractor) a door-to-door videography of all eligible families of KC and confirmed the figure of 2800 eligible families.
17 Dec., 2011	News report in Nav Baharat Times (Hindi newspaper) announcing the shifting of 800 families to the transit camp in 3-4 months time (whereas 2800 families have been surveyed).
21 Dec. 2011	Meeting called in KC by the residents to get clarifications from DDA and the builder. Residents declared that they should be shifted all together or would refuse to move.
December end, 2011	About 30-40 people from KC met Ajay Maken (currently Minister and Member of Parliament, Congress Party, New Delhi constituency) at his residence regarding the same issue. DDA eventually accepted the residents' demand to be shifted all together to the transit camp.
20 April 2012	After the Municipal Elections were over, DDA demolished some temporary shelters located on a hillock just adjoining the Anand Parbat transit camp.
May 2012–Sept. 2012	Levelling of the land of this hillock for the extension of the transit camp and construction of the remaining temporary dwelling to accommodate all the 2800 families of KC.
May 2012	Meeting organised in KC by DDA and the North Delhi Power Limited (private firm in charge of electricity distribution in this area) to discuss the tariff structure of electricity in the transit camp. The residents' assembly expressed strongly their demand for being provided electricity free of cost. [The final outcome remains to be seen]
July 2012	Minister & Member of Parliament Ajay Maken visited KC to interact with the residents.
15 Aug. 2012	The Cooperative of Forgotten and Neglected Artists invited Minister Ajay Maken and the local MLA for a public function in KC on the occasion of the Independence Day.
Oct. 2012	The pradhans sent a letter to the DDA to provide them at least three month-prior notice before shifting all the families to the Transit Camp
Early 2013	The transit camp should be completed and ready for the transfer of the families.
2013-14	Once the site in KC is cleared from the present settlement, the construction for the rehabilitation flats is scheduled to be completed within 2 years.

Among the craftsmen and performing artists who form a major group in this settlement, some fear that living in a flat in a multi-storeyed building will affect their professional activity, as they are not sure to be provided with space for the same. Others would prefer to be provided with a plot of land, on which they could build incremental housing to meet the needs of their expanding families. Women are on the whole more supportive than the men of the rehabilitation project in flats, as they are those who suffer the most from the lack of basic facilities in the present settlement (especially toilets, bathrooms and individual water connection). Yet, many residents fear that if relocated on a transit site, they would not be allowed to move back to their initial area and get a flat.

In fact, there has been a lack of accurate knowledge about the project, and a lack of transparency regarding the

communities that would be the beneficiaries of the housing project (only the artists or all the communities) and the list of eligible families. Two major issues were not yet clarified by the DDA, namely the eligibility criteria to access a flat in the re-housing scheme, and its financial conditionality. Regarding eligibility criteria, it is generally agreed that only those families with valid identity and residence proof will be entitled to a rehabilitation flat; however, there is a lack of precision on what type of document are accepted as "valid" proof (voter identity card, ration card²², others?) and whether a cut-off date of arrival in the settlement will be

22 These are cards that provide access to ration shops – i.e. shops selling staple food items and other basic necessities at rates subsidised by the State, which, in fact, serve as identity cards.



applied or not. Regarding financial conditionality, whereas politicians have promised “free housing for the poor” to the residents, and many among them believe so, some local leaders think that the beneficiary families will have to contribute their share (whose amount is also uncertain). Indeed, allotment of flats free of cost to the slum dwellers would contradict the guidelines of DUSIB that DDA is also supposed to take into account.

There was also a controversy around the number of households in the settlement: while the announced rehabilitation scheme comprises 2800 dwelling units on the basis of a contested household survey conducted in 2008 by a private consultant, some local leaders claimed a population of more than 3000 families in KC (some even claim 10,000 households). This led DDA to conduct another identification survey in 2010 and confirmed this figure: 2800 households were listed, but the list has not been publicised, which continued to nourish the scepticism of some residents. Other residents argued that joint families with married children should not be counted as single households for the purpose of rehabilitation in flats – an issue which does not seem to have been dealt with consistently during the identification survey, depending on the housing arrangement of the family.

Altogether, these uncertainties and controversies have engendered anxieties about being included in the re-housing scheme and apprehensions, as well as mistrust among the residents. Initially, the residents were also worried about the conditions in the transit camp. However, after the construction started there and they were able to visit the site, given the present housing and environmental conditions in the settlement, on the whole the residents are eventually satisfied with accommodations and services provided to them. Yet, electricity charges in the transit camp remains an issue.

b. Phases of Mobilisation

The process of mobilization in KC evolved along with the mode of consultation. In the first phase, from 2008 till roughly the end of 2009, the consultation procedure was mediated by one NGO working with the artists, the Kalakar Trust. The latter acted as the chief interlocutor and intermediary with DDA and the builder: this NGO assisted the consultant appointed by DDA to conduct the first socio-economic survey, public information meetings were held in its school premises, its executive staff organised appointments between the local leaders and DDA officers, the sample flat was built in the school premises. According to the *pradhan* allied to this NGO, the Trust’s founder “worked hard to bring this rehabilitation project to the

Colony”; the outcome and privileged contacts between DDA and the Trust could be explained by its patron’s personal connections at the highest level of the political establishment.

However, the Kalakar Trust’s strategic role in this preparatory phase of the project was challenged by the other NGO, as was also its legitimacy in representing the entire community. The acute conflict between the two NGOs led to direct altercation in the settlement (see Table 1.1), in which the Kalakar Trust’s staff was abused by the supporters of the other NGO. Subsequently, the Kalakar Trust withdrew gradually from its role of mediator and intermediary with DDA. Yet, the lady *pradhan* who is associated to the Kalakar Trust, although contested among her own community – the Rajasthani artists –, has remained a main interlocutor for DDA and the builder; she goes and meets DDA officers as well as the local MLA (affiliated like her to the Congress Party), and has been playing the role of the spoke-woman for the entire settlement.

During this confrontational phase, the other NGO, Sarthi, submitted a Right to Information (RTI) application to DDA in the name of one local leader (the president of the Bhoole Bisre Kalar Cooperative Industrial Production Society) to obtain direct information on the rehabilitation project. This was a response to the lack of accurate information about the project felt by the residents, and a way to bypass the privileged position of the Kalakar Trust. However, the replies provided eight months later by DDA (hence after a much longer delay than the 30-day period stipulated in the RTI Act, 2005) left many questions unanswered, especially regarding the eligibility criteria and the financial conditionality for the eligible families.

To some extent, the withdrawal of the initially pro-active NGO created a situation that pushed the local leaders in the settlement to organise themselves and become more self-reliant. In fact, the residents of the colony, including the artists who benefited from the support of one NGO or the other for their professional activities, have been often quite critical about the capacity of these two NGOs to help them for the housing project, despite their earlier promises. Another significant factor that explains the local leaders’ involvement is the attitude of the Rajasthani artists’ community. Initially, they excluded the other communities from the meetings regarding the rehabilitation project, using intimidation practices. In reaction, the leaders of the other communities started to coordinate among themselves to ensure that no community would be left out from the project. This eventually led, around mid-2011, to the formation of a *pradhan* committee comprising the 12 local leaders (including the two rival leaders of the Rajasthani community). This committee resolved to fight for the right

of all the families having proof of residence in KC to get flats in the housing project; and further agreed that the *pradhans* should not take possession of their flats unless every entitled family gets one. Since then, the leaders have regular internal meetings, and they interact directly with the DDA, whereas Kalakar Trust does not take part anymore in the public meetings organised on issues regarding the rehabilitation project.

In December 2011, an article published in a Hindi newspaper triggered a more vigorous mobilization (whereas English newspapers had little or no impact in the settlement). Through this article, the residents learnt that 800 families “only” out of a total of 2800 surveyed families would be shifted to the transit camp within 3-4 month time. As a response, the local leaders called a meeting in the Colony a few days later to get clarifications from DDA and the builder. This meeting gave the residents the opportunity to articulate their main demands as follows: firstly, all the 2800 families should be transferred altogether to the transit camp, and not in two or three shifts (as they feared that some sections might be eventually excluded from the rehabilitation project); secondly, an official written proof such as an allotment letter for a flat in the housing project should be given to each family before they vacate the settlement—otherwise they will refuse to leave. In addition, in the following days, about 30-40 people from the colony met Minister Ajay Maken (currently Minister and Member of Parliament, Congress Party, New Delhi constituency) at his residence to press for the same demands. Other demands were formulated on the occasion of further exchanges or public meetings, namely: the resettlement process should respect the community grouping in the transit camp, and separate blocks of flats should be provided in the final housing project for each community; and electricity in the transit camp should be provided free of cost. The first demand was eventually accepted by the DDA, as no partial shifting of the families took place as initially planned. As for the other demands, although accepted verbally in principle—or at least for consideration—the outcomes remain to be seen.

c. Forms & Methods of Mobilization, Spaces of Consultation and Engagement

The above demands were expressed in public meetings which took place in the settlement itself, sometimes with a lot of shouting; some meetings were organised by the residents’ leaders who called officials from DDA – a kind of “negotiated space” (Baud and Nainan, 2008), others were organised by DDA – clearly “invited spaces” (Cornwall, 2002) (see Table 1.1). Interestingly, these spaces for

potential consultation of the residents were perceived very differently according to the local leaders. While some claimed that “*DDA and the builder have consulted us many times in the last few months*”, or noted (with regret for other forms of consultation) – “*it is only in the meetings that we are consulted*”, others were more sceptical – “*DDA listens to us but who knows how far our demands are considered?*” or affirmed that “*Nobody consulted us to know our requirements.*” These contrasting views echo the various positions of the leaders vis-à-vis the NGO that initially controlled the dissemination of the information about the project and the consultation process with DDA; they also reflect the discrimination of some communities in the settlement, and reveal the lack of a systematic consultation procedure that would ensure that all the groups of residents are taken into consideration.

Some leaders further stressed the need for a proactive way to get information, put forward their demands and pressure the authorities to ensure the proper implementation of the project, by initiating themselves the meetings with DDA; as one of them observed: “*Poor people have to ask the government, not that government will ask us what we want*”. In addition, some local leaders on their own initiative also go and meet the concerned members of the government or politicians at their places to further press their demands; they also invited the latter to visit the Colony, such as on the occasion of the Independence Day (in August 2012). Thus, there is a clear strategy of looking for the patronage of influential persons among the political establishment and government circle.

On the other hand, the anxiety about the rehabilitation project did not trigger any public protest *outside* the settlement –such as street demonstration or sit-in. There was a fear that this would lead to violence and police repression, based on the experience of other slum dwellers’ protests, some of which were violently suppressed by the police. Engaging with the authorities was presented as the only possible option. Thus, as per Miraftab’s distinction between “invited” and “invented” space of participation²³, we could suggest that mobilization in KC has so far resorted preferentially to invited and negotiated space of engagement, while confrontational, invented, spaces have been avoided.

23 « “Invited spaces are defined as the ones occupied by those grassroots and their allied non-governmental organizations that are legitimized by donors and government interventions. “Invented” spaces are those, also occupied by the grassroots and claimed by their collective action, but directly confronting the authorities and the status quo” » (Miraftab, 2004: 1).



d. Obstacles to the Scaling-Up of Mobilization

The process of mobilization regarding the rehabilitation project in KC took time to start off, and remained till now at a rather low-scale. The lack of widespread information about the project, especially in the first phase, contributed to the low level of awareness. Yet, the main obstacle to an efficient mobilization has been the lack of unity in the settlement and the lack of a unifying and strong leadership. The KC residents appear indeed divided along regional, caste, religious as well as professional lines, with different political affiliations, and a multiplicity of local leaders to represent them. Caste prejudices especially remain very strong. Moreover, several residents are suspicious about their own leaders, accused them of suppressing information, in particular to the unfriendly families, and view them as serving their selfish interests first. On the top of it, the acute conflict between the two main NGOs working in the settlement, that culminated around issues related to the rehabilitation project, added another partition line among the residents, especially within the majority Rajasthani community. Although the patrons of these two NGOs have very good connections with the political establishment at the highest level, their personal rivalries prevented the residents from the possibility of using these connections efficiently for the larger collective interests of the entire settlement. Admittedly, the 12 local leaders eventually realised the need to come together in order to better defend the residents' interests vis-à-vis the DDA and the builder; yet the lack of consensual and strong community-based organization jeopardized the possibility of a fair and representative consultation process and affected their negotiating power.

The mobilization process inside the Colony does not challenge one basic principle of the resettlement and rehabilitation programmes implemented in Delhi (and other Indian cities), namely only those families having a valid proof of identity and residence in the settlement will be eligible for rehabilitation—although, as underlined above, DDA has not clarified the exact criteria of eligibility. Nonetheless, the local leaders do not show any concern for the families, even among their own community, who do not have ration card or other valid documents: *“They will have to find their own arrangement. We cannot do anything for them”*. In other words, the demands put forward by the leaders reflect the interests of the residents who are better established, with a *de facto* acceptance of the government slum policy. The demands were not articulated in terms of right to housing for all slum dwellers, even at the limited scale of their settlement.

There was also no attempt to establish contacts with other slum dwellers who will be affected by similar rehabilitation projects in Delhi. The local leaders did not feel the need for such larger movement – they consider their mobilization as an internal matter to the colony. Consequently, there was no scaling-up of the issues beyond the settlement. The lack of unity among the residents of KC appears once again as a hindrance to a larger mobilization: as enunciated by a lucid resident – *“When there is no unity among us, what is the point of having any discussion with other jhuggi dwellers?”* Another obstacle, corroborating previous studies (Kumar, 2008), is the lack of time to devote for a larger collective movement, as *“We have to work and look after our own families”*; *“We are poor and cannot afford to waste time”*. The absence of solidarity feeling for other slum dwellers was further illustrated by a recent episode. The construction of the transit camp in order to resettle the KC families entailed the demolition of another squatter settlement of recently installed temporary shelters; that was however not a matter of concern for the residents of KC. In the competition for urban space, selfish interests prevail over collective class-based interests and a broader socio-political vision.

1.5 Concluding Remarks

The first –and still going-on– project of slum *in-situ* rehabilitation implemented in Delhi under public-private partnership has been suffering from recurring delays, and thus does not allow yet a complete assessment. Nonetheless, in view precisely of its very slow progress, the prospect of this new strategy for providing a comprehensive, large-scale and sustainable solution to the problem of lack of housing for the urban poor is questionable. The lack of transparency regarding the project implementation, as well as the lack of a proper consultation procedure and involvement of the affected communities (despite the stated policy principles), is also a matter of concern. Another set of issues emanates from conflicting uses of space and divergent interests between the various stakeholders. Thus the hostile reaction of certain sections of the society vis-à-vis slum dwellers compounded the difficulties to find a site for the transit camp, in addition to the constraints of availability of public land in the vicinity of the slum. Within the settlement, manifold divisions among the residents have hindered their organization capacity and hence their negotiating power to push their cause. This case of tardy and limited mobilization also shows that the pro-active role of NGOs may in fact curb the residents' capacity for self-mobilization.

5

Settlement Case 2: Rajendar Nagar Slum & Motia Khan Municipal Shelter for the Homeless²⁴

Slum clearance for the capital city's redevelopment and beautification, but without adequate rehabilitation, has often resulted in pushing unwanted settlements further out of the city's physical and economic spaces, or throwing their dwellers on the streets, without solving the issues of suitable shelter for the poor (Dupont, 2008). This is exemplified by the case of a cluster of families evicted from Rajendra Nagar slum and rendered homeless.

2.1 Overview of the Case Story: Chronology of Main Events

From Karnataka to Delhi

Most of the families who used to live in the Rajendra Nagar slum cluster and are now temporarily resettled in the Motia Khan municipal night shelter (i.e. about 125 families corresponding to about 350 people) hail from northern Karnataka. Most of them belong to the caste of Vadaru, a scheduled caste traditionally specialized in stone breaking, and are illiterate. They came to Delhi in search of better livelihoods; many of them arrived about 30 years ago, chased by poverty and food scarcity. In Delhi, they took up casual jobs such as stone breakers on construction sites, petty street sellers, or rickshaw pullers. Living on the pavement, moving from one place to the other according to work opportunities, has been a common experience. In 1982, they finally set up their *jhuggis* (huts) in a vacant plot in Rajendar Nagar, as advised by a local politician. Noteworthy, this place remained unclaimed, for human bones were found while digging the area after a petrol pump was removed.

First eviction from Rajendra Nagar slum

In 2000, the construction of a metro line disrupted the life of this community and their efforts to build a place for themselves in the city. Not only was their

settlement demolished, but also they were excluded from the resettlement scheme. This first process of forced eviction shows how the slum dwellers were deprived from their entitlement to a relocation plot and thus rendered houseless due to a combination of several factors. From the slum dwellers' side, we found the lack of financial resources to pay the required fees, credulity who made them rely on unscrupulous agents to whom they gave their original proofs of identity and residence, but also lack of unity, organisation and mobilisation within the community. On the other side, there were manipulation and fraudulent practices by a nexus of property dealers, corrupted municipal officers and the police who resorted to violence.

Second eviction from IARI roundabout temporary shelter

Rendered houseless and impoverished by the losses they incurred in the process of forced eviction, the families from Rajendra Nagar slum resumed their life of urban nomads, moving from one place to the other according to job opportunities, and from one street corner to the other, as chased by the police. Nonetheless, a group of families had established a very precarious camp, on the IARI roundabout open space (on Pusa Road), in the vicinity of their former settlement. Though they were violently expelled by the police in June 2009, they were back to the same place in winter and could take shelter in tents put up temporarily by the Delhi government under emergency relief to protect homeless people from the cold weather. Yet, the Municipal Corporation of Delhi ignored this public relief scheme and on 22 December 2009 a municipal squad destroyed the tents, forcibly evicted the homeless people and took away all their belongings. The stated reason for the demolition was to grow grass on the roundabout as part of the beautification drive in view of the October 2010 Commonwealth Games, although this place was not in the proximity nor on the way of any of the Games' venues. The consequences of this demolition were dramatic, as two homeless persons died from cold.

This eviction shows how an international event was used by the Municipality of Delhi as a pretext for the beautification of the landscape of the capital as well as for its "social" cleansing, with the priority given to a "green agenda" over

²⁴ This settlement case report was written by Véronique Dupont, with the assistance of M.M. Shankare Gowda for field work and field reports, as well as press review. It draws on Dupont (2012).

a “brown agenda”. It also reveals the complete lack of coordination between the State Government that put temporary shelters for homeless and the Municipal Corporation that destroyed one of those a few weeks later.

Temporary resettlement in Motia Khan night shelter

The forced eviction of homeless people in winter and the ensuing deaths from cold triggered a protest movement and the *suo moto* intervention of the judiciary in January 2010²⁵. This resulted in a judgement of the Delhi High Court ordering the Municipal Corporation of Delhi to provide a temporary shelter to the evicted families, until a permanent solution is found. Thus, the affected homeless families were resettled in a municipal building – the Motia Khan night shelter, where they still stay (in November 2012) with the support of NGOs and charitable organisations.

The analysis of the sequence of events in the mobilisation campaign allows us not only to show the respective role of different actors in this specific movement, but also to highlight the interactions between several types of actors on the scene of urban governance, namely: the state government and the municipal corporation –and the lack of coordination between their respective programmes and actions; civil societies organisations (CSOs), including human right movements, NGOs and grass-root organisations working with homeless; the courts of justice (the High Court of Delhi and the Supreme Court of India); and the media. This is examined in the next section.

2.2 A Successful Mobilization and Scaling-Up Campaign?

a. Outcomes of the Campaign

On the one hand, this exemplary story can be considered as a successful mobilisation and scaling-up campaign that reached much beyond the case of the demolition of one temporary night shelter, as it addressed the larger issues of forced evictions of homeless people, lack of adequate shelter, and right to life and right to food for people dying in the street because of lack of shelter. Thus, aside from the resettlement of the 125 or so evicted homeless families, the campaign had additional outcomes.

Many more night shelters for homeless people were opened in Delhi following the advocacy by housing rights organisations and other CSOs, and the directions of the Delhi High Court²⁶ as well as of the Supreme Court²⁷ in January 2010 itself. The Master Plan for Delhi 2021, which stipulates that “One night shelter shall be provided for 1 lakh [100,000] population” (DDA 2007: section 4.3) was used as a reference. Thus, about 90 new night shelters were set up in Delhi within less than one month, 52 opened in government buildings and others as temporary shelters in tents, and more later. As a result, the situation in terms of number of night shelters was unprecedented in Delhi, and unparalleled as compared to other Indian cities.

Moreover, the issue of lack of shelter for homeless in Indian cities was brought to the Supreme Court under an on-going Public Interest Litigation (PIL) on the right to food²⁸, and broadened to all major cities of India. Hence, the Supreme Court asked to each state to submit a report on the situation of homeless and night shelters in all their major cities (with population above 500,000) with the view that night shelters should be provided in the ratio of at least one per 100,000 population (as per the ratio stipulated in the Master Plan for Delhi 2021)²⁹. The scope of shelters for homeless was also broadened following the Courts’ instructions, on the basis of reports submitted by CSOs: from providing night shelters in winter, to 24-hour shelters with adequate facilities, running throughout the year.

More recently, the recommendations in March 2012 of the working group on urban poverty at the National Advisory Council (a government think-tank under the Prime Minister’s Office) for a national programme for shelters and other services for the urban homeless³⁰ can be considered

25 High Court of Delhi, Writ Petition (Civil) No 29 of 2010, Court on its Own Motion versus Government of National Capital Territory of Delhi [Govt. of NCT Delhi] and others.

26 High Court of Delhi, WP(C) No 29 of 2010, Order dated 13 January 2010.

27 Supreme Court of India, section PIL, Writ Petition (Civil) No 196 of 2001, People Union’s for Civil Liberties [PUCL] versus Union of India & others, order dated 20 January 2010.

28 Supreme Court of India, section PIL, WP (C) No 196 of 2001, PUCL vs Union of India & others.

29 Supreme Court of India, WP(C) (Civil) No 196 of 2001, Order dated 5 May 2010.

30 “National Programme for Shelters and Other Services for the Urban Homeless”. Recommendations of National Advisory Council + Explanatory Note. National Advisory Council (Government of India, Prime Minister’s office), Working Group on Urban Poverty (Convener: Shri Harsh Mander), Communication to the Government on 14 March 2012. URL: <http://nac.nic.in/up.htm> & <http://nac.nic.in/communication.htm> (last accessed on 12-07-2012)

as an indirect outcome of the campaign (as explained below). The proceedings of this working group, already filtered through the press in January³¹, is not unrelated to the announcement by the President of India in her address to the Parliament on 12th of March 2012 of a new scheme called the National Programme for the Urban Homeless “that would help create a network of composite shelters in the urban local bodies, with adequate provision for housing and food for the destitute”.

In a different sphere, the mobilization of the CSOs for the IARI round-about eviction case reached out beyond this initial focus. The success of this specific campaign also boosted the larger movement for the homeless. For instance, the various issues of urban homelessness were taken up on a national level through the organisation of a “National City Makers Caravan” that aimed at sensitising the government authorities, the media, and the general public to those concerns, as well as collecting data about the conditions of the homeless in various states, including with respect to the directive of the Supreme Court regarding the provision of night shelters. This five-month long caravan covered 22 states across India from August 2010 to January 2011, and contributed to spread awareness about the rights of the homeless and to create a network of concerned CSOs³². At the same time, a very significant semantic evolution marked the 2010 campaign for the urban homeless: from ‘homeless people’ – a descriptive term –, to ‘homeless citizens’ – with and underlying stress on rights and entitlements, and finally to ‘City Makers’ – which asserts their “significant constructive role in a city’s development”, “because they are the real builders of the city”³³. That probably reflects “a shift from entitlement citizenship to activism’s citizenship”³⁴ in the mobilization campaign for the urban homeless. Altogether, the outcomes of this larger campaign can be definitely considered as an achievement in terms of empowerment and increased visibility of the urban homeless.

31 “NAC [National Advisory Council] draws plan for shelter for over 3 lakh urban homeless”. Times of India, 17 January 2012.

32 See: “Caravan for homeless”, Civil Society News, February 2011, and the report on the website of the NGO IGSSS, which organised this campaign: <http://www.igsss.org/campaign/national-city-makers-caravan/10.html> (last accessed on 14-07-2012)

33 See the website of the NGO IGSSS, which promoted the designation “City Makers”: <http://www.igsss.org/urban-poverty-homelessness-india.php> (last accessed 14-07-2012)

34 I borrow this idea and phrasing to Vyjayanti Rao (talk on “Cities and citizenships – new political subjectivities”, Paris, CEIAS, 12-06-2012).

b. Factors of Success

The success and scaling-up of this mobilization campaign can be explained by the conjunction of several factors. The first one is the combined action of various CSOs, including NGOs, human rights movements, grass root organizations, and individual activists who had been working in the field of homelessness for more than ten years, and put together their respective strengths and field of expertise within a coalition, Shaheer Adhikar Manch: Begharon Ke Liye (SAM-BKL) – the Urban Right Forum for the Homeless, formed in September 2008, and counting now more than 30 organizations and activists. All the previous years of work with and for the homeless, as well as the efforts for coordinating various initiatives, had certainly made the ground possible for an efficient and quick mobilisation.

This coalition had established good contacts with the media, which publicized the case and raised the issues. In a press conference organised on the 4th of January 2010, the coalition denounced the inadequacy of the number of night shelters provided by the concerned government departments and the non compliance with the norms stipulated in the Delhi Master Plan, the lack of comprehensive government policy to address the root cause of homelessness; they condemned the destruction of the homeless shelter despite bitter cold conditions – that led to a first death, of a 35 year-old homeless from cold – and more generally the human rights violation of homeless. This timely press conference played a very important role to spread the news through the media, and in fact it is after reading reports in the newspapers that a judge of the High Court of Delhi issued the *suo moto* notice to the Municipal Corporation of Delhi. Subsequent press conferences organised by the coalition helped maintaining the sensitization of the media and hence of the general public.

In addition, some members of the coalition had also good contacts with the judiciary, which promptly took action to protect the homeless, and then monitored the proper implementation of its orders through regular hearings. As a former special rapporteur on adequate housing at the United Nations Human Rights Council, one coalition member sent a long letter to the Judge who initiated the *suo moto* case, to alert him not only on the case of demolition of the temporary night shelter, but also on the larger context of forced eviction of homeless people, lack of adequate shelter, and the non respect by the Indian government of its international commitments with regards to human rights³⁵. The matter was also

35 Source: Letter from Miloon Kothari, former United Nations Special Rapporteur on Adequate Housing, to Honourable Justice A.P.Shah, Chief Justice, Delhi High Court, dated 10 January 2010.

brought to the attention of the apex court through another member of the coalition who was also a special commissioner of the Supreme Court in the public interest litigation on the Right to Food. In their report sent to the Supreme Court of India, the commissioners evidenced the links between the lack of shelter for people living on the streets and the threat on their fundamental right to life: malnutrition and hunger were thus put as “the underlying causes making people susceptible to extreme weather conditions”³⁶. This first report ended with a list of proposals to “ensure state accountability for the food and shelter rights of the homeless people in the state of Delhi”³⁷. This initiative led to an order of the Supreme Court to the Government of Delhi and Municipal authorities to provide shelters to homeless people in the capital³⁸, and later on to similar directives applying to other states and major cities of India³⁹. It is worth noting that the two commissioners who alerted the Supreme Court are also members of the working group on urban poverty at the National Advisory Council, mentioned above for its proposal of a national programme for the urban homeless, which allowed the campaign to scale-up further.

The intervention of the High Court of Delhi and the Supreme Court were decisive: but without the support of the judicial power, the mobilisation by the civil society organisations would not have translated so quickly into actions taken up by the concerned government departments. Moreover, both the courts continued to monitor their orders regarding the provision of adequate shelters for the homeless. Thus, in December 2011 the Supreme Court instructed the governments of Delhi and of other states: “You should not allow even a single person to die this winter from the freezing cold”⁴⁰.

In Delhi, the CSOs (through their coalition, the Urban Right Forum for the homeless) played an active role in providing support and information (including reports with action plan and recommendations for the Delhi’s homeless⁴¹) to the Delhi High Court for its *suo moto* case, which is still continuing. Further more, they used the space provided by the regular hearings of the Court to bring to the fore a range of issues related to the condition of homeless that were not restricted to the sole case of the IARI round about shelter demolition, but included other cases of forced evictions, as well as maintenance of the night shelters and lack of proper facilities, police brutalities, etc⁴². Thus, the CSOs have maintained the pressure on the concerned government departments through the Courts’ rooms, giving the preference to this “pleading” space to express their voice and promote the cause of the homeless, whereas other invited spaces for participation provided by the government proved to be no longer effective (such as the Joint Apex Committee for the Homeless established in 2002) or controversial (the public-community partnership under Mission Convergence). At the same time, the courts of justice have asserted themselves as inescapable and compelling actors in the governance of homelessness issues, directing the executive wing (the Delhi Government along with its departments and boards) to proceed as per their orders.

In short, the success of this campaign for the homeless ensues from the combination of the long-term structural work at the grass root level and the timely reaction and mobilization of various connected actors in different spheres (civil society, media, justice) and at different institutional levels (High Court of Delhi, Supreme Court of India), in order to attain tangible achievements.

36 Source: Letter from Dr N.C. Saxena, Commissioner and Harsh Mander, Special Commissioner of the Supreme Court in the case People Union’s for Civil Liberties versus Union of India & others Writ Petition (Civil) No 196. Of 2001, to The Honourable Supreme Court of India, dated 13 January 2010, Subject: Relief for homeless people living on the streets of Delhi, in the context of cold wave related deaths.

37 Source: *Ibid.*

38 Supreme Court of India, WP (C) No 196 of 2001, order dated 20 January 2010.

39 Supreme Court of India, WP (C) No 196 of 2001, order dated 5 May 2010.

40 Quoted in: “Homeless in Delhi”, by Antara Dev Sen, *Asian Age*, 24-12-2011.

41 Letter from Miloon Kothari, former United Nations Special Rapporteur on Adequate Housing, to Honourable Justice A.P. Shah, Chief Justice, Delhi High Court, dated 10 January 2010; SAM: BKL, Recommendations towards protecting the human rights of Delhi’s homeless (8 p.), Submitted to the High Court of Delhi in February 2010. In addition, the preliminary report of the 2008 survey conducted by IGSSS (Tingal and Pandey, 2008) was used by the petitioners’ advocate as a support in the document submitted to the Supreme Court in February 2010 in the right to food case (Supreme Court of India WP(C) No 196 of 2001).

42 See the interim orders of the High Court of Delhi on the case available at: http://delhihighcourt.nic.in/dhc_case_status_oj_list.asp?pno=528490

2.3 Main Challenges: The Sustainability of the Campaign Outcomes

The commitment of certain public agencies under question

However, recent developments in the situation of the homeless in Delhi question the sustainability of the outcomes as well as the commitment of the government departments implementing the night shelter scheme.

During winter 2010-2011, following the court orders, there were altogether 148 night shelters functioning, including 64 permanent ones and 84 temporary, having a total capacity of around 12,500 people- to be compared to a total homeless population estimated at around 150,000 (thus a capacity covering less than 10% of the potential needs). But, by December 2011, despite the previous court's order to run the night shelters through the year, the Delhi Urban Shelter Improvement Board (DUSIB) had closed 21 of its permanent shelters and most of the temporary shelters, arguing the lack of attendance—a situation which may be explained by inadequate location, and poor conditions in the shelters—especially lack of proper hygiene. The closure of night shelters led again to the intervention of the Delhi High Court, that directed on 12 December 2011 the Shelter Board to reopen all the shelters immediately.

There are also other issues than the mere number of shelters for the homeless:

- There is a lack of adequate amenities provided in the night shelters, especially in the temporary ones. Moreover, the lack of fire-resistant materials used for temporary night shelters resulted in 16 of them lost to fires in 2010-11. In addition, the location of some shelters was inadequate, namely in areas where there was no concentration of homeless people.
- For operating and maintaining the temporary night shelters, the DUSIB had inducted the services of some NGOs: but, NGOs did not receive their funds for several months in 2011, which resulted in the closure of shelters. Some of the NGOs inducted to run the night shelters also lacked experience in this field. This underlines the limitation of the participation of civil society organizations in government schemes: as observed also in the field of slum rehabilitation and resettlement, NGOs may lack the necessary strengths and skills to endorse increased responsibilities transferred to them by the government, and the smaller organisations are destabilised when the

release of public funds is not regular. Moreover, a certain competition and divergences of views (regarding especially the Unique Identification number project) that have emerged among the various CSOs working with homeless people are likely to be detrimental to the future outcomes of the broader movement.

Other incidents raise concerns, such as new demolition of temporary night shelters by DDA and the Railways. These recurrent examples again highlight the lack of coordination among government agencies, compounded in the case of the capital city by the multiplicity of authorities, at the expenses of the cause of the homeless.

At a higher level, in May 2012, DDA recommended to amend clause 4.3 of the Master Plan for Delhi 2021 with regard to the ratio of homeless shelter reported to the total population, and to change it from one shelter per 100,000 population to only one shelter to 500,000 population⁴³. If approved by the Union Ministry of Urban Development and implemented, this amendment would reduce the stipulated number of shelters from 150 to just 30. This would indicate a serious regression in the public policy addressing homelessness in Delhi.

In another domain, the flaws in the counting exercise of homeless in Delhi as part of the 2011 Census of the population, question the commitment of the government in tackling the issues of homelessness. The NGOs which followed up the enumerators in the field exposed the shortcomings of the process and denounced blatant omissions and errors in a press conference and press release: "*Census of homeless citizens in Delhi—a farce; final numbers will not be accepted*"⁴⁴. Activists rightly expressed their concern that grossly under-estimated figures of the homeless would affect the planning of shelters, as well as long-term housing policies, and considered this as "a case of wilful neglect by the authorities"⁴⁵.

What the courts orders reveal

We have underlined above the positive role of the Delhi High Court and the Supreme Court in monitoring the provision of proper shelter for homeless and other related

43 Recommendation of the Master Plan Management Action Committee, approved by a DDA meeting on 15 May 2012.

44 *Shaheri Adhikar Manch: Begharon Ke Liye* (SAM-BKL) Press release, 05-03-2011.

45 Source : SAM-BKL Press conference in New Delhi & Press release, 05-03-2012.

issues. Yet, a thorough reading of the interim orders of the Court also evidence dysfunction, slackness and disregard of the state government and civic bodies, especially regarding the provision of adequate amenities in the shelters, as well as the persisting lack of coordination among different public agencies⁴⁶.

Furthermore, all statements by the courts are not supportive of the homeless cause. Thus, in a recent Supreme Court judgement (dated February 23, 2012) regarding the Ramlila Maidan incident of June 2011, where after an anti-corruption rally lead by the spiritual leader Baba Ram Dev his assembled followers were woken up and chased at night by the police, we find a rather hostile statement for the homeless. This judgement included a long development on the right to sleep, and sleep as a fundamental and basic requirement for life⁴⁷.

“An individual is entitled to sleep as comfortably and as freely as he breathes. Sleep is essential for a human being to maintain the delicate balance of health necessary for its very existence and survival. Sleep is, therefore, a fundamental and basic requirement without which the existence of life itself would be in peril. To disturb sleep, therefore, would amount to torture which is now accepted as a violation of human right” (para. 38).

Yet, a previous paragraph of the judgement specifically excludes the homeless from the benefice of the right to sleep and from the entitlement of not being disturbed during sleep:

“... I am definitely not dealing herein with the rights of homeless persons who may claim right to sleep on footpath or public premises but restrict the case only to the extent as under that circumstances a sleeping person may be disturbed” (para. 27).

Such discriminatory observation against the homeless was brought to the fore and denounced during a national consultation on homeless issues organised in Delhi by one NGO of the coalition for the homeless⁴⁸. The consultation

rightly denounced the restriction of the judgment as amounting to disempowering the homeless from a fundamental right, and hence as not considering them as equal to other citizens of the country.

Risk of misrepresentation in media reports

Regarding the media, notwithstanding their decisive role in the mobilisation campaign for the homeless at its initial stage, at time their reports may distort the facts and misrepresent the action of the NGOs and CBOs involved in this field, and thus harm the endeavours of the latter. For instance, in July 2011, several articles in the press and electronic media denounced the dismal conditions of the temporary shelters for the homeless in Delhi, and attributed this to the “poor NGO upkeep”⁴⁹. However, the coalition for the homeless clarified in its press release dated July 21, 2011⁵⁰, whereas it was true that the provision of essential services was at fault in temporary shelters, the NGOs were not responsible for this situation, which was in fact “the result of the chronic failure of the Delhi government to comply with Court orders and provide adequate services”; “the Delhi government has also failed to pay NGOs money for the salaries of their caretakers since March 2011”. As testified by the interim orders of the High Court of Delhi, the NGOs were indeed not hold responsible for the poor conditions of the shelter, and the Court further directed the Delhi government to release the funds to the NGOs⁵¹. In short, the media attention on homeless issues over the last three years is not sufficient to support the movement; the media need also to report responsibly⁵².

The living conditions of the resettled families

Coming back to the case of the evicted homeless families, some other challenging issues deserve attention. An examination of the living conditions of the families resettled in the Motia Khan municipal shelter demonstrates that creating a dependency on voluntary organisations’ assistance does not provide a sustainable solution. It

46 See : http://delhihighcourt.nic.in/dhc_case_status_oj_list.asp?pno=528490

47 Supreme Court of India, *Suo Motto Writ Petition (CRL) No 122 of 2011*, in relation to Ramlila Maidan Incident dated 4/5.06.2011, vs Home Secretary, Union of India & others. Judgement dated 23 Feb. 2012.

48 “Making Delhi a caring city: Review and way forward”, National Consultation organised by the Indo-Global Social Service Society in Delhi, on 13 March 2012. During the consultation, this judgement was brought to the fore by Usha Ramanathan.

49 For instance : “HC [High Court] raps NGOs for poor upkeep of night shelters for homeless”, *Times of India*, 21 July 2011.

50 Shari Adhikar Manch : *Begharon Ke Liye (SAM :BKL)*, “Coalition for the homeless alarmed over inaccurate and biased media report”, Press Release, 21 July 2011.

51 High Court of Delhi, *WP(C) No 29 of 2010*, Court on its Own Motion versus Govt. of NCT Delhi & others, Order dated 20 July 2011.

52 “Shari Adhikar Manch: Begharon Ke Liye urgently calls upon the media to report responsibly” (SAM: BKL, Press Release, 21 July 2011).

cannot be a substitute to a proper rehabilitation policy going beyond the sole issue of shelter, namely including measures not only to address housing needs but also to address the issues of access to basic amenities, fare price shops, health care, education, vocational training, etc. and, most importantly, livelihood opportunities, in addition to voting rights.

Such considerations may extend to the situation of homeless in general: thus, a holistic approach to homelessness should encompass: the provision of adequate night shelters, as an emergency and humanitarian measure to address the immediate need for shelter and avoid further impoverishment of the homeless; and a proper housing policy, providing a range of various housing options. This also implies to avoid forced eviction of slum dwellers that leads to homelessness, and when displacement of population cannot be avoided, to insure adequate resettlement and rehabilitation. Moreover, the provision of shelter cannot be a substitute to poverty alleviation policies addressing the roots of the problem and encompassing both rural and urban areas and their linkages.

2.4 Mobilization by Civil Society Organisations: Issues of Representation and Participation

The scrutiny of the concrete modalities of mobilization by civil society organisations, including by grass-root organisations working with homeless, raises challenging questions on community participation and representation, such as: Who is informed and consulted in the community? Whose voices are heard? Who speaks in the name of whom?

At the community level (the group of 125 or so evicted families), in-depth interviews and focus-group discussions revealed that information is not spread equally among all the members, although they form a relatively small and homogeneous group; consequently all members are not on an equal footing in the participation process. Women in particular appeared to be less informed, as summarized by the following types of reply *“I am a woman, so nobody tells me”, “Ask the pradhan”*. The selection of a local leader within the community, to be their representative and intermediary with CSOs, is not the result of a democratic election procedure, but rather reflects the internal power relations, in addition to some pragmatic considerations. Therefore, the *pradhan’s* role of speaking in the name of his community also involves silencing some dissent voices.

A related issue, at least in the IARI round-about eviction case, is the “verticalization” of the process of information flow and consultation. Thus, during its mobilization campaign, the coalition of CSOs relied basically on the sole community-based organisation for reaching directly the affected families, and this CBO interacted with the community first of all through the *pradhan* and another male member. The information flow from top to bottom (for example reporting the outcomes of the court hearings to the concerned families) as well as, on the other way, bottom-up consultations (for instance to identify the most adequate place to resettle the evicted families) therefore go through these two representatives, and at the outset through the *pradhan*. Hence, in the absence of a systematic “horizontal” procedure to inform and/or consult all the community members (such as general meetings organized by the *pradhan*), some individuals are not informed properly, and/or have the impression that they were not consulted, and that they *“just followed”* others.

Within the coalition of CSOs, the level of participation of some members may be limited by their unequal capacities. Mastering or not the English language is certainly such a discriminatory factor. Thus, the hearings in the High Court of Delhi and the Supreme Court are conducted in English and not in Hindi, which prevents the representatives of the homeless grass-root organisation (or other concerned houseless people who may attend too) from understanding them directly, or even to request the judge to allow them to speak, as the procedure allows it and was indeed used on occasion by other NGOs representatives. In meetings between CSOs representatives and high-ranking government officers, discussions held at times in English similarly restrain the active participation of the homeless’ representative. The use of English (and even more judicial English) appears then as an obstacle to deepening participation. On the other hand, assembly meetings and informal public hearings on homelessness issues, organised commonly by NGOs or CBOs, provide more open spaces for participation and contestation, with a direct mode of representation, and where the use of Hindi allows the homeless women and men to express themselves at the tribune without intermediaries.

2.5 Concluding Remarks

The scrutiny of an apparently successful mobilisation and scaling-up campaign for the right to shelter of homeless people calls for a more qualified assessment in terms of outcomes. To sum up, despite the active engagement of some community based organizations and the continuing intervention of the courts, the achievements regarding the

cause of the homeless are still fragile, not yet sustainable, and subject to setback or even regression.

At another level, the review of the public schemes for the homeless in Delhi and the modalities of mobilisation highlighted different spaces of participation for the CSOs in homelessness issues. Following Miraftab's (2004) distinction between "invited" and "invented" spaces of citizenship, spaces provided by the government, such as the public-community partnership initiated under Mission Convergence, are clearly invited spaces, whereas press conferences, public hearing and meetings or demonstrations organized by the CSOs would qualify as "invented" spaces. Nonetheless, in the mobilization case examined here, a third and very significant type of space emerged, that I called the "pleading" space, namely the courts' rooms used by the CSOs to advocate their cause, in a confrontational manner vis-à-vis the state institutions, but within the codified structure of the judiciary system.

The controversy over the Unique Identification project that arose among CSOs participating to the Mission Convergence scheme for the homeless touches a deeper

demarcation line that divides the CSOs and activists working with the homeless (and the urban poor); it also points to the limits of the public-community partnership. For some, who feel comfortable within the invited space provided by the government, time has come to cooperate with the government, and they believe that working closely with the government will help make the latter aware of the problems on the ground and understand better the grassroots' perspective. In contrast, others fear that by getting closely associated with the government, NGOs may lose their genuine position; they will not be in a position to oppose the government policy and decision anymore, even if those are not serving the interests of the people that the NGOs claim to defend. In other words, there is a risk that the distance between the CSOs and the state disappears in public-community partnership, with the result that the cause of the people may be lost. Eventually, co-optation of NGOs in the implementation of government schemes would be a way of silencing the dissent voices. Those activists, who are critical of the benefice of participation in invited spaces, rather put forward the benefice of confrontational interactions with the state.

6

Settlement Case 3: V.P. Singh Camp - Past Successful Struggle and Stalled Rehabilitation Plan⁵³

3.1 Settlement Profile

V. P. Singh Camp is located in the southern periphery of Delhi. It is in proximity to the Mehrauli-Badarpur Highway on the southern side and Ma Anand Mayee Marg on its western edge. The settlement is surrounded by the Indian Container Depot, a closed cement factory and landfill area on the north and the Railway Colony (housing railway's employees) on the east. The industrial area of Okhla and the business district of Nehru Place are within a radius of eight kilometres from the settlement. Badarpur metro station is at an approximate distance of two kilometres from the site.

The precarious nature of the settlement makes it extremely challenging to determine the exact population; however, it is roughly estimated that there were approximately 6000-7000 residents in 2011, of which 3992

were registered on the 2009 voter's list. The majority of people in the settlement were Hindus followed by Muslims with a few Christian families also living in the area. Scheduled castes (former untouchable castes) formed the majority among the Hindus, with a few exceptions of upper-caste households. In terms of employment, the residents are engaged in informal as well formal sectors of the economy. Many are working at the adjoining Container Depot or the nearby industrial zone of Okhla. Few also serve as railway employees with the government of India. Some work as daily labourers in Nehru Place, Badarpur as well as Faridabad. There is a large income disparity among the residents: some of the households have a monthly income of Indian rupees (INR) 45,000 (USD 998) whereas few others survive merely at INR 3,000 (USD 66).

V.P. Singh Camp is designated as a *jhuggi jhompri* cluster, and considered as an illegal slum or "squatter" settlement; none of the residents had any formal or legal tenure. The Delhi Development Authority is the land owning agency; however, since the settlement and the adjoining vacant

⁵³ This settlement case report was written by Tara Saharan, and draws on Saharan (2011 & 2012).

scrubland are located in the protected Delhi Ridge, any development in this area requires the clearance of the Ministry of Environment and Forest.

The majority of houses are individual units lacking toilet facility, although some parts have housing with courtyards, as well as attached toilets. Most of the people in V.P. Singh Camp live in a structure which was self-made, but some families are residing as tenants paying rents to the owner of the structure. The typology of housing in the settlement (as per the type of construction material used) ranged from permanent, semi-permanent to temporary in nature. In the majority of the cases, a single room has multiple uses such as living room, bedroom, kitchen, dining room etc. The rooms are so dark that artificial light is needed even during the day-time. Fresh air is lacking in the houses as the rooms were built back to back, with only a small ventilator as a source of air circulation.

There are small private so-called “clinics” in V. P. Singh Camp providing homeopathic, allopathic as well as traditional treatments. However, none of these medical centres are frequented by any professional doctors or health staff. On a temporary basis, the Health Department of the Government of Delhi, in association with the Municipal Councillor, organizes health camps with consultations free of cost for the residents, as precautionary measures to combat diseases such as malaria, typhoid, etc. Earlier, one NGO also used to run a mobile medical clinic. However, there are no permanent health centres in the settlement. Residents may go the dispensary situated in the adjoining Railway Colony, and for serious matters they have to go as far as Safdarjung Hospital or the All-India Institute of Medical Sciences (at around 17 kms from the site) for treatment or any emergency.

In terms of infrastructure, the settlement is well facilitated with water supply and electricity but has serious deficits in the areas of sanitation, roads, sewage and waste disposal in particular. The Municipal Corporation of Delhi provides water free of cost. The six tube-wells provided by the corporation are connected to several public water points in the settlement. Residents get water for a period of eight hours on daily-basis. The tube-wells are managed and operated by the community so they have the flexibility to access water any time of the day. However, due to the topography of the area and location of water points, some public water taps get water round the clock whereas some others suffer with the scarcity of the same. At present, electric supply to the individual dwelling units in the settlement is provided by a private company, namely BSES Rajdhani Power limited. Wood, liquefied petroleum gas and kerosene are the other sources of energy used by the residents for the purpose of cooking.

The hutments are densely located in an organic manner leading to severe shortage of access roads in the settlement. Meandering narrow lanes leads to residential units. These entry routes are insufficient for relief vehicles to access the dwellings in emergency. Most of the narrow lanes converge in a small public square or end up in the main arterial road of the settlement. Likewise, there is a serious lack of sewage system in the settlement. For the purpose of waste collection and disposal, the Municipal Corporation has provided garbage bins and workers to clean it. Despite this, the garbage is scattered all over the place. There are some garbage collection points, but most of them are overflowing. There is a dry drain in the area that is filled with solid waste. People also tend to throw the waste either in front of their houses or the neighbouring open areas, creating a very unhygienic environment.

Temporary convenient shops are common in the settlement, but there is a lack of any organized area for shopping. A commercial bank is located close to the Container Depot. There is limited open space in the settlement except for the public square, the community centre and narrow passages with dwellings on either side. These spaces serve as a recreation area for the residents. An open area with a concrete platform serves as a community centre commonly known as Ramlila Maidan. The settlement has many religious structures such as temples and mosque.

3.2 History of Critical Issues and Struggles in the Settlement

The origin of the settlement is dated back to the seventies. Migrant population from the neighbouring states of Delhi, such as Uttar Pradesh and Bihar were one of the first settlers of the area. They primarily served in the Indian railways in the informal jobs of porters and track maintenance workers. This also explains the proximity of the settlement to the formal residential colony for railway employees presently abutting the settlement. In the 1980s, the settlement was known as “Graheen Kalyaan Samiti” which can be literally translated into – “Homeless Welfare Society”. Over the years, the population of the settlement grew. During 1989-91 with the political party ‘Janata Dal’ at power in the centre, the Delhi Development Authority (DDA) made an attempt to evict the people from their present location. In turn, the residents met the then Prime Minister of the country – Mr. V. P. Singh and apprised him with their situation. He not only stalled the demolition but also undertook improvement steps for people in the form

Table 3.1: Time-line showing the crucial events in the history of V.P. Singh Camp

Year	Crucial events
Early 1970s	The settlement was formed.
1980s	Settlement grew and came to be known as “Graheen Kalyan Samiti” or Homeless Welfare Society”
1989-1991	Delhi Development Authority tried to evict the residents. Intervention by the Prime Minister Mr. V. P. Singh, who stalled the eviction. Thereafter the settlement came to be known as V.P. Singh Camp.
2002	Expansion of Container Depot; and eviction and relocation of 529 households to the resettlement colony of Madanpur Khadar.
2006	Delhi Development Authority inviting bids for a rehabilitation housing project under public private partnership, i.e. a joint venture scheme to re-house the residents in-situ in addition to the high income housing as a compensation for the developer. Bid won by DLF Ltd and later sold to India Bulls.
2009	The project was stalled due to lack of environmental clearance.

of issuing ration cards, making provision for water and electric supply to the area, etc. To mark their gratitude, the residents renamed the settlement, and it came to be known as “V. P. Singh Camp” thereafter.

In 2002, the Indian Container Depot abutting the settlement, needed land to expand its activities. For the same, 529 households bordering the depot were evicted and relocated to the resettlement colony of Madanpur Khadar. Although a part of the settlement was relocated for the expansion needs of the depot, the rest of the slum remained intact.

Further in 2006, the DDA invited bids by private real estate developers for the construction of 3,500 tenements for the re-housing of slum dwellers in five-storey apartment blocks, known as the Tehkhand project. This was an ambitious public-private partnership, where along with the housing the developer was required to make provisions for physical infrastructure and basic social facilities. The developer was allowed to build 750 high-income apartments for free sale as compensation on vacant land adjoining the settlement. The real estate company DLF (Delhi Land & Finance Ltd) won the bid for the allotted 14.3 hectares of land (including the present settlement) at a price of Rupees 450.01 crore (USD 85 million) and sold its share to India Bulls later. However, the project was stalled in 2009 as it failed to get the clearance from the Ministry of Environment and Forest; the site falls in the protected Delhi Ridge, but DDA sold the land for residential purpose before getting the mandatory authorisations for such development. The matter has escalated into a legal issue between the different parties involved and the future of the project will now depend on the verdict of the Delhi High Court. As shown by Dupont (2011b: 20), “this case

reveals the lack of coordination among public agencies as well as the lack of proper articulation between housing policies and environment protection or – seen from another angle, it exemplifies the pressure of real estate development on the green belt”.

3.3 The Ubiquitous Role of Politics in the Settlement

Delhi has witnessed many eviction drives in the name of development. V. P. Singh Camp is one of the few settlements which was successful in resisting against such processes. This was primarily done through the interventional of political leader V. P. Singh who was holding the highest public post at that time, serving as the Prime Minister of the country. Since then, political leaders at the local as well as national levels have strong links with the settlement. Candidates from various national parties such as BJP (Bhartiya Janta Party), INC (Indian National Congress), and Janata Dal, etc. have support from the area.

The settlement has several local leaders. These leaders identify potential supports (voters) in the settlement and team up with the contesting councillors or Members of the Legislative Assembly. The lack of unity at the local level is evidence that these leaders are pursuing opportunistic politics for personal gain rather than the public good. During the elections, the patrons (contestng candidates) provide money, liquor, clothes and promises for development to the local leaders who further convey it to the potential voters. The patrons rely on the local leaders who act as brokers to get the votes. The main concern of

the political leaders is winning the elections, which can be easily negotiated through the brokers. The cause of development is lost in personal interest of the actors. This also happens because the local leaders keep shifting their political affiliations and they do not develop ideology but opportunity based relations. This constituency (known earlier as Badarpur constituency, later divided into Okhla and Tughlagabad) is predominantly dominated by the Gujjar community and the politics in V. P. Singh Camp revolves around several Gujjar politicians.

Apart from a community-based organization (CBO) called the Samudayak Vikas Samiti (Community Development Committee), and which is a cultural group organizing plays during the festive seasons, no NGO or other CBO is actively involved in the development of this settlement.

3.4 Main Issues and (Lack of) Social Mobilization in the Settlement Today

a. Main Issues

Some of the residents of V. P. Singh Camp live in well-consolidated dwelling units but many live in temporary dilapidated structures, which makes housing a pressing issue for them. Irrespective of the state of housing, all through the settlement the tenure of land is one of the major threats to the well-being of its population. Lack of security of tenure places the residents in a precarious situation exposing them to the threat of eviction. Any development in the city or the local area such as the Commonwealth Games held in 2010 or the housing project planned in the adjacent plot of land initiates rumours of eviction. Lack of any information from the government induces long periods of insecurity for the residents.

There is no school or child day care facility in the settlement. This discourages some of the households from sending their children away for education, as this would entail additional commuting cost in terms of money and time. Lack of education further leads to unemployment of the youths in the settlement fostering delinquencies in the area. Many of the youths are laundering their time gambling and engaging in petty thefts. Many youngsters prey to drugs and alcohol, due to lack of guidance.

Deficits in infrastructure related to waste disposal, water, drainage, road, and recreation parks are obvious in the settlement. The waste is thrown in the open areas surrounding the settlement. Unattended garbage is visible

in various pockets of the area. Many of the families whose houses are facing these unattended waste dumps are at a high risk of health hazards.

Water is not a scarce utility in the settlement. Unlike many high-income residential areas of Delhi, this informal settlement enjoys an abundant supply of water, which the community monitors as well as operates. Unfortunately, some pockets of the settlement face a problem of inadequate water supply due to the contour of the area. This has led to fights and quarrels among the residents on a daily basis. Also, the water shortages in the common toilets have forced its residents to defecate in the open areas surrounding the settlement. This creates an insecure environment for women, as going out to relieve in the dark is dangerous. In addition, the unattended human waste creates an unhygienic environment breeding insects and foul smell. The open drains or merely water running through the natural channels is another reason for poor health of the residents. As these drains are the ideal places for breeding of insects and mosquitoes leading to all kinds of diseases in the area.

Majority of the residents fall victims to some sort of the illness or other. There are some quacks operating in the area with a serious lack of any registered medical facilities. In a case of emergency, lack of health facility in or around the settlement makes it an urgent priority for the development of the area.

Security of the residents especially women is another significant cause for concern. Although V. P. Singh Camp is a close-knit settlement, people from different parts of the country speaking a variety of languages have settled here. Usually, people from the same region of origin reside in proximity to each other. This creates several pockets of small islands within the settlement. A woman from one area is usually exposed to lewd remarks and eve teasing from men residing in a different part of the settlement. In addition, the unorganized parking of trucks, operated by the adjacent container depot, blocks the main access to the settlement. This creates difficulty for vehicles and people to access the settlement usually in the dark.

b. Factors Hindering Social Mobilization

Presently there are no urgent issues of mobilization. In spite of the above discussion of the various issues, none of them serve important enough for mobilization since the settlement has a high level of disparity among its residents. Not every resident living in V.P. Singh Camp faces similar challenges. This discourages the privileged



from taking up the issues, and the disadvantaged are unable to voice their opinions.

The settlement is divided based on caste, religion, region of origin, language, etc and each specific community has a local leader. As a result, there are many leaders in the settlement who have their own political affiliations. The politicians also find this to their benefit, and they make sure that the settlement remains divided as this makes the negotiation process easy during the election to gain votes. There is a lack of common leadership in the settlement. The division of the residents in the settlements along ethnicity, caste, religion or political party-based lines proves to be a clear obstacle to mobilization at the settlement level.

Lack of knowledge is another obstacle to mobilization. The local leaders are better informed than the other residents due to their political affiliations. They further use this information for protecting their supporters in case of any unforeseen situation. Although the local leaders are the 'carriers' of information, they usually keep it to themselves and publicly act as ignorant like the rest of the residents. The knowledge of the latest policies and access to the elected representatives bestow power in the hands of local leaders. The lack of transparency and use of knowledge for cultivating power creates many small isolated islands, which rarely work together for community mobilization.

3.5 Conclusions

From the utilitarian perspective (Olson, 1977), it can be simply said that not everyone in the settlement is convinced that the cost of mobilization is equivalent to the collective effort. This is due to the fact that although the settlement is designated as a slum, many parts of the same have a decent level of housing and basic amenities. In addition, the social heterogeneity in terms of region of migration, caste and religious affiliation contributes to the lack of solidarity among the actors.

The resourceful actors such as the elected politicians and local leaders use their knowledge strategically for asserting their position and power in the settlement. The power of the resourceful actors is maintained by limiting the knowledge on the latest development in the area within a circle of restricted actors, as it was observed with regards to the DDA rehabilitation project. The various communities in the settlement with their own local leader create small pockets that are in collision rather than integration with each other. These colliding pockets and the politics of power prohibit the flow of knowledge; this situation explains the absence of reaction at the settlement level when DDA launched its project, and contributes to the present lack of mobilization.

Two decades back, the same settlement was not only able to stir an agitation against the state but also retain their rights to the city. The residents felt solidarity irrespective of all their differences; lack of legal tenure and eviction was a central and urgent issue of concern for all. The former Prime Minister V.P. Singh was a pro-poor leader and a resourceful actor who turned the movement into a success. At present, due to shifting alliances of the local leaders there is a lack of unified resourceful actor, as well as any urgent cause of concern. The issues at hand either have long term implications such as health and education, or affect unevenly different sections of the residents, such as water supply and sanitation. The urgency for action is missing and contributes to the lack of mobilization among the actors. The absence of any grass-root organization, which could play a role in social mobilization, is an additional hindering factor. The movement also declined because it was dependent on the charismatic leadership of V.P. Singh.

From the case of V.P. Singh Camp it can be concluded that solidarity, heterogeneity, lack of transparency, use of knowledge to cultivate power and urgency are core issues for mobilization in urban social movements at micro-level. The role of resourceful actors is eminent for reaching a goal, but those who believe in the cause and principle and not in any short-term benefits. However, such a charisma can also be a limitation. The actor centric movement will depend highly on the actor and will end with him.

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Addressing Sub-Standard Settlements

WP3 Settlement Fieldwork Report

Coordinator Einar Braathen



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