The challenge of “human” sustainability for Indian mega-cities: Squatter settlements, forced evictions and resettlement & rehabilitation policies in Delhi

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Abstract

This paper deals with the “human” dimension of sustainability in Indian mega-cities, specially the issue of social equity approached through the housing requirements of the urban poor.

Indian mega-cities are faced with an acute shortage in adequate housing, which has resulted in the growth of illegal slums or squatter settlements. Since the 1990s, the implementation of urban renewal projects, infrastructure expansion and “beautification” drives, in line with the requirements of globalising cities, have resulted in many slum demolitions, which increased the numbers of homeless people. Delhi exemplifies such trends.

This paper’s main objective is to appraise the adequacy of slum clearance and resettlement and rehabilitation policies implemented in Delhi in order to address the challenge of slums. Do such policies alleviate the problem of lack of decent housing for the urban poor, or to what extent do they also aggravate their situation? It combines two approaches: firstly, a statistical assessment of squatters’ relocation and slum demolition without resettlement over the last two decades, completed by an analysis of the conditions of implementation of the resettlement policy; and, secondly, a qualitative and critical analysis of the recently launched strategy of in-situ rehabilitation under public-private partnership.

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The challenge of “human” sustainability for Indian mega-cities:
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This paper deals with the “human” dimension of sustainability in Indian mega-cities, specially the issue of social equity approached through the housing requirements of the urban poor – a crucial issue for mega-cities of the South, commonly included in the agenda of international forums for the last fifteen years⁴. Nevertheless, environmental considerations are not ignored, in so far this brown agenda, first concerned with issues of social justice and satisfying the immediate needs of the poor, often competes with the green agenda, that gives priority to ecological issues in the long term (Bartone & al. 1994).

Indian cities, especially the largest ones, provide a challenging context to reflect on such matters. Indeed, they 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’². Since the 1990s, the implementation of urban projects, especially infrastructure expansion, urban renewal projects, and “beautification” operations, in line with the requirements of aspiring global, slum-free cities, have resulted in many demolitions of poor or unauthorised settlements and forced evictions, which further increased the numbers of homeless people. As the capital city and the country showcase, Delhi exemplifies such trends (Dupont 2011a). Moreover, the preparation for the Commonwealth Games, held in Delhi in October 2010, boosted urban renewal operations and major infrastructure works as well as slum demolitions.

The main objective of this contribution is to appraise the adequacy/inadequacy of slum clearance and resettlement & rehabilitation policies implemented in Delhi in order to address the challenge of slums. Do such policies alleviate the problem of lack of decent housing for the urban poor, or to what extent do they also aggravate their situation? To that end, I shall combine two approaches: firstly, a statistical assessment of the extent of slum-dwellers’ relocation and of slum demolitions without resettlement over the last two decades, completed by an analysis of the conditions of implementation of the resettlement policy (in order to explain the findings); and, secondly, a qualitative analysis of the recently launched new strategy of in-situ rehabilitation.

In this paper, the term ‘slum’ will refer only to ‘illegal slum’, or ‘squatter settlements’ (unless otherwise mentioned), the locally called jhuggi-jhompri clusters where the physical precariousness of housing and informal lay-out are combined to the precariousness of the occupancy status – or, in juridical terms, to the illegality of the occupation of the land. For the planning authorities and the judiciary this signifies squatter settlements, i.e. lands occupied and built upon without the permission of the land owning agency.

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² For further details, see Dupont (2011b).
1. The limitations and adverse effects of slum eradication and resettlement policies

This first section tackles several interrelated questions. What is the size of the population living in squatter settlements in Delhi, and how has it evolved since the beginning of the 1990s (marked by the opening and liberalization of the Indian economy)? What has been the extent of slum demolitions over this period and especially demolitions without resettlement? What has been the effect in terms of increase of the homeless population?

This assessment is based on an analysis of secondary data, notwithstanding the limitations of the latter that will be also underlined: official statistics from the Census, the former Slum and Jhuggi-Jhompri Department (Municipal Corporation of Delhi) and the recently formed Delhi Urban Shelter Improvement Board (DUSIB, Delhi Government)3; and data from NGOs’ surveys.

To better understand the large gap between the number of evicted slum families and the number of those who were resettled, I examine the policy principles of the jhuggi-jhompri resettlement scheme (following a site-and service approach) and its conditions of implementation. This is based of an analysis of policy documents and in-depth interviews carried out in 2008 and 2009 with evicted families excluded from the resettlement programmes (Dupont 2009).

1.1. Extent of slum population and demolition

Despite its initial stated intention to integrate people with low incomes into the urban fabric, the public policy of urban planning and housing implemented by the Delhi Development Authority (DDA) failed to respect the obligation of reserving a significant share of residential land and housing for the Economically Weaker Sections and Lower Income Groups, and therefore to meet the demand of the poorest section of the population. Thus, the latter resorted to informal habitat, and had no option but to occupy vacant lands, where they self-constructed makeshift housing –or jhuggi-jhompri. We have analysed elsewhere the discrepancy between the declared social objective of the initial DDA policy and its achievements, as well as the reasons for this failure (Dupont and Ramanathan 2008).

The large number of people living in squatter settlements evidences what planner Dewan Verma (2003) calls the “DDA’s bagklog”. In 1998, their population 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 – as against 5% in 1951 and 18% in 19914. Till the nineties, squatter settlements were found throughout the capital, insinuating themselves into all the interstices of the urban fabric wherever there was vacant land and where surveillance by the legal authorities was limited. Yet, although their inhabitants accounted for about a quarter of the urban population, they occupied less than 6% of the city land, essentially public land, a large part of it owned by the DDA5—a situation resulting from the monopoly of the DDA on land acquisition since the sixties.

3 The Slum and Jhuggi-Jhompri Department has been in charge of the implementation of the squatter settlements relocation scheme, as part of the Municipal Corporation of Delhi (MCD) till 2010, and then transferred to the DUSIB, in force since July 2010, under the Government of the National Capital Territory of Delhi (henceforth Government of Delhi).

4 Source: Slum and Jhuggi-Jhompri Department, (MCD).

5 Source: Source: Slum and Jhuggi-Jhompri Department, MCD.
Large-scale slum demolitions since 2000 have dramatically altered this situation. According to the DUSIB, there were 685 *jhuggi-jhompri* clusters housing a total of 418,282 *jhuggies* (hutments), or around 2.1 million people in 2011, accounting for 12% of the population of Delhi urban agglomeration (i.e. 16 million without its ring towns)\(^6\). However, these figures are only estimates, and not based on an update field survey of *jhuggi-jhompri* clusters\(^7\). As per the guidelines of the new national slum policy (see section 2), a mapping and comprehensive survey of all squatter settlements is part of the agenda of the DUSIB; yet the outcomes are still awaited.

The results of the last Census 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). Further, as per the Census data and definitions, 19% of the population of Delhi Municipal Corporation lived in ‘slums’ in 2001 and 15% in 2011. Although this percentage would be expected to provide a synthetic indicator of housing poverty, it probably understates the latter, as the definition used by the Census of India excludes the small slum clusters with less than 300 people (see Box 1), which are likely to be the most precarious and underserved. On the other hand, the settlements classified under the category ‘slums’ by the census are heterogeneous in terms of security of tenure. For instance, in Delhi, ‘notified slums’ include the old decaying housing stock in the historical core, inhabited by tenants or proprietors with legal rights, whereas the ‘identified slums’ include squatter settlements with no occupancy right, but not the smaller ones. Consequently, the Census data on slums cannot be compared or matched with the data on squatter settlements/*jhuggi-jhompri* clusters from the DUSIB.

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**Box 1. The definition of slum as per the Census of India, 2011.**

“A Slum, for the purpose of Census, has been defined as residential areas where dwellings are unfit for human habitation by reasons of dilapidation, overcrowding, faulty arrangements and design of such buildings, narrowness or faulty arrangement of street, lack of ventilation, light, or sanitation facilities or any combination of these factors which are detrimental to the safety and health. (…) For the purpose of Census, slums have been categorized and defined as of the following three types:

- **Notified Slums**: All notified areas in a town or city notified as ‘Slum’ by State, Union Territory Administration or Local Government under any Act including a ‘Slum Act’,

- **Recognized Slums**: All areas recognised as ‘Slum’ by State, UT Administration or Local Government, Housing and Slum Boards, which may have not been formally notified as slum under any act,

- **Identified Slums**: A compact area of at least 300 population or about 60-70 households of poorly built congested tenements, in unhygienic environment usually with inadequate infrastructure and lacking in proper sanitary and drinking water facilities.”


\(^7\) Source: interview with a civil engineer of DUSIB, Delhi, 26-03-2012.
Although slum demolitions occurred in the entire urban area, as shown in Map 1, the larger operations— in addition to the embankments of the Yamuna river— affected the central and southern zones of the urban agglomeration and the airport vicinity, i.e. in zones characterized by the presence of commercial and business districts and a concentration of residential colonies for higher income groups, and/or where the capital’s reconstruction has been more conspicuous. In 2004-06, they also dramatically affected the Yamuna river’s embankments (causing the eviction of 40,000 households), in connection with the redevelopment of the riverfront and the construction of the athletes’ village complex for the 2010 Commonwealth Games, despite vehement protests from environmentalists since it is located in the floodplain and groundwater recharge zone.

The map further evidences the long distances between the demolished clusters and the resettlement sites, which are relegated in the rural fringes to the far reaches of up to 30 kms from the city centre. The economic rationale for the demolition of slums and their residents’ relocation in peripheral zones is that the value of the land occupied by slum clusters in the city is much higher than that in the relocation sites. In the making of Delhi into a world-class city, even unclaimed spaces squatted upon by the poor have become prime land, “ripe for development” (Baviskar 2007).

1.2. Resettled and non-resettled slum population

From 1990 to 2008, around 65,000 families (accounting for about 325,000 people) from 221 demolished slum clusters were relocated in resettlement colonies, namely site and service programme without rehousing. To these figures presented by the then Slum and Jhuggi Jhompri Department as its achievements, one should also add the considerably higher number of families that were evicted from their dwelling place and whose houses, however precarious, were demolished.

During my own survey of demolition sites in 2007 (Dupont 2008), testimonies of local residents and shopkeepers revealed numbers of evicted slum families always much higher than the numbers of relocated ones as per the official list — although the figures quoted could not be verified. According to some NGO’s estimates, less than 20% of the families evicted from the Yamuna Pushtha slum clusters in 2004 – a major slum clearance operation – would have been allotted alternative plots (Leena 2007). Ghertner calculated approximately that from 1997 to 2007 “close to a million slum dwellers have been displaced” (Ghertner 2010), while – as mentioned above – the official statistics indicate that about 325,000 people were relocated over the entire period of the resettlement scheme from 1990 to 2008. The confrontation of these two sets of figure thus underlines the extent of the population which was not resettled. Another calculation presented as a conservative estimate shows that, at least half of the total numbers of families evicted from 1990 to 2007 were not resettled (Bhan & Shivanand, 2013).

I have shown elsewhere how the implementation of infrastructure projects and the context of

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8 This map was made on the basis of the official list provided by the Slum and Jhuggi-Jhompri Department which indicates the number of relocated jhuggi families, cluster-wise and year-wise since the inception of the scheme in 1990 till 2008, along with the relocation site.

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

10 Source: Slum and Jhuggi-Jhompri Department, Municipal Corporation of Delhi (MCD).
the 2010 Commonwealth Games and their preparation have played a significant role in the demolition of slums located on coveted urban land (Dupont 2008). Furthermore, the international sporting event was preceded by a span of ‘last-minute demolitions’ carried out without resettlement. A fact finding mission revealed that, in a sample of 19 sites in central areas of Delhi from where the government forcibly evicted 3000 families in 2009-10 because of the Commonwealth Games, only 85 were resettled (HLRN-HIC 2011).

The extent of the lack of adequate resettlement for the evicted slum families is further indicated by the dramatic increase in the population of homeless. The headcounts conducted by two NGOs, on in 2000 (AAA 2001) and the second in 2008 (Tingal and Pandey 2008; IGSSS 2012) following the same methodology show a 68% increase, which is attributed for the most part to massive slum demolitions (IGSSS 2012). NGOs estimate that the current population of homeless is around 150,000.

Part of the absolute decrease of the total population in some inner districts (which were attributed to large-scale slum demolition by the Census authority) may in fact also conceal gross under-counting of the homeless population during the census operation. All evicted slum dwellers who were not resettled have not ‘disappeared’ from Delhi; notwithstanding return migration to the native places or relocation in other towns of the metropolitan areas, it is likely that many of them, by becoming homeless, have also become ‘invisible’ in the official population statistics. NGOs have indeed denounced the gross under-reporting of the homeless population by the Census (IGSSS 2012).11

Furthermore, an increasing number of families are now living on the streets, whereas there was only a marginal number of such families in the past, with most of the homeless being lone men in Delhi (Dupont 2000; AAA 2001). Families living on the streets are, however, only one indicator of homelessness due to eviction, for an observed survival strategy consisted in sending the non-working members back to the village, while the main earning member would remain alone in Delhi.

My own investigations conducted in 2008 and 2009 among evicted slum families who were excluded from resettlement programmes (Dupont 2010) demonstrated how homelessness was the result of forced eviction when the affected families were unable to overcome the shock of eviction and its resulting multidimensional impoverishment. Indeed, the disastrous impact on the shelter conditions was compounded by adverse effects on employment and income, education, health, and familial and social life. Life histories of homeless people further showed how, in addition to the loss of the house and material belongings, forced eviction could entail cumulative effects through losses of rights and chain deprivations, thereby jeopardizing these people’s right to the city and right to live with dignity (Ibid).

1.3. The exclusionary and impoverishment effects of resettlement programmes

To understand how slum clearance policy could lead to increased homelessness despite the implementation of jhuggi-jhompri resettlement programmes, it is necessary to examine their exclusionary and impoverishing effects, with a focus on the last two decades, that is from

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11 For instance, the 2001 Census enumeration of homeless gave a figure of only 24,966 homeless persons in Delhi. In contrast, the headcount undertaken in 2000 as part of a study on ‘The capital’s homeless’ by Aashray Adhikar Abhiyan (AAA), provided a figure of 52,765 persons (AAA 2001). Moreover, due to the limitations of their rapid assessment, the surveyors consider this result as a minimum estimate; they ‘maintain that for every one counted there is at least one who was missed’, which would bring the population of homeless in 2000 to about 100,000 (IGSSS 2012: 15). Although the official figure of the homeless population at the 2011 Census has not been released, shortcomings and under-reporting were already deplored (SAM-BKL 2011).
1991 when the Delhi Government adopted a revised strategy for dealing with squatter settlements, till the creation of the DUSIB in 2010 and subsequent modifications in the policy. These programmes excluded a large number of families due to various reasons. Two types of exclusion mechanisms from the resettlement programmes were identified: those stemming from the very design of the policy, and those stemming from the conditions under which the scheme has been implemented.

First of all, the principle of a cut-off date of arrival in the settlement (January 1991, extended in 2000 to December 1998 with effect till 2010) as an eligibility criterion necessarily excluded a large number of ‘non-eligible’ families who found themselves on the streets, without any compensation or alternative arrangement. Secondly, the financial contribution required from eligible families to gain access to a plot in a relocation site (INR 8000 – US$ 167\textsuperscript{12}) and additional related expenses further entailed the exclusion of the poorest families, impoverishing them even further by making them homeless. In addition, not all the households eligible for resettlement obtained access to a plot immediately after their eviction. For some, the waiting period before the actual allotment extended to several months, sometimes even a couple of years or more in spite of having made the required payments. During this long waiting period full of uncertainty, these eligible households found themselves as deprived as the excluded families and sometimes shared similar conditions of homelessness or of urban nomadism. Thirdly, as revealed by interviews conducted in 2008 and 2009 with families left out from the resettlement programme, the conditions under which the programme was implemented, with dysfunctions and malpractices, including misappropriation of plots, resulted in the exclusion of a number of eligible families as well (Dupont 2010; Dupont & Vacquier 2013).

It is important to note that the allotment of a plot as part of site and service programmes neither systematically ends residential instability nor prevents homelessness since the resettlement process itself also involves high costs for the eligible families as several studies conducted in resettlement colonies on the urban periphery have shown\textsuperscript{13}. Impoverishment of the displaced families occurs because of the costs involved in the reconstruction of a house after the loss of the previous one, the remoteness of urban resources (especially of livelihood opportunities, which entails loss of income and/or increased costs of transportation) and the lack of access to basic urban services and social facilities on the site. The poorest families, who do not have the means necessary to adjust to these new constraints, often end up reselling – or more precisely, giving up their right to a plot for immediate monetary gains, especially since they get many offers from unscrupulous property agents or speculators. Such transactions are illegal but frequent, and are accompanied by a return to land and housing insecurity and precariousness in areas close to employment sources. To secure income, squatting or homelessness in a more central area is preferred to land security in far-off peripheries. Some families opt for an intermediate arrangement: to cut down travel time and costs, the households’ main working members return to their resettlement colony just once a week or less and make the best of temporary arrangements to sleep near their workplace – including on pavements, in railway stations or night shelters for the homeless (Menon-Sen &

\textsuperscript{12} This sum included a security deposit, the resettlement cost and occupation-licence fee for a 10-year period, which was a substantial sum for the slum-dwellers (INR 8000 represented more than five times the official minimum monthly wage for an unskilled labourer in 1995).

\textsuperscript{13} See, for instance, the study conducted by the NGO Jagori in the Bawana resettlement colony (Menon-Sen 2006; Menon-Sen and Bhan 2008), surveys conducted by the National Institute of Urban Affairs in five resettlement sites – Narela, Bhalaswa, Holumbikalan, Bakarwala, Molarbund (Dhar & Wagh 2004) and the study by Khosla & Jha (2005).

Under the modified relocation and rehabilitation scheme for slum and jhuggi-jhompri dwellers approved in 2010 by the Government of Delhi, allotment of flats will replace the allotment of plots in resettlement colonies. Again, the list of eligibility conditions is likely to exclude a significant proportion of slum families: the DUSIB estimated 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 slum dwellers without resettlement option\(^\text{14}\). This realization—as well as the pressure from some slum dwellers’ organizations—led the Government to amend its policy and relax some of the eligibility conditions in 2013\(^\text{15}\). Yet, several criteria are still applying, including Indian citizenship, settlement date in the present slum dwelling (now June 2009 instead of March 2007), enrolment in the voter list, and in case of two (or more) storey house, the allotment will be considered only for the occupant of the ground floor. This is in addition to the financial contribution expected from the slum dwellers (whose amount is however not specified!). At the end, the conditionality is still likely to exclude a significant percentage of slum dwellers from the scheme, and therefore will perpetuate squatter settlements.

2. A new role for the private sector in slum rehabilitation in Delhi

Interestingly, the globalisation and neoliberal context that has, on the one hand, favoured a context of slum demolition, is now, on the other hand, promoting a new role for the private sector in slum rehabilitation and resettlement, which is projected as a key factor on the road to “slum-free cities”. As shown by Nijman (2008: 74), “[t]he relevance of neoliberalism to slum rehabilitation is threefold: first, the shift from government intervention to reliance on the free market; second, the shift of responsibility from government to civil society; and, third, the rescaling of government from central to local levels”.

This second section focuses on this new strategy, and questions its potential to provide a sustainable solution to the housing needs of the slum dwellers. A few lessons can be drawn from the experience of Mumbai, where such a strategy was initiated since the 1990s. In contrast, in Delhi, the shift in slum policy is much more recent and the new projects of slum rehabilitation under public-private partnership face difficulties to start up. In this paper I examine the first two projects of slum in-situ rehabilitation launched by the Delhi Development Authority, namely the Tehkhand project, in the southern periphery, and the Kathputli Colony project, in a centrally located area.

This part of the study combines an analysis of policy documents (both at the national level and at the city level), and field investigations over the last six years consisting of in-depth interviews conducted with various stakeholders (slum dwellers, local leaders, NGOs’ workers, activists, politicians, government officers, private builders and consultants…).

\(^{14}\) Source: DUSIB website: [http://delhishelter.nic.in](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.

\(^{15}\) Source: Government of National Capital Territory of Delhi, Department of Urban development, Order dated 25/02/2013: “Guidelines for implementation of the scheme for relocation/rehabilitation and allotment of flats to the Juggi Jhopri dwellers under JNNURM-2013” [DUSIB website: [http://delhishelter.nic.in](http://delhishelter.nic.in), accessed on 15 July 2013).
2.1. The new national strategy for “Slum-Free City Planning”

The current National Urban Housing and Habitat Policy (endorsed in 2007) acknowledged that the efforts initiated under the previous policies failed to overcome the housing shortage, particularly for the economically weaker sections (EWS) and low-income groups (LIG) (GOI 2007). “With a view to ensure equitable supply of land, shelter, and services at affordable prices to all sections of the society” (Ibid: 1), the new policy recommends the earmarking of 20% to 25% of the land to be made available at affordable rate for the EWS and LIG (in fact, similar provision already made in the first Master Plan (1962) for Delhi were never respected). It also proposes to use land as a resource, including for slum rehabilitation. “The main suggestion is to use market mechanisms to raise resources for slum upgradation or redevelopment and increase the land supply through the use of Transfer of Development Rights [i.e. extra building space] and increase in Floor Space Index\(^{16}\)” – which cities like Mumbai have already done since the 1990s (Mahadevia 2009: 215). The policy further advocates the granting of tenurial rights to the slum dwellers \textit{in situ} or in resettlement schemes, and emphasizes the need to prepare a special action plan for slum dwellers. The role of the private sector as developer and builder is strongly promoted, with the government playing the role of regulator and facilitator.

A new strategy for “Slum-Free City Planning” – or the Rajiv Awas Yojana programme (RAY), was initiated in 2009 as part of the “Basic Services to the Urban Poor” programme (a sub-mission of the Jawaharlal Nehru National Urban Renewal Mission) and the “National urban poverty reduction strategy, 2010-2020” (Mathur, 2009). Its ambition is to redress the shortage of urban land, amenities and shelter that lead to the creation of slums (Mathur 2009: 35). Its plan of action comprises two parts (GOI 2010):

1. the upgrading of existing slums along with property rights, including: infrastructure provision only, or slum redevelopment/rehabilitation programmes, or displacement of untenable slums;

2. action to prevent new slums, including reservation of land and housing for the urban poor.

The plan of action gives primacy to a public-private-partnership model to build affordable housing. It also promotes community participation: for each slum identified, the decision-making process regarding its redevelopment “should necessary be done with the involvement of the community”, “with the assistance from lead NGOs/CBOs”\(^{17}\). This refers to the requirement of participation, which has gained acceptance in international development and institutions as a guarantee of "good governance". If the principle of participation were applied, the assumption would be that the slum dwellers’ voices, needs and practices are (or at least more likely to be) taken into account. This is one of the points that I will discuss on the basis of two case studies of in-situ rehabilitation projects. We shall see that there is a large gap between stated principles and the actual implementation of the policies.

This “new deal for the urban poor” (Mathur 2009) as well as the general frame promoted by the 2007 National Urban Housing and Habitat Policy, raise however some concerns. In the

\(^{16}\) The Floor Space Index or Floor Area Ratio is the ratio of the total construction’s floor area on a plot to the area of that plot.

proposed model, it is likely that housing for the poor will be developed in the urban peripheries, which would require an efficient and affordable mass public transport system, to enable them to access employment centres located in more central parts of the city (Mahadevia 2009). Moreover, even in the case of *in-situ* rehabilitation, the financial contribution and regular monthly instalments, to pay back housing loans, which are expected from the slum families, may eventually result in excluding the poorest from the slum rehabilitation/resettlement programmes, with a capture of the housing schemes by higher income groups, as observed in previous programmes targeting the lower income groups.

At a time when the new national strategy has been launched and when Delhi is embarking in this model, it is worth pausing to reflect on the Mumbai experience where the state government was pioneer in inducting private developers and builders as well as NGOs and community based organisations in slum redevelopment.

### 2.2. Lessons from the Mumbai experience

In Mumbai, in the late 1980s, in the new context of economic liberalisation, *in-situ* redevelopment and granting of secure tenure to the rehabilitated slum dwellers became the approach favoured, with the active involvement of private builders (Risbud 2003). The first Slum Redevelopment Scheme was introduced in 1991 for slums located on private lands; it was revised and extended in 1995 to slums on land owned by institutions of the state government. The principle was to encourage private developers to construct multi-storey buildings for the slum families on the same site, using only part of the land, and to use the rest of the land thus cleared for residential or commercial development on the open market (the so-called ‘sales component’ of the project). The developers or builders could thus make enough profit to cover the construction cost of housing for the slum dwellers; they also benefited from additional incentives such as increased Floor Space Index and Transferable Development Rights (TDR)\(^{18}\). The revised Slum Rehabilitation Scheme of 1995 had the ambition of providing 800,000 free tenements of 21 sq.m to four million slum dwellers, the redevelopment of slums *in situ* being the main strategy. It is estimated that so far about 250,000 slum families have been re-housed in formal buildings on their original site, and 85,000 others in resettlement areas (Banerjee 2011).

This slum rehabilitation scheme has raised many hopes, as it was seen as a way to cross-subsidy housing for the poor, with the state playing an enabling role and, at the same time, involving the slum community in its own development (Burra 2005). In addition, *in-situ* rehabilitation was considered as a better option than the permanent displacement to distant relocation sites, as it allowed the residents to preserve their access to employment opportunities and maintain their social network. However, several difficulties and criticisms emerged.

One major difficulty to implement the *in-situ* rehabilitation scheme was to find vacant public lands for the temporary transfer of the slum families; furthermore several transit camps eventually became permanent.

The scheme was first criticized for favouring the interests of the real estate lobby and opening the doors to a burgeoning land mafia in the city with risks of harassment of slum dwellers located on strategic land (Burra 2005; Weinstein 2008). Several corruption scams were also denounced by the media and the S.S. Tinaikar Committee (Weinstein 2008). Yet, builders are

\(^{18}\) TDR allow the builder to develop land and construct housing in another location in the suburbs (north of the generating plots, to avoid further congestion of the island city) or to sell his rights to other builders.
interested only in certain lucrative locations (Burra 2005), and thus many in-situ rehabilitation projects did not take off because of the poor location of the slums. As explained by Nijman (2008: 84): “Mumbai’s developers are closely eyeing the thousands of slum sites in the city and they carefully select the ones with the best prospects for a high profit. Hence, this is where the market ‘failed’ slum rehabilitation.”

In addition, the pursuit of increased profit margins by the builders is conducive to poor quality of construction and congestion of the buildings; thus the scheme was criticised for resulting in creating “vertical slums” instead of horizontal ones. High-rise buildings, which are de facto promoted by the scheme, are also more expensive to maintain and “they may be also ill-suited to the lifestyle of the urban poor who are engaged in the informal economy” (Burra 2005: 77). Increased maintenance charges and taxes may also become unaffordable by the former slum dwellers, who will then sell out and move back to informal settlements (ibid). At the end, cross-subsidized housing for the poor are sometimes occupied by people with higher income for which they were not intended (Nijman 2008).

The success of rehabilitation schemes in partnership with the private sector also relies on very high land prices. When the real estate market stagnates or goes down, this type of investment is not attractive anymore for private builders. As observed by Burra (2005: 87), “the scheme has become builder-driven and many buildings remain incomplete, as the builders pull out when they see falling market returns”. The much publicized Dharavi Development Plan, launched in 2004 by the state Government to redevelop a centrally located large informal settlement of more than 750,000 residents, so far failed to attract acceptable projects from private developers.

To conclude this detour via Mumbai, and following Nijman (2008: 73), “new opportunities for rehabilitation strategies have arisen but (…) the fundamental conditions of neoliberalism in urban India are unlikely to be conductive to large-scale success”.

2.3. Shifts in the Delhi slum policy

In Delhi, the induction of the private sector in slum redevelopment is much more recent than in Mumbai. The stronger hold of the state, precisely of the Central Government, on urban development can be explained by the specific status of Delhi, as the national capital and a Union Territory. Even after the National Capital Territory acquired the status of a quasi state in 1991, the Central Government retained the control on land through the Delhi Development Authority (DDA) established in 1957 under the purview of the Union Ministry of Urban Development. The designation of the DDA as the housing agency for Delhi in 1967, including for social housing, strengthened DDA’s control on slum affairs. The monopoly of the DDA on land acquisition and development in Delhi further explains that large-scale programmes of squatters’ relocation were possible and represented the prevailing strategy implemented till 2010 to eradicate slums. Furthermore, since the land occupied by squatter settlements in Delhi is essentially public land, the role of the DDA and till recently of the Municipal Corporation in the slum treatment was reinforced: these administrations have been major players as land owning agencies, policy makers and implementers.

Nevertheless, the Master Plan for Delhi 2021 acknowledges the limitations of the site and service approach to tackle the issue of slums and squatter settlements, and envisages a new strategy (DDA 2007). This is based on the provision of built up accommodations in multi-storeyed apartment blocks, under private-public partnership, using land as a resource and according to the principle of cost recovery — thus, in line with the new strategy for “Slum Free City Planning” (GOI 2010). 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 (the “sale component” of the project). The expectation is that “vertical projects” will unlock the land stock occupied by slums, and by 2008 DDA had identified a first lot of 21 slum clusters for in-situ rehabilitation, projecting the construction of about 37,000 dwelling-units to that end. I shall examine the first attempts of slum rehabilitation by DDA under this model, and try to assess the prospects in the capital of the “Mumbai model” — as it is often referred to in the media. Yet, if the 1995 Slum Rehabilitation Scheme is the reference, one major difference should be stressed at the outset: in Mumbai, flats for slum dwellers were planned to be fully cross-subsidized by the sales component of the project, and hence to be provided “free” —apart for subsequent maintenance costs— to the slum dwellers, which is not in accordance with the principles stated in the Delhi revised slum policy. Indeed, the financial contribution expected from the beneficiary is a potential factor of exclusion of the poorest families from the new scheme.

2.3.1. The Tehkhand project: a non-starter pilot project

The first project launched by DDA, and promoted at that time as a model for further housing projects for Economically Weaker Sections of the population, was located in Tehkhand, in the southern periphery. The land partly occupied by a squatter settlement, V.P. Singh Camp, belonged to the DDA, which invited bids from private real estate developers in 2006 for the construction of 3,500 tenements for the re-housing of slum dwellers in five-storied apartment blocks. The developer had also to provide physical infrastructure and basic social facilities, and was allowed —as an incentive— to construct 750 high income-group apartments for free sale. Since the slum occupied only a minor part of the 14.3 hectare plot, there was no need to transfer the slum dwellers in a transit camp. Housing for the slum dwellers was to be subsidised by the DDA (as the land-owning agency), the Delhi Government and the Central Government (under JNNURM); and the rehabilitated slum families were expected to contribute their share amounting to about INR100,000 (US$ 2,222) through loan facilities.

In 2008, the private builder who won the auction had already started land levelling and excavation operations on the site adjoining the slum in order to build a complex of luxury apartments, “Castlewood”, advertised by a large board put up on the road situated the furthest away from the slum. However, on the side of the construction site closest to the slum, there was no board to provide information on the forthcoming project and its housing component for slum dwellers. In the slum, most residents were not aware of the DDA redevelopment project, let alone its terms. Only some local leaders had some information through their elected politicians. No procedure of information and consultation with the slum dwellers had been put in place —whether by the DDA or the builder. In short, the residents were kept apart from the plans concerning them.

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19 This section is based on information collected during field visits and interviews conducted in March 2008, October 2008 and December 2009, including interviews with a DDA officer and a Regional General Manager-Marketing of Indiabulls Real Estates Limited. Additional sources include press and web articles, and the official document entitled Auction of Residential Land in Tehkhand, South Delhi. Public-Private Partnership Project with EWS Housing, DDA, 2006.

20 However, at the time of our interview (27-02-2008) the modalities for the financial contribution of the eligible families, including the amount of the monthly instalments and their interest rates, were still under discussion with the Housing Development Finance Corporation.

21 The Delhi Land and Finance Ltd (DLF) in joint venture with the real estate firm Indiabulls, which eventually took over the entire project.
The “Castlewood” lavish advertising brochure included appealing photos of the Tughlaqabad Fort and green belt, situated across the road on the western side of the site. Obviously, there was not mention of other much less attractive features of this area, including a large landfill (said to be converted into a park), the dusty structure of an old cement plant, and the inland container depot entailing traffic of heavy trucks on the road bordering the northern side of the site.

Yet, I was not given a chance to test the efficacy of the builders advertising efforts as against the shortcomings of the site. The project was stopped in mid-2009, as it did not get the clearance from the Ministry of Environment and Forests. The site falls in fact in the protected Aravalli Ridge, and DDA had sold the land for residential purpose without the mandatory authorisations. Therefore the construction was blocked, and a litigation opposing the developer and DDA has been filed in the Delhi High Court. 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.

2.3.2. Kathputli Colony: a rehabilitation project in (slow) progress22

The second “pilot” rehabilitation project undertaken by DDA was again presented as “a benchmark for many such projects to follow to make Delhi a slum free state”23. It concerns Kathputli Colony24, a four-decade old settlement spread over 5.22 hectares in a centrally located area (near Shadipur Depot, and the eponym metro station). The project was advertised in the media in February 2009, when the Union Ministry of State for Urban Development laid the foundation stone for a 14-storied housing complex of 2800 two-room flats of 25 sq.m for the slum dwellers. The private firm who was eventually awarded the development contract in October 2009 was allotted the land for an amount considered much below the actual market rate, but will have 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). As for the sales component of the project, which 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 the Dubai-based construction company that built the world’s tallest tower.

Unlike for the Tehkhand project where the availability of land was not an issue, in Kathputli Colony, the size of the plot, fully and densely occupied, requires the transfer of the families to a transit camp before the construction work can start. Finding vacant public land in the vicinity proved to be an important factor of delay in implementing the project. An additional obstacle was the mobilization of residents’ and traders’ associations against the location of the transit camp in their neighbourhood. Finally, the transit camp was constructed in a site

22 This section is based on information collected during field investigations carried out with the assistance of M.M. Shankare Gowda between February 2009 and April 2013 in Kathputli Colony, including a series of in-depth interviews with various stakeholders (residents, local leaders, NGOs representatives, DDA officers, the builder and the private consultant, politicians, resident welfare associations of neighbouring localities), completed by information from the concerned websites as well as press and web articles.


24 The Colony is name after its residents of puppeteers who, along with other street artists and craftsmen from Rajasthan, settled in this locality in the late 1960s.
located a few kilometres (around 5 km) away from the present settlement. The slum dwellers will be accommodated in rows of prefabricated one-room tenements of 12 sq.m, one room per family, with collective bathing and toilet facilities. The construction of the camp was completed in March 2013, but till July 2013 no date was fixed for the transfer.

Four years after the announcement of the project, serious matters of concern remain. Most of the residents’ anxieties ensue from the lack of accurate knowledge and transparency about the modalities of implementation. Although meetings were held to present the project to the residents, the information provided by the DDA remained very incomplete. In particular, major issues were not clarified till date (July 2013). Those include:

- the eligibility criteria to access a flat in the re-housing scheme: which cut-off date of arrival in the settlement will be applied? in case of joint families with married children, and of houses with an additional floor, whether they will be entitled to more than one flat?

- the financial conditionality: whereas politicians have promised “free housing for the poor” to the residents, as per the policy guidelines of the DUSIB that the DDA is supposed to follow, the beneficiary families will have to contribute their share – but the amount is not decided yet;

- the family occupancy status in the flats: tenant, lease holder with attached conditionality, owner with full property rights?

Moreover, the list of households surveyed by the DDA in 2010 in order to establish the list of beneficiaries was disclosed only in May 2013, after much pressure and mobilisation from the residents and their local leaders; still uncertainties remain about the final list of eligible households.

The lack of a proper consultation procedure and involvement of the affected community is another source of concern for the social sustainability of the rehabilitation project. The consultation procedure in the initial phase was mediated –and controlled– by one NGO working with only one section of the slum dwellers. However, the role of this NGO was controversial, and its legitimacy in representing all the residents was challenged by another rival NGO. There was no systematic consultation procedure to ensure that all the different communities in the settlement were taken into consideration. Further, the complex of flats for re-housing the slum dwellers, as well as the transit camp, were planned and designed without any attempt to incorporate the perspectives of the people who would inhabit them.

Apart from the Kathputli project, the DDA has initiated the process to redevelop other slum settlements in partnership with private builders. Yet, out of the 37,000 flats announced in 2008 to rehabilitate the slum dwellers under this new strategy, none was built five years latter.

**Concluding remarks**

Slum dwellers in Delhi have paid a high price in terms of displacements for urban renewal operations, modernisation of infrastructure and new real estate developments. Further, the squatters’ relocation policy implemented in Delhi until 2010 remained limited to being a policy for the eradication of the symptoms of housing poverty in the most visible urban spaces, but cannot be qualified as an urban poverty eradication policy. In fact, this slum clearance policy further impoverished the large number of slum-dwellers who were excluded
from resettlement programmes, as shown first of all by the growing population of the homeless.

What would be the prospects of the new strategy initiated in Delhi by the DDA, namely slum in-situ rehabilitation under public-private partnership? Although the early stage of implementation of the scheme does not allow a comprehensive assessment, most of the limitations and criticisms already identified in the case of Mumbai (Burra 20005, Nijman 2008) would be also relevant for Delhi. Thus, too much should not be expected from the involvement of the private developers in slum in-situ rehabilitation projects; this is unlikely to provide a comprehensive, large-scale and sustainable solution to the lack of decent housing for the urban poor.

In addition to the potential exclusionary effect of the significant financial contribution expected from the slum dwellers as per the new policy, for in-situ rehabilitation as well as resettlement, the exclusionary effects of other eligibility criteria stated in the last policy guidelines to be followed in Delhi are likely to perpetuate squatter settlements. Furthermore, the third listed point, namely “The jhuggi-jhompri dweller cannot claim the allotment of a flat as a matter of right”25, shows that, the strategy towards slums and squatter settlements may have shifted to a new economic paradigm, but the underlying perception of slum dwellers remains marked by prejudices. Slum dwellers are still viewed as squatters and encroachers, and not as victims of lopsided urban development. As phrased by Gita Dewan Verma (2003), there is also a need for a shift from a “politics of favours” to an “entitlement paradigm” that will accept the possibility that the poor have rights.

The lack of transparency and rigour in the planning process, as well as the lack of a proper consultation procedure and involvement of the affected community in its own rehabilitation scheme, constitute further matters of concern. The examination of the pioneer projects (for Delhi) underlines an authoritarian top-down approach with no proper space provided for the participation of the concerned communities, despite the principles stated in the new national strategy for “Slum-Free City Planning”. Retention of information and opacity characterize the mode of governance in the two projects studied. Another set of issues emanates from conflicting uses of space and divergent interests between the various stakeholders. Furthermore, although not developed in this paper, divisions among the residents of the same settlement hinder their organization capacity and hence their negotiating power to push their cause26.

Unless all these challenges are addressed by the concerned parties, including the civil society, it is doubtful that the urban poor find an adequate place in the planning of the city. Nevertheless, this remains the responsibility of the state that should also ensure that the private builders’ search of profit would not be at the expense of the living conditions of the slum dwellers.


26 For details, see Dupont and Saharan (2013).
References


