

Safe and Inclusive Cities



Delhi: City Profile

Neelima Risbud

*Poverty, Inequality and Violence in Urban India: Towards Inclusive
Planning and Policies*

Institute for Human Development

2016



3rd Floor, NIDM Building, IIPA Campus

M.G Road, New Delhi-110002

Tel: 011-23358166, 011-23321610. Fax: 011-23765410

Email: mail@ihdindia.org web: www.ihdindia.org

CITY PROFILE: DELHI

Contents

Abstract

Acknowledgments

Introduction

1. Context of Historic development.....	1
2. The NCR and the CNCR Regional context	3
3. The City Profile	5
3.1 Demography	9
3.2 Education and Health	10
3.3 Economy, Employment and Poverty in Delhi	11
4. Urban Development initiatives	17
4.1 Master Plan policies and Land Policies.....	17
4.2 Spatial Segmentation.....	20
4.3 Housing Scenario	23
4.4 Designated Slums	25
4.5 Squatter Eviction & Improvement	26
4.6 Resettlement Policies	29
4.7 Regularisation of Unauthorised colonies.....	32
4.8 Integration of Urban Villages	41
4.9 Policies for Homeless in Delhi.....	43
5. Access to Basic Services for the Urban Poor: Policies	44
5.1 Water supply	44
5.2 Sanitation	45
5.3 Drainage.....	47
5.4 Solid Waste Management	49
5.5 Electricity.....	49
5.6 Public Transport.....	50
6. Security and Safety.....	54
7. Issues Governance and Role of Intermediaries	55
8. Conclusion	56
References	

Abstract

This paper profiles Delhi, the national capital and the second largest metropolis in India and the second largest agglomeration in the world with a view to understand the context of the city and the CNCR for the research project “Poverty, Inequality and Violence in Indian Cities: Towards Inclusive Planning and Policies.” The paper comprises of two parts. Part I lays out the relevant urban context by city's historic background, governance framework, demography, migration patterns, economy and employment, impact of implementation of Master plan policies, land policies in informal developments and exclusion of the poor; policies for informal settlements including judicial intervention leading to spatial dislocation of urban poor housing. Inequality in terms of access to services and emergence of informal employment

Part II identifies and discusses some of the key arenas of conflicts and violence that are linked to informality, access to services, jobs and mobility, women's safety and cultural conflicts.

List of Tables, Figures and Boxes

List of Tables

Table 1: Decadal increase in Population in NCR

Table 2: Growth of Urban area in NCT of Delhi

Table 3: Residential Houses and Households during 1991, 2001, 2011

Table 4: Type of Settlements in Delhi

Table 5: Growth of J.J. Clusters in Delhi.

Table 6: Nuber of JJ clusters

Table 7: Growth of unauthorised colonies in Delhi

List of Figures

Fig1: Different cities of Delhi

Fig2: Shahjanabad

Fig3:New Delhi

Fig 4: National Capital Region

Fig 5: Administrative Boundary of the city

Fig 6: Population of NCT Delhi over time, from 1901 to 2011

Fig 7: Master Plan 2021

List of Boxes

Box 1: Work and livelihoods of the cycle and theli rickshaw pullers in Delhi

Box 2: Work and livelihood of the informal workers in the solid waste management in Delhi

Box 3: Work and Livelihoods of the Women Home Based Workers in Delhi

1. Context of Historic Development

Delhi, the capital of India is one of the oldest historic cities of India. It is known to have existed since 1450 B.C. when it was called the Indraprastha. Subsequently it was developed by different rulers and dynasties and was known by different names - Indraprastha, Lal Kot, Siri, Tughlakabad, and Shahjahanabad. Situated along the banks of river Yamuna the settlements of different sizes were developed at different locations by various rulers but most of them are in ruins. but these various 'historical cities' form a part of the built-up area of the present Delhi. Seventh city,

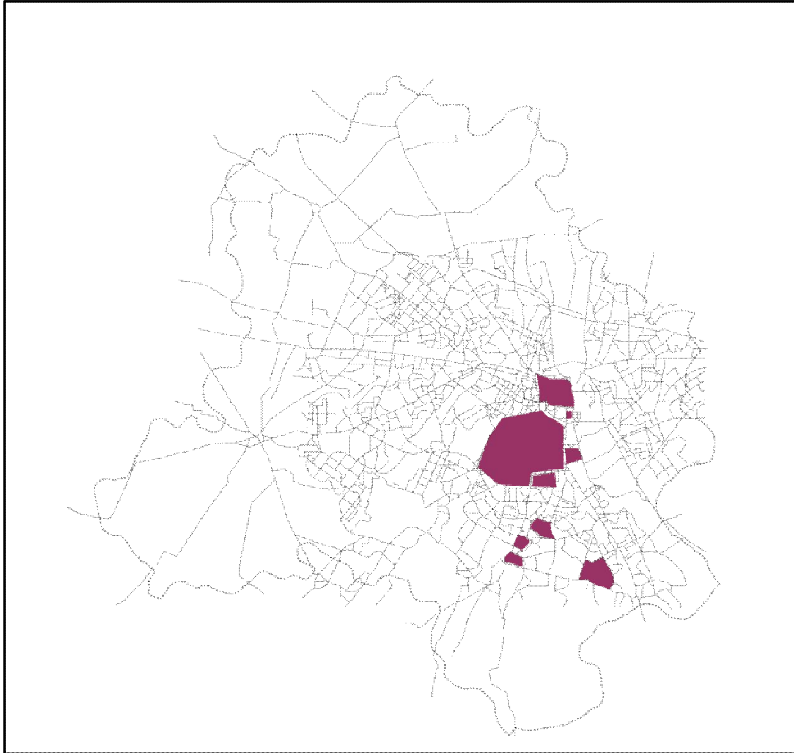


Fig 1: Different cities of Delhi

Source: Survey map of India, Census of India

- **Indraprastha**, built by a Pandava king about 1400 BCE. (see map below for location.) This city is mentioned in the *Mahabharata*.
- **Dilhu**: Built by Raja Dilhu in the first century BCE and named for him. In the 12th century Dilhu became the capital of a Cauhan king but this king was defeated in that same century by a Muslim invader. The invader made Delhi his capital. One of this invader's successors built the second Delhi (the third capital city of the region) in the thirteenth century.
- **Siri**: Built by Ala'-ud-Din Khalji around 1300.

- **Tughlakabad** (The City of Tughluq): This city was built by Ghiyas-ud-Din Tughluq in the 1320's. It had to be abandoned because of insufficient water at the site. The court moved back to City.
- **Jahanapanah**: The son of Tughluq, Mohammad bin Tughluq, extended City to the northeast and built fortifications around it. It was called Jahanapan.
- **Firuzabad** (The City of Firuz): City #5 was abandoned when Firuz Shah Tughluq came to power. In 1354 he moved his capital to a site near where City #1 had been located. In 1526, the Mughal leader Babur made Delhi (City #6) his capital.
- **Din Panah**: The son of Babur, Humayun, built a new capital and called it Din Panah.
- **Sher Shahi**: Humayun was overthrown by Sher Shah in 1540. Sher Shah built a new capital. The Mughal emperor Akbar moved his capital away from Delhi and his successor, Jahangir, then moved his capital to Agra.

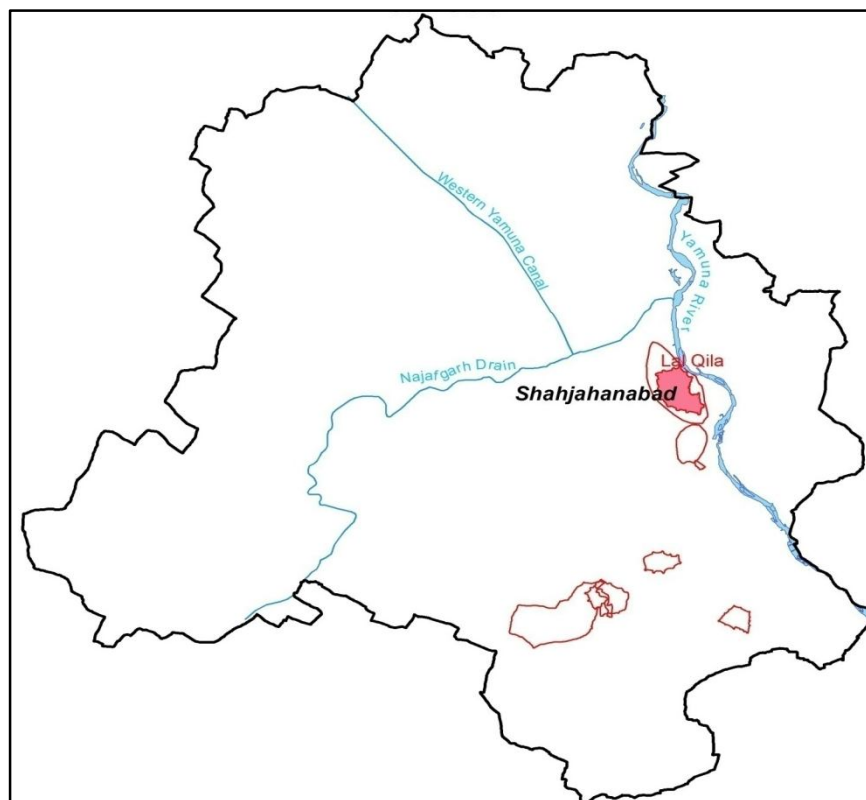


Fig 2: Shahjanabad

Source: Survey map of India, Census of India

Shahjahanabad a walled city with four gates was built in the period 1650-56, by Mughal emperor Shahjahan. While all earlier cities are in ruins, Shahjahanabad is still a 'living city' and even today forms the commercial core of today's Delhi and therefore

needs more description. The settlement with a few land marks developed in an organic pattern. Red Fort, the fortified palace of the emperor, was a major focal point between the river Yamuna and the walled city. Delhi became an important centre for trade and commerce during Mughal period. Social hierarchy was determined by proximity of the residential area to the palace. Residential areas were divided on the basis of social and occupational groups. “On the fringes of the walled city were those separate territories, assigned to poverty”, Gupta (1998, p. 54)¹. Around the network of streets and lanes, residential enclaves known as '*Mohallas*' lived and worked in close proximity on the basis of homogeneous social class and occupations, the lower castes were housed on the periphery. Houses were inward looking with internal courtyards. Commercial activities grew along the main streets. Today, Chandni Chowk, the main spine of walled city is the busiest and most important business centre not only for Delhi but of the entire northern India.

However, the area continues to function as the Central Business District of Delhi even today. This has exerted immense pressure and leading to intense commercialisation and congestion. The deterioration of living environment prompted many well to do population to shift to better, new planned residential areas. A significant area is also notified as 'slum' under the Slum Clearance Act of 1956.

The city came under British control in 1803. With the advent of the British, the first colonial settlement came north of but segregated from the walled city for the military and civil administration. In 1911 King George V proclaimed that Delhi would henceforth be the capital of the Indian Empire.

The British Government decided to move the capital of British India from Calcutta to Delhi and build a new city to house the government. It took until about 1931 to complete the building. New Delhi and New Cantonment came up in new locations south of the Walled City. The planning reflected European concept of the 'garden city', reflected in the large hexagons and wide tree lined avenues totally separated from the indigenous walled city of the natives. Lutyen's colonial city reflected hierarchy making clear spatial differences on the racial basis between European and Indian officers/clerks.

¹ Gupta, N., 1998. Delhi Between Two Empires. 1803–1931: Society, Government and Urban Growth. Oxford University Press, Oxford Indian Paperbacks, Delhi

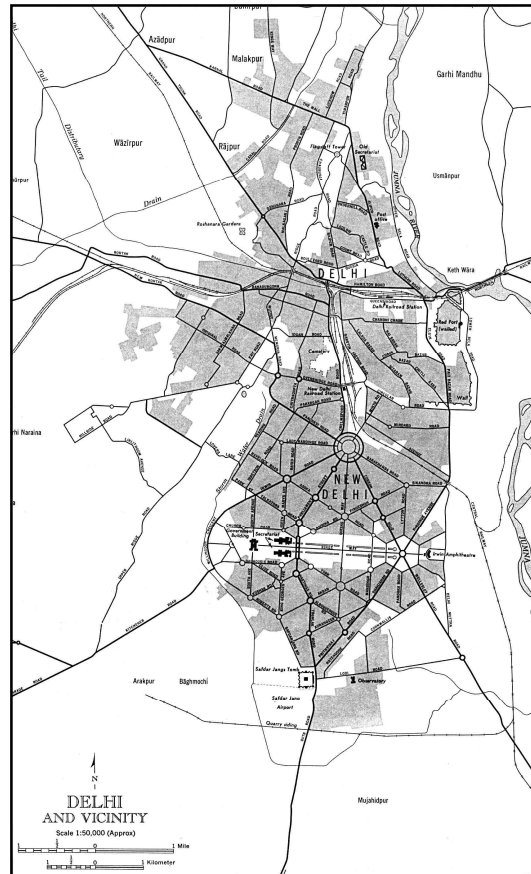


Fig 3: Imperial New Delhi

Source: PCL Map Collection, University of Texas Libraries

The old city, of course, continued to provide for New Delhi in various ways which is evident, for instance, from the fact that more than half of the clerks who worked for the government, lived there.² A sharp contrast existed between the old walled city of Delhi and imperial new Delhi reflecting the might of colonial rulers. The heart of the city comprises of large size plots and has very pleasant environment with landscaped avenues and vistas.

The transfer of the capital of British India from Calcutta had led to a population influx that New Delhi was unable to accommodate, leading to urban congestion in Old Delhi. Despite the best efforts of the municipality, problems of incremental random additions to buildings persisted because the population of the city was rapidly increasing and the demand for living space far exceeded the supply. To address the issue of growth and the neglect of old Delhi, the Delhi Improvement Trust was formed in 1937. DIT undertook projects for housing higher middle and even poorer residents (referred to as re-housing projects). The re-housing projects for poor were located on the outskirts of the city, with much higher densities and smaller dwelling size.

New Delhi now is the seat of Government of India. After the independence of the country in 1947, Delhi was faced with the challenge to manage post partition influx of an estimated half a million Hindu and Sikh refugees from Pakistan. A large number, as many as thirty six, rehabilitation colonies for refugees were developed as emergency

² Stephen Legg, *Spaces of Colonialism - Delhi's Urban Governmentalities* (Chennai: Blackwell Publishing, 2007 Indian reprint)

projects. Besides, housing staff quarters for employees of various Central Government Ministries and departments were developed in a big way mostly in South Delhi. Continuing the British legacy, in these Staff housing also there was a strong spatial segregation between various classes of employees on the basis of their hierarchy of income and official entitlements.

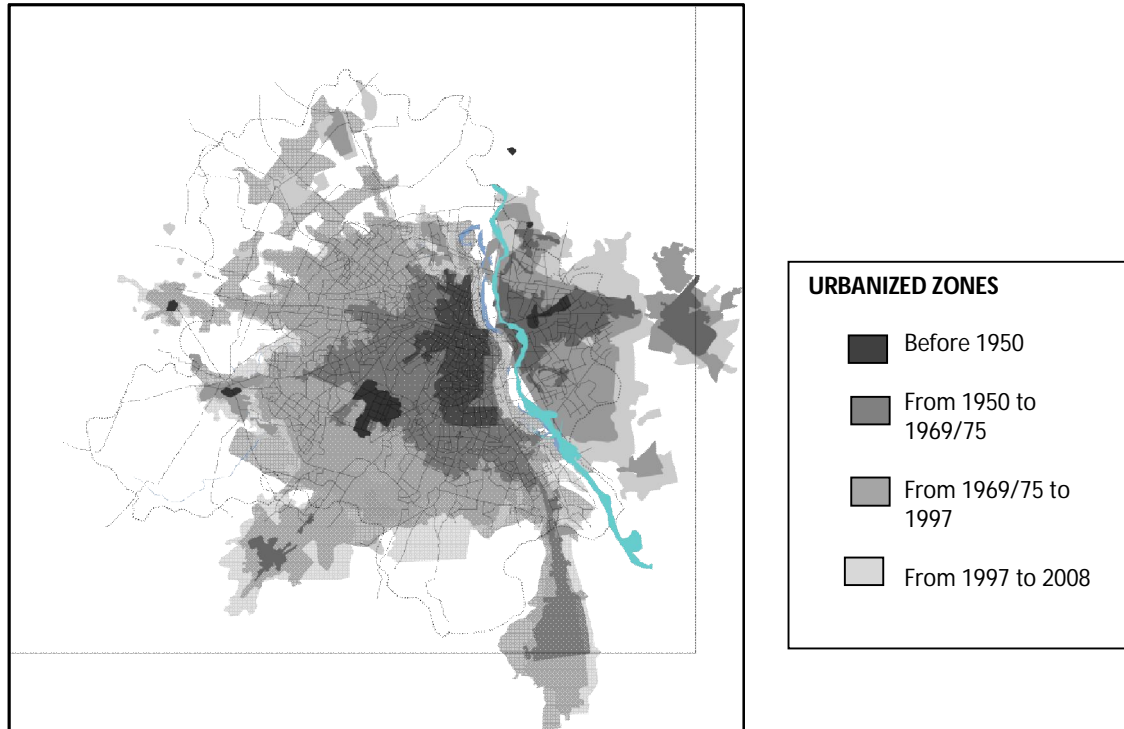


Fig 3: Growth of Delhi

Source: Survey of India, Véronique Dupont, Delhi Development Authority

The retail and general merchandise shops under the incredibly hardworking and pushy Punjabi refugees, in fact, became the primary reason why Delhi, post-independence, became a big retail market city.³ it also hastened alarming price rise and haphazard urban growth. By 1956, the then Prime minister had decided that there would be a central authority to control and regulate the expansion of Delhi and that this authority would draw up a detailed plan for this purpose. In 1957, institutions responsible for planning, upkeep and problems of the city were created. The Municipal Corporation of Delhi (MCD) and the Delhi Development Authority (DDA) were set up that year, with the DDA's objective being "to promote and secure the development of Delhi according to Plan." Delhi Development Authority was set up by the Central Government. First Master Plan for Delhi was prepared with help of Ford Foundation, with the perspective upto the year 1981.

2. The NCR and the CNCR Regional Context

The concern for phenomenal growth of the city that the need for planning Delhi in the regional context was felt. In 1985, with enactment of the National Capital Region Planning Board Act, 1985 of Government of India, NCR Planning Board (NCRPB) was

³ Nayanjot Lahiri(2011) Delhi's Capital Century (1911-2011): Understanding The Transformation Of The City, Yale University

constituted. The aim was to develop a metropolitan area around Delhi, so as to deflect increasing pressure of population from Delhi and to promote balanced and harmonized development of the Region by channelising the flow and direction of economic growth (on which the urban phenomenon feeds) along more balanced and spatially-oriented paths.⁴ A total of 18 districts in three neighbouring states of Haryana, Uttar Pradesh and Rajasthan along with whole of the National Capital territory of Delhi (NCT) the National Capital Region (NCR) of India as defined in National Capital Region Planning Board (NCRPB) Act, 1985.

The vision of the NCR Regional Plan-2021, notified on 17th September, 2005 is to develop the entire NCR as a region of global excellence. The Plan aims to promote economic growth and balanced development of the Region and seeks to attain these through (a) providing suitable economic base for future growth by identification and development of regional settlements capable of absorbing the economic development impulse of Delhi.

Table 1: Decadal increase in Population in NCR

Sub-regions	Increase in Population (in lakhs)	
	1991-01	2001-11
NCT- Delhi S.R	44.3	29.0
Haryana S.R	20.4	23.5
Rajasthan S.R	6.9	6.8
Uttar Pradesh S.R	25.7	30.1
NCR	97.3	89.4

Source: Census of India, 1991 - 2011* (Provisional)

Density of population in NCR has more than doubled from 657 Persons per sq.km in 1981 to 1349 persons per sq.km in 2011 in the last three decades.

The concept of *Delhi Metropolitan Area* was well recognized in the first Master Plan of Delhi (MPD-1962), which had defined DMA as an area of 800 sq km. The Delhi Metropolitan Area Towns are those, which are located in the Delhi Metropolitan Area as delineated by NCR Plan - 2001. These towns are Ghaziabad and Noida in Uttar Pradesh Sub Region of NCR and Faridabad, Gurgaon, Bahadurgarh-Kondli in Haryana Sub Region of NCR. As per NCR Plan - 2021, the Delhi Metropolitan Area has been redesignated as *Central National Capital Region (CNCR)*. The total area of the CNCR would be about 2000 sq. km Among the DMA Towns, Faridabad and Ghaziabad have already attained the status of million plus cities. Although lying in different States, there is virtual continuity of Delhi with these surrounding areas. The interaction between Delhi and the adjoining towns within Delhi Metropolitan Area has become more and more intensive and has shown increasing interdependence with each other. Services both economic and social and also job opportunities to a great extent serve the floating population from the DMA Towns and the migrants.⁵

⁴ <http://ncrpb.nic.in/ncrconstituent.php>

⁵ Government of India, (2007), Evaluation Study Of DMA Towns In National Capital Region (NCR)

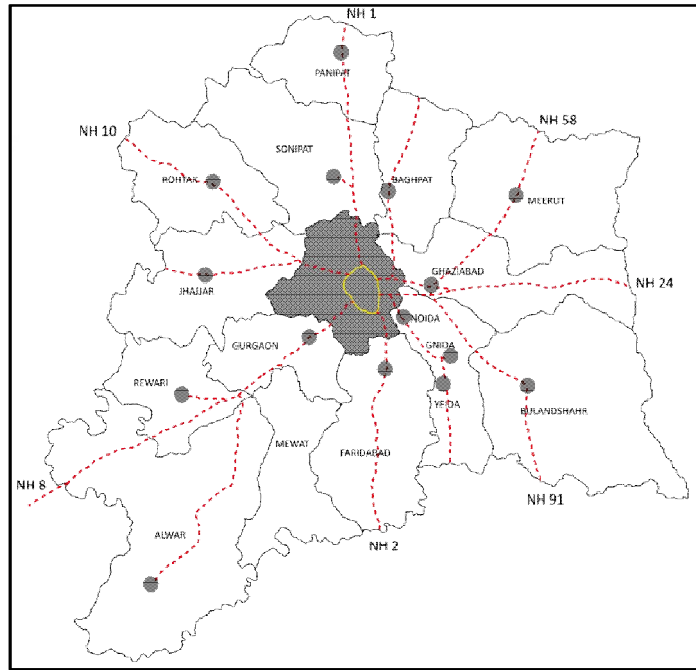


Fig 4: National Capital Region

Source: Census 2011, World Bank

These cities /towns have benefited especially with regard to transportation through better connectivity, communications, availability of housing and options for industrial development which have enabled DMA cities /towns to carve their own niche and also shared the infrastructure

burden. However, at the same time some of the issues like uniform taxation, single transport authority, and differential tariff structure and property taxation have not enabled the DMA towns/cities to emerge as viable economic entities. This has also lead to non-fulfilment of the objectives of NCR Plan – 2001(T&CPO,2007). Seamless urbanisation and knotted city growth for DMR as urban growth is not restricted within the administrative boundaries of Delhi but has spilled over to cities of surrounding states giving it a seamless character and the rapid growth of the million plus cities in close proximity to Delhi have emerged like knots in the spatial framework of DMR.⁶

3. The City Profile.

Delhi, being the seat of India's central government was a Union Territory. But with the initiation of the democratic decentralization process 1990s and the adoption of the 69th Constitutional Amendment Act led to the creation of the first city state of the country-the National Capital Territory of Delhi. The total area of NCT Delhi is 1483 Sq. km. In 1996, Government of NCT of Delhi, through a Gazette notification, created 9 districts and 27 sub-divisions. Over the years, Delhi has undergone a change from predominantly

⁶ Manisha Jain, Hannes Taubenböck, Sridharan Namperumal (2011) Seamless urbanisation and knotted city growth: Delhi Metropolitan Region. http://elib.dlr.de/76310/1/Final_Real_Corp_2011.pdf accessed on 29.9.14

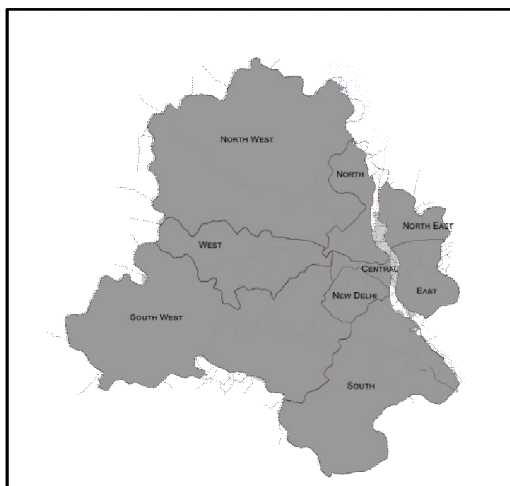
rural area to urban. This pace of urbanization has reduced the number of villages in Delhi from 300 in 1961 to 165 in 2001 and 112 in 2011, The number of urbanized villages has increased from 20 in 1961 to 135 in 2011. The number of census towns have increased from 3 in 1971 to 29 in 1991 and 110 in 2011.

Table 2: Growth of Urban area in NCT of Delhi

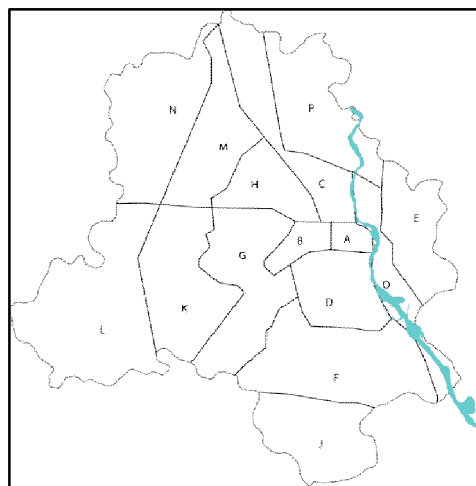
Classification of Area	1991		2001		2011	
	Sq. Km	%	Sq. Km	%	Sq. Km	%
Rural	797.66	53.79	558.32	37.65	369.35	24.91
Urban	685.34	46.21	924.68	62.35	1113.65	75.09
Total	1483.00	100.00	1483.00	100.00	1483.00	100.00

Source: *Census of India*

The rapid decline in rural population during 2001-2011 is due to the fact that most of NCT Delhi has now been earmarked as 'Urbanisable' area as per Master Plan for Delhi-2021.



Administrative Zones



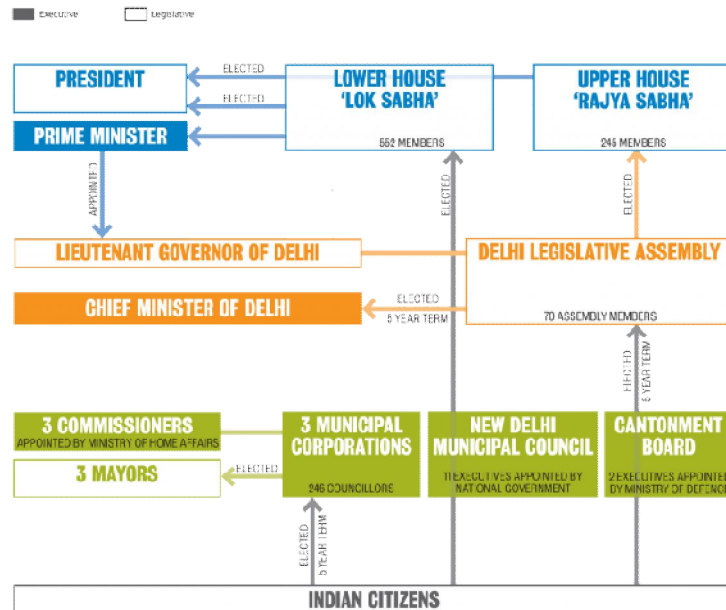
Planning Zones

Fig 5: Administrative and Planning Zones of the city

Source: *Census 2011, Delhi Government, Delhi Development Authority*

Delhi then had its own Assembly and Council of Ministers. however land development and law and order, continued to remain with the remain with the national government. Lieutenant Governor, Council of Ministers and Chief Minister forming the Government of National Capital Territory of Delhi (GNCTD). The Legislative Assembly seats are filled by direct election from territorial constituencies in the NCT. However, the union Government of India and Government of National Capital Territory of Delhi jointly administer New Delhi.

POLITICAL REPRESENTATION



ADMINISTRATIVE BOUNDARY



source

The four major institutions governing Delhi include the elected State government of Delhi, office of the Lieutenant Governor, Municipal Corporation of Delhi (MCD) and the Delhi Development Authority (DDA). The latter three are accountable to the Central Government and hence, the elected government finds itself constrained while trying to effectively address the citizens' concerns. Moreover it is on unique case where the geographical jurisdiction of State Government and MCD were congruent. New Delhi Municipal Corporation (NDMC) and Delhi Cantonment Board (DCB) are also involved in the governance of Delhi. The New Delhi Municipal Council area comprises of the territory that has been described as Lutyen's Delhi and which has historically come to be regarded as the seat of central authority in Union of India. In 1957, under the Delhi Development Act, Delhi Development authority was created and employees of earlier Delhi Improvement Trust were absorbed into it. The Delhi Development Authority, is responsible for preparation and enforcement of the Master Plan of Delhi. It is also the sole agency mandated to develop and dispose of land in the city, thereby preventing the participation of private developers in the city.

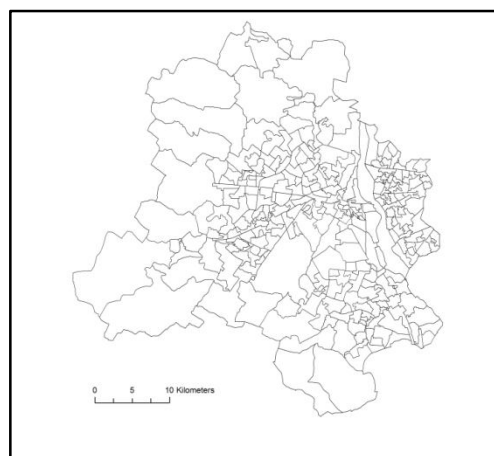


Fig 5: Ward Map of Delhi

Source: Census 2011, Delhi Government, Delhi Development Authority

The Municipal Corporation of Delhi was subsequently trifurcated into North Delhi Municipal Corporation, South Delhi Municipal Corporation and East Delhi municipal Corporation.

Fragmentation of authorities and multiplicity of power centres also limited the roles of councillors and MLAs, in addressing varied needs that are interconnected, but separated administratively. Despite being elected representatives MLAs and councillors can not address the needs of land tenure security of the vulnerable sections of the population. Public Works Department (PWD), and Central Public Works Department (CPWD) are also involved in management of Delhi. The Delhi Vidyut Board was formed by the Government of NCT Delhi in 1997 for the purpose of generation and distribution of power to the entire area of NCT of Delhi except the areas falling within the jurisdiction of NDMC and Delhi Cantonment Board. As a move towards privatisation, in 2002, The Delhi Vidyut Board (DVB) was unbundled into six successor companies. Another parastatal, the Delhi Jal Board (DJB) was constituted in 1998 through an Act of the Delhi Legislative Assembly incorporating the previous Delhi Water Supply and Sewage Disposal Undertaking. DJB is also responsible for treatment and disposal of waste water. A Delhi Road Transport Authority was constituted under the Road Transport Corporation Act, 1950. This Authority became undertaking of Municipal Corporation of Delhi by an Act of Parliament in April, 1958. whereas the Delhi Metro Rail Corporation Ltd. (DMRC), is a state owned company that operates the Delhi Metro in the National Capital Region. The DMRC has equal equity participation from the Government of India and the Government of Delhi. As can be seen, Delhi is marked by an unusual density of Governance institutions creating serious problems of coordination not only between organisations but also at various levels of government, between various ruling parties at local state and central level creating issues of accountability.

3.1 Demography

As per Census 2011, population of Delhi, as on 1st March, 2011, was 16.75 million as against 13.85 million as on 1st March, 2001. According to census 2011(provisional) about 97.50 per cent of the population of Delhi live in urban areas and remaining 2.5 percent in rural areas. This urban population includes population of 110 Census towns in 2011 Census

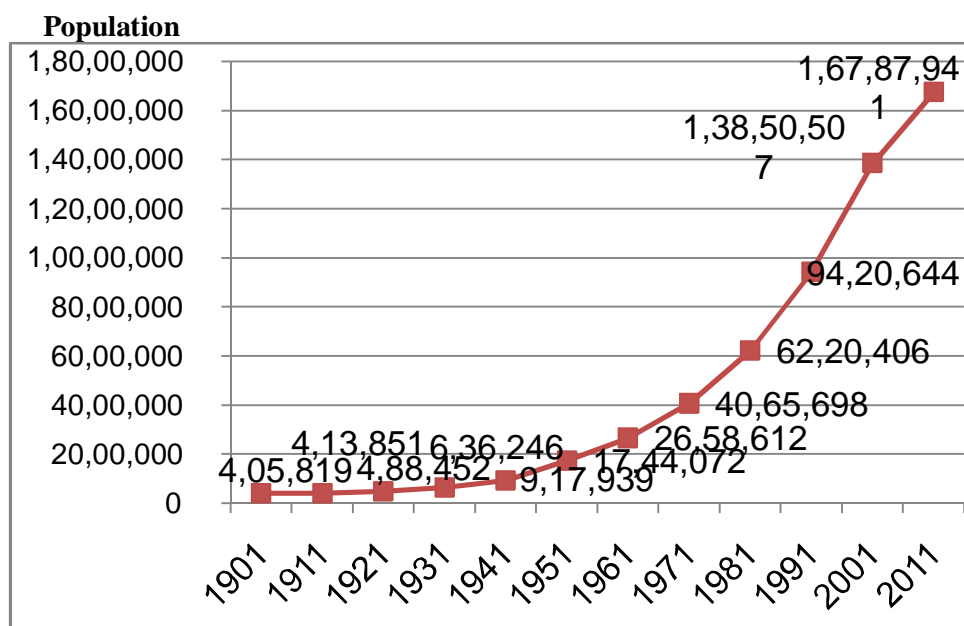
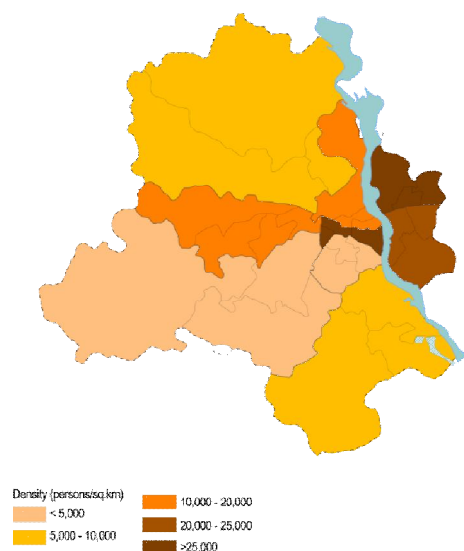


Fig 6: Population of NCT Delhi over time, from 1901 to 2011

The decadal growth rate of population during 2001-2011 was recorded at 21 per cent. The decadal growth of population in the National Capital Territory of Delhi during the period 1951-1991 has been consistently above 50%, but in the last two decades, it has steadily declined from 47.0 % in 1991-2001 to 21.0 % in 2001-2011. The lower growth in Delhi may be due to spill over of Delhi's population in adjoining CNCR towns of NOIDA, Gaziabad, Faridabad, Gurgaon. During the last decade (2001-11) as much as 29 Lakh persons were added in Delhi's population. the population increase has led to increase in population density from 9340 persons/sq.km to 11320 persons /sq. km., an increase of 21%. Sex ratio increased during the last decade in Delhi from 821 in 2001 to 866 in 2011. The average size of household in Delhi was found of 5.02. and the total number of urban households was 32.61 lakhs and rural households was 00.79 lakhs.

There is a sharp slowdown in net migration to NCT Delhi from 17.6 lakh during 1991-2001 to 6.8 lakh during 2001-2011. As a State, Delhi receives the largest flow of migrants anywhere in urban India. The two largest streams of migration to Delhi are from Uttar Pradesh and Bihar. The main reasons for migration to Delhi being better employment opportunities and shifting of residence, highest per capita income and income growth among Indian metros; a huge concentration of wealth, resources, infrastructure and large number of service sector jobs on offer in Delhi, increasingly in the informal sector. Education is also becoming a big draw, as also health services.



As per the Census 2011, the SC population of NCT Delhi was 2.8 million (16.7 per cent of the total population). This indicates a declining trend over the last two decades. Hindus form the largest religious category, with an 82 per cent share in the population (Census, 2001). Muslims and Sikhs are other important religious groups, comprising shares of 11.7 per cent and 4 per cent, respectively, in the total population.⁷

3.2 Education and Health

The universities in the city attract students from all over the country as well as from abroad, making it the educational and cultural centre of the country. Delhi recorded an improved literacy rate of 86.21% in 2011 over 2001. Literacy rate both for men and women has shown improvement over 2001. Male and female literacy has increased to 91 percent and 80.9 percent respectively. The GERs for the SCs at 69.5 per cent and for the STs at 54.1 are rather low. In Delhi, primary education is mainly the responsibility of local bodies—the Municipal Corporation of Delhi (MCD), the New Delhi Municipal Corporation (NDMC) and the Delhi Cantonment Board (DCB). However, the Directorate of Education has also introduced primary classes in 364 Sarvodaya Vidyalayas of the Government of NCT of Delhi. In 2010, there were 5043 schools in Delhi, including 2613 pre-primary and primary schools, 588 middle schools, and 1872 secondary/senior secondary schools providing enrolment to 3.9 million children and with a total teaching staff of 0.11 million. An important feature of education in Delhi is the marked presence of private schools with 28.4 per cent of all school-going children at the primary and upper primary levels attending private schools (Economic Survey, 2012-13). This proportion increases to 42.71 per cent for the secondary and senior secondary levels, indicating the preference among students for private schooling at higher levels of education

Overall, Delhi has shown significant improvements in its vital statistics pertaining to the population over the last three decades. Persistent rise in the life expectancy, also across gender the expectancy of life at birth, a key component of the UNDP's HDI calculations, at 72 years, Infant mortality in Delhi, at 28 (per '000 live births),⁴ in 2011, remains one of the key indicators, which, however, falls short of being impressive. The recent trends demonstrated by the incidence of neo-natal and post-neo-natal deaths in

⁷ Institute of Human Development, "Delhi Human development Report, 2013".

Delhi strongly indicate an urgent need for stressing on mortality risk reductions among infants aged less than a month. In 2012, the CRS estimates put the MMR levels at 104, falling from about 130 in 2010 and 146 in 2011. in Delhi. First, among the major infectious diseases responsible for deaths, tuberculosis (TB) is the cause of the largest number of adult deaths in Delhi and pneumonia for children. Secondly, all the three major non-communicable diseases, that is, cancer, heart diseases and diabetes, showcase casualties in the prime productive ages of 45-64 years. The burden of disease statistics further reveals that for communicable diseases (Figure 4.4), a major share is attributable to acute respiratory infections (43 per cent), followed by acute diarrhoeal diseases (23 per cent). For non-communicable diseases, on the other hand, cardiovascular problems including cerebrovascular diseases (16 per cent), hypertension (19 per cent), and ischemic heart disease (6 per cent) were the major ailments for which patients sought treatment.

3.3 Economy, Employment and Poverty in Delhi

The growth of Delhi has been a result of growth of its economic activities which have grown and diversified since independence. Trade and commerce are major sectors of economy, Delhi is the largest commercial centre of northern India;. It is a major distribution centre for redistribution of goods for food grains, fruit and vegetables and steel. The tertiary sector is the key driver of Delhi's economy. Its contribution is consistently high and has increased over the years, from 80.5 per cent in 2004-05 to 85.8 per cent in 2012-13.. This sector consists of trade, hotels and restaurants, transport, communications, financial and insurance services, real estate, public administration and other social and personnel services.⁸ The share of the secondary sector has declined as subsequent master plans policies proposed closure of polluting industrial units . and the closure of industrial units from unapproved industrial areas /non confirming uses.

The gross state domestic product (GSDP) of the state has increased three and half folds from 2004-05 (₹100.3 thousand crore) to 2012-13 (₹ 365.7 thousand crore) at current prices.(at constant prices ?) Per capita income (GSDP) of Delhi crossed ₹ 2.01 lakh per annum in 2012-13 at current prices, which is three times higher than the national average and second highest in the country. The labour force participation rate in Delhi but remained almost constant at 34 per cent during the period 2004-05 to 2011-12. In the year 2011-12 women's participation though marginally improved , was just 11.1 per cent against 54.8 per cent participation for men. Interestingly female workers have almost doubled during the period 1999-00 to 2011-12, and female unemployed have reduced during this period from 3.8 lakhs to 3.3 lakhs. Delhi's employment is dominated by four sector viz.(i) trade, hotels and restaurants (ii) manufacturing, (iii) public administration education health & others and (iv) finance, real estate & business. The employment in organised sector in Delhi during the last decade has shown a declining trend at 0.2 per cent per annum. During the same period the employment in organised private sector has shown a positive growth at 1.31 per cent per annum from a low base. But it could not arrest the decline in organised sector employment because of large decline in the organised public sector employment.⁹

⁸ DHDR

⁹ Source: Economic Survey, Delhi, 2012-13

In the last fifteen years, since the policies of liberalization, privatisation and globalisation were initiated, the traditional pattern of mixed use neighbourhoods have changed to exclusive 'gated communities, from informal 'bazzars to shopping malls. This has been the result of major intervention by the Supreme Court which led to closure of polluting and non confirming industries in Delhi which mostly impacted the poor workers working in these establishments., It all started with a Public Interest Litigation (PIL) in the Supreme Court in 1985. The said petition (Writ petition Civil No. 4677/1985) was essentially concerned with air pollution caused by the stone crushers in South Delhi and Haryana and was in no way related to industrial pollution. Subsequently, the same lawyer filed an application under the same case in 1994 requesting the court to issue directions for closure of hazardous and noxious industries in non-confirming areas. Acting on the petition the Supreme Court. on July 8, 1996 wherein it ordered 168 'hazardous and noxious' units to either close down their shops or move out of Delhi. Overnight more than 50,000 workers lost their jobs. The compensation announced was a meagre one-year salary in case the unit decides to close down. After a series of spectacular protests by workers and concerned organizations and individuals under the banner of Delhi Janwadi Adhikar Manch (DJAM), the government was forced to increase the compensation to the equivalent of six years' wages. In any case, most of the workers ended up in penury because being contract labour, they were not on factory rolls and thus not eligible for any kind of compensation.¹⁰

The second leg of closures started in 2000. This time around not only polluting industries but also non-confirming industries came under fire. Non-confirming industries are those units which function outside the areas earmarked as industrial areas in the Master Plan land use zoning.

This triggered a violent reaction among one and half million industrial workers in the city who went on rampage in different parts of the city, attacking public properties, burning vehicles and fighting pitched battles with the police, who opened fire every few minutes. A Committee of officials drawn from various agencies of the Government inspected the industrial units under heavy police protection and took decisions on spot for sealing the polluting units. Instead of relocating these units in planned industrial areas, Government made efforts to regularise, to redefine 'non confirming'. Many factory owners alleged wrongful and arbitrary sealing, a few closed down affecting employment of poor workers.

Successive authorities in Delhi have done nothing to prevent the haphazard growth of industry in the capital or to ensure the control of air and water pollution and the observance of basic safety standards. As a result industrial workers are compelled to labour for a pittance in dirty, unhealthy and often dangerous conditions while the health and lives of local residents—often the same workers and their families—are also put at risk.¹¹

10 Lalit Batra Politics of Pollution in 'Global' Delhi
http://www.cpiml.org/liberation/year_2004/December/commentary4.htm
accessed on 25.9.14

¹¹ Terry Cook Violent protests in Indian capital over factory closures' , 23 November 2000.

Similarly in 2006, the Delhi High Court sent a notice to the MCD to remove all the commercial establishments in residential areas in the city. Following demolition, there were some violent reactions the demolition activities are suspended. However the matter was heard by the Supreme Court which extended the deadline after seeing the tense situation in the capital. It ordered traders to submit affidavits stating that they will shut down their businesses or face action. Over 40000 traders filed the affidavits. MCD started sealing the commercial establishments whose owners had failed to file affidavits before the deadline set by the court. In order to save the situation, the central government introduced a bill to suspend the action of municipal authorities. President gave his assent to the bill to make it a law.¹² However this was challenged by the Forum of Resident welfare Associations and the SC termed the new law, which was putting a moratorium on demolitions and sealing in the capital, as invalid. The sealing drive was resumed. The All Delhi Traders Association filed a petition in the SC demanding the implementation of the Delhi Special Provisions Act that suspended the demolitions for a year. The monitoring committee appointed by the SC in consultation with the MCD decides that no day-to-day-need shops will be sealed. Some of the Residents Welfare Associations (RWAs) from the relatively well-to-do colonies, who expressed serious apprehensions about gradual commercialization entering their colonies and making them un-livable, the view projected by a large majority of other interlocutors was that they were quite comfortable with their pattern of mixed land use, and they should not be made the victims of an impractical, segregated land use policy,

Finally in a massive relief for traders in Delhi, living under the constant fear of sealing of their shops after the expiry of the deadline by the Supreme Court, the Delhi Government notified nearly 2200 roads/streets in the Capital as either commercial or mixed land use streets. On 8 February 2007, the Delhi Master Plan 2021 was notified which identifies a mixed land use policy according to which shops on over 2200 roads can function. Supreme Court stayed sealing of commercial establishments in residential areas on 2,183 roads covered by Master Plan Delhi, 2021.¹³ The sealing drive also led to increase in price of formal commercial spaces which were in short supply. Upcoming malls benefitted from it. Informal commercialisation of residential areas was a result of non implementation of Master Plan policies to develop enough commercial space and not making enough provision for unorganised sector.

Even today, most of the employment generation (83 per cent of total which includes self-employed) in Delhi takes place in the unorganised sector. Retail trade dominates unorganised sector employment in Delhi followed by manufacturing of wearing apparel. Next two important employment generating unorganised sectors are wholesale trade and food & beverage service activities (hotel & restaurants). As per the survey conducted by IHD-IRMA in Delhi in 2010, top five major occupations relating to trade, services and construction workers have more than 60 per cent share in total informal sector workers. Street vendors, cobblers, other services workers on streets; small shop keepers & traders; domestic services workers were predominantly working in informal sector. It is also surprising that more than half of the total skilled workers like electrician, mechanics, fitters, repairers, masons, plumbers, painters, welders and carpenters were also working in informal sector and the remaining were in the informal sector.

<http://www.wsws.org/en/articles/2000/11/delhi-n23.html> accessed on 25.9.14

¹² The Delhi Laws (Special Provisions) Act, 2006

¹³ <http://www.downtoearth.org.in/content/court-questions-sealing-relief-law> accessed on 26.9.14

Nearly one-fifth (19 per cent) of Delhi's population live in households with monthly income earning of Rs. 5,000 or less comprising the lowest income group. In contrast, only 4 percent of Delhi's population live in households with monthly income of more than Rs. 50,000 comprising the highest income groups. Largest section of Delhi's population (36 per cent) live in households in monthly income class of Rs. 5,000-10,000.¹⁴

The percentage of population below the poverty line in Delhi was half of national level in 2004-5. However, the picture, at present, is not as bright as percentage of people below the poverty line has increased in Delhi contrary to All India, where proportion of poor has declined during 2004-05 to 2009-10. The number of persons below poverty line in Delhi during 2009-10 is estimated at 23.3 lakh and it works out to be 14.2 per cent of the total population in Delhi. Person below the poverty line in Delhi has increased from 19.3 lakh in 2004-05 to 23.3 lakh in 2009-10. A study entitled "Work and Livelihoods of the Poor in NCR"¹⁵ was conducted in 2011-12, IHD-SDTT with a larger sample and exclusively focuses on work and livelihoods of the poor population of National Capital Region. Government of NCT of Delhi has also enacted the unorganized workers social security act, 2008 and implemented various schemes. Beside this there are various initiatives being taken by the ministry of labour in the matter of social security. Households availing banking services has increased from 51% in 2001 to 77.7% in 2011. For SC households this has increased from 30.6% to 68.2 % in 2011.

Mission Convergence is basically an attempt of the Govt. of NCT of Delhi to lay the foundation for the proper psychological, physical and social development of the poor and unheard communities through adopting a holistic approach towards community welfare, Samajik Suvidha Sangam came into being— a platform where all services / welfare schemes converge. In simple words, we can say it is a plethora of welfare schemes put together. Samajik Suvidha Sangam is engaging NGOs and CBOs in a partnership mode. The mandate of the Mission is to bring together to a common platform the plethora of schemes to eliminate duplications, error records and strengthen the implementation mechanism by use of IT enabled system, rationalize administration, and incorporate partnerships with civil society organizations for more effective delivery. The long-term objective of this project is to package useful social sector welfare schemes focusing on empowerment of the vulnerable population. Under the Mission Convergence program nine government departments have been taken into account with their current entitlement schemes. Each participating department has a Nodal Officer, who is accountable to their department for program implementation.

10. Informal Workers in Delhi

Box 1: Work and livelihoods of the cycle and theli rickshaw pullers in Delhi

As transport sector has been identified as one important sector which provides livelihood to a significant proportion of poor in Delhi. Within the broad sector of transport, the study particularly focuses on three categories of informal workers, namely the cycle rickshaw pullers, theli rickshaw pullers and auto rickshaw drivers. Some

¹⁴ Perception Survey IHD 2013

¹⁵ Kumar, A. *et al.* 2012

salient working and living conditions of the cycle and *theli* rickshaw pullers is presented below.

Cycle and Theli Rickshaw Pullers

Theli and cycle rickshaw pulling activities are not only important as they offer livelihoods to a major section of poor in Delhi but it also provides low cost transportation and comfort to people in the least environmentally harmful way. Therefore, study suggests that it is necessary to frame a progressive policy for enhancing the livelihood and welfare of these informal workers so as to make it a sustainable livelihood pursuit for the poor in Delhi. Some of the findings of the study are as follows:

Both cycle and *theli* rickshaw pullers were largely unorganized, self employed poor workers. Cycle rickshaw pullers in Delhi comprised of both natives and migrants in almost equal proportions and had been working in Delhi for an average of 9 years. Most of the *theli* rickshaw pullers have been staying in Delhi for more than 20 years and have been working for an average of 14 years. Majority of the cycle rickshaw pullers plied a rented rickshaw. Cycle rickshaw pullers preferred plying rented rickshaws as it involves no investment, no dealing with MCD officials for permit which existed earlier and even confiscation of the rickshaw on plea of violating rules was taken care by the owners.

The owners of cycle rickshaw were usually powerful transport contractors and were able to negotiate better with authorities like MCD and police. Consequently, against the rule of one person one rickshaw these contractors owned in some cases more than hundred of rickshaws. On the other hand *theli* rickshaw pullers largely owned their own *theli* rickshaw. A considerable proportion of both *theli* and rickshaw pullers, who owned their vehicle got permits through brokers. On an average, cycle rickshaw pullers and *theli* rickshaw pullers earned Rs. 5550 and Rs. 6264 per month respectively.

Both groups of workers reported taking few holidays annually and both groups worked for more than 12 hours a day on average. Majority of workers in both groups reported some occupational health issues such as body aches, joint issues, respiratory problems etc. Most reported accessing private and often unqualified treatment.

Majority of the workers in both occupations lived in rented, semi-pucca or *kutchha* one room houses, without in-house toilet facilities and drinking water connection. Most of them had electricity connection. Asset ownership was very low - most of them possessed only two basic utilities, namely the gas stove and electric fan. Majority of cycle rickshaw pullers did not possess television or mobile phones, two of the most widely owned assets among the urban poor in NCT. However, majority of the *theli* rickshaw pullers had a mobile phone.

The workers in both groups mostly belonged to the lower castes. A substantial number of their family members were illiterate. On the positive side, majority of the children in the families of both groups were found to be studying. In both groups, many migrant workers stayed alone and not with their family. Only a minor proportion of cycle rickshaw pullers were indebted where as a substantial proportion of the *theli* rickshaw pullers were indebted. Majority in both groups did not have any locally valid identity cards. While awareness of the various government programmes was relatively high, most of them in both groups were not availing any benefits. The most commonly received benefits were though PDS and life insurance.

Study suggests that it is imperative that both cycle and *theli* rickshaw pullers are compensated adequately for their services through decent income and social security.

The recent rulings of Delhi High Court and subsequently Supreme Court in regard to removing any cap on the number of rickshaw are welcomed. But these changes alone are not sufficient. Further, measures needed to be taken to uplift their working and living conditions such as these workers are to be made more aware of the new policy changes. There should be awareness generation regarding various social protection programmes such as public advertisements in Hindi newspapers regarding relevant verdicts and laws. There should be efforts to link rickshaw pullers to micro finance programmes so that they should own a rickshaw. Many cycle rickshaw pullers are migrants; therefore, they need to specifically be supported with identity documents in order to access social security programmes of the government. Health insurance schemes should be targeted specifically at both cycle and *theli* rickshaw pullers.

Source: Kumar, A. et.al. “Work and Livelihoods of the Informal Workers in Transport Sector”; IHD-SDTT Report, 2012

Many Rickshaw pullers, are seasonal migrants, do not have access to social security in the city. The study conducted by Jan Parivahan Panchayat in 2001-2 revealed that around 88 percent of the rickshaw pullers in Delhi do not have ration cards issued by the Government of Delhi, which would entitle them to subsidized grains, cooking oil, sugar and other essential items.

Thus, most rickshaw pullers, deprived of any social security and exploited by the MCD, police and certain sections of society, remain suspended between the poles of “legality” and “illegality.” Although they are citizens of India, as migrants in the city of Delhi they are forced to live a suspended and subversive form of life.

Most rickshaw pullers cannot afford an accommodation in Delhi as the rents are quite high in most parts of the city. Many rickshaw pullers sleep on the pavements and the footpaths, under flyovers and bridges. Those who live in rented accommodation spend a considerable amount of their earning on paying rent.

Unions and NGOs have also been working towards providing help lines and basic necessities such as night shelters, warm clothes in the winter, parking rights and medical support in case of accidents or serious illness. Alcoholism and drug use are also common among rickshaw pullers. Several civil society groups are also working to create awareness among pullers about the ill effects of alcoholism and drug abuse. Several unions have filed litigation against the unjust regulations of the MCD. Way back in 1987, the All Delhi Cycle Rickshaw Operators Union filed a petition in the Delhi High Court challenging the MCDs Bye-Laws, arguing that they were opposed to Article 19(1)(g) of the Constitution of India,¹⁶ In another case filed by Manushi, the Delhi High Court passed a judgment in favor of the rickshaw pullers. The court argued that putting a cap on cycle rickshaws alone in Delhi is unjust. The MCD’s Act directly denied rickshaw pullers the right to do decent work, earn a livelihood and live with dignity.

¹⁶ Pedaling for Bread: Rickshaw Pullers of Delhi Struggle for a Living

<http://www.ritimo.org/article4819.html> accessed on 10.2.15

Box 2: Work and livelihood of the informal workers in the solid waste management in Delhi

Study of work and livelihood pattern of workers in solid waste management sector is important in the context of changing policies of municipal waste management, like the banning of plastic waste and privatization of waste management which had adverse effects on these workers. This is based on 300 household survey combined with focus group discussions with the workers. Some of the key research findings of the study are as follows:

Informal workers in SWM are mostly unorganized, self employed and migrants. Due to a combination of these aspects, their source of livelihood has no legitimacy in the society. Their claims on solid waste collection are easily contested and even worse, they bear the risk of being considered as thieves. Their vulnerable status is exploited by several actors like police, MCD officials, private contractors etc. who often take bribes from them and at times even physically harass them.

The new legislation of banning plastic and privatization has threatened the sustainability of their employment by reducing the access to waste and subsequently average income earned by the SWM workers. Privatization has worsened their illegitimacy status and they are subjected to further restrictions, harassments and extortions by the actors mentioned above.

Although their earnings per day look quite reasonable, however per person earnings are quite low due to the large numbers of unpaid labour involved in it. No protective gear is used while working with waste. Besides, they store waste for selling in bulk at their place of residence. Both these aspects have got health implications. Apart from being prone to several health problems like respiratory diseases, they often suffer from cuts and wounds, and are bitten by animals like wild dogs and rodents. Many of them consume intoxicants to deal with their harsh working conditions.

Many of them are indebted. Their main source of borrowing is the buyers who purchase waste from them. Lack of any other credit facility is one reason why they are not able to move to any other employment or even move up in this sector.

Most of the informal workers in SWM live in unauthorized slums, do not own the house, and live in kutchra or semi-pucca houses with no toilet facilities and drinking water facility. They had only meagre ownership of assets.

Majority of household members are illiterate. Even more worrisome is the finding that only a little more than half of their children in the 6-14 age group were going to school and a substantial proportion were illiterate. Many children worked as unpaid labour, and this pattern seems likely to continue.

Most of them did not have BPL card. They were unaware of the several welfare schemes like Rashtriya Swasthya Bima Yojana, scholarship for students, Ladali yojana, housing schemes etc. Many could not access schemes due to lack of necessary credentials.

This study pointed out the need for urgent policy measures not just because of the abject working and living conditions of the SWM workers requiring any welfare state to take remedial measures, but also because of the important services which these workers provide to the society by helping in managing and recycling of the solid waste of the

city. Instead of penalizing them, as is being done in the current scenario, policy measures should be put in place to reward their services. Some of the specific policy measures recommended for these workers in NCR were providing identity cards by urban local bodies to the SWM workers, which would give them a legitimate face to their work. Also providing tools and equipments for work and allocation of space for sorting and storing waste by urban local bodies as part of the formal integration of SWM workers within the municipal waste management system.

But most importantly their rights to waste should not be snatched away as is happened in the post privatization. This has impacted in big way to access the waste and subsequently lowered their income. Government should immediately provide them health insurance cover to take care of their operational health and safety challenges. Door to door waste collection could exclusively be given to traditional waste pickers.

Source: Kumar, A. et.al. “Work and Livelihoods of the Informal Workers in NCR”; IHD-SDTT Report, 2012

4. Urban Development Initiatives

In order to plan Delhi and to check its rapid and haphazard growth, the Central Government appointed a Committee under the chairmanship of G. D. Birla in 1950. This Committee recommended a Single Planning & Controlling Authority for all the urban areas of Delhi. Consequently, the Delhi Development (Provisional) Authority - DDPA - was constituted by promulgating the Delhi with the primary objective of ensuring the development of Delhi in accordance with a plan. The Master Plan for Delhi was formulated under the Delhi Development Act approved by the Parliament in 1962, which has been a forerunner and a model of modern town planning in India. It was extensively revised in 1990 in the form of Master Plan for Delhi-2001, and is being further revised for the year 2021.

4.1 Master Plan Policies & Land Policy

Initially, most development was envisaged to be public sector led & driven. The MPD-1962 was prepared with a perspective of 20 years i.e. up to 1981. The plan projected to cater to the need of 46 lakh persons by 1981, from the existing 23 lakh persons. The Land Use Plan was based on segregated land uses, with the city being divided into a number of planning divisions, each of these being visualized as self-contained in the matter of employment in the form of District centres, residential neighbourhoods, recreational areas, shopping and other requirements. Large green areas were proposed. standards were proposed for residential development with low and moderate densities and however there was no consideration of affordability.

The land policy for Delhi was announced in 1961. The ‘general objectives’ of the Delhi Land Policy was "to prevent the concentration of land ownership in a few private hands and safeguard the interests of the poor and underprivileged". It was based on the concept of formation of a ‘land Bank’ for ensuring planned development of the city by a public authority wherein land is used as a resource. It aimed at providing universal public land supply to all land uses including housing, and preventing private land development in Delhi. it was the first bold effort where Land Acquisition act was used considering “Planned development of Delhi” as a ‘public purpose’ for implementation

of the Delhi Master Plan by Delhi Development Authority. The policy has been implemented for last five decades and has shown mixed results. The principle has been that all the land on the yet-undeveloped periphery of a growing city should be notified at an early stage and acquired by a public authority, at the prevailing agricultural price. It allowed all increases in land values to accrue to the public benefit; it can promote orderly planning and development of the city since the public authority has control over the urban fringe land.

In the first Master Plan for Delhi, 44,700 hectares area was urbanised. Speed of implementation could not keep pace with the growing demand . Large number of residential enclaves were developed by DDA, leasehold plots were allotted to various income groups, to Cooperative Societies. In seventies, DDA also started building flats and group Housing. Despite these efforts Delhi also continued to grow in an unplanned manner due to weak land management growing demand for affordable housing. The plan period also saw massive relocation of squatter settlements.

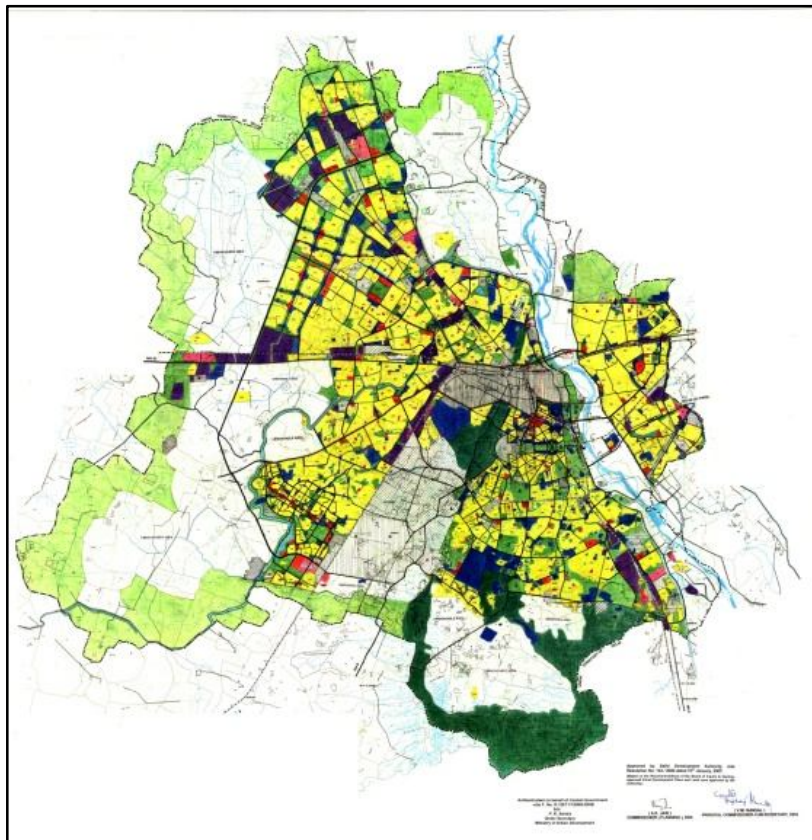


Fig 7: Master Plan 2021

Source: Master Plan 2021

The second Plan was to come in 1981 but with the advent of the ASIAD games 1982 it was put at hold and the new plan came out only in 1991. The with extensive modification Plan 2001 was approved in 1990 for proposed population of 122 lakhs by 2001.. land uses segregation continued , leading to long commuting time, dependence on vehicles, increased congestion and pollution and informal growth of commercial establishments in residential areas. Land acquisition process had slowed down and compensation for land acquisition had increased due to modifications to Land

Acquisition Act 1984. Housing Shortage stood at 3 lakhs.¹⁷ For the first time affordability, equity and efficiency were explicitly mentioned criteria for housing options. Plot standards for low income were reduced and low rise -high density development was proposed. Plan reiterated that hazardous and noxious industries are not permitted in Delhi. The transport policy ignored the mobility needs of large section of population that is dependent on public transport and non motorized transport.

The purpose of the plan as the draft states is to transform Delhi into a “global metropolis and a world-class city, where all the people are engaged in productive work with a decent standard of living and quality of life in a sustainable environment” (MPD Draft Proposal 2021). MPD 2021 was enacted in 2007 and proposes to accommodate the projected population of 230 lac by 2021.

In order to limit the growth of Delhi, no new major economic activities, which may result in the generation of large scale employment related inflows, was envisaged to be located in the national capital territory of Delhi (NCTD). Despite good intentions, the policy of bulk acquisition and monopoly ownership by the public authority has squeezed the formal supply, as such the plan stated....*'The land policy would be based on the optimum utilisation of available resources, both, public and private in land assembly, development and housing.'*¹⁸ Mixed use has emerged as a major provision of MPD-2021 due to emerging needs and requirement of people. Re-densification through redevelopment of existing low density residential areas has also been proposed. In-situ up-gradation of the land pockets of slum and JJ Clusters, which are not required for public / priority use is the first option for provision of affordable housing for rehabilitation of squatters was proposed. As a major step towards achieving equity the plan proposed minimum 15% of FAR or 35% of the dwelling units whichever is more, are constructed in any residential development for Community-Service Personnel / EWS and lower category. Such flats should have a carpet area between 25 - 40 sqm. Making a major shift in the land policy allowing private sector participation, Land Pooling Policy was approved by the Ministry of Urban Development in September 2013. Keeping in view the National Policy of Urban Street Vendors the following provisions are made in MPD - 2021 which include[n1]-.....

¹⁷ Master Plan for Delhi, Perspective 2001,

¹⁸ 'Master Plan for Delhi-2021

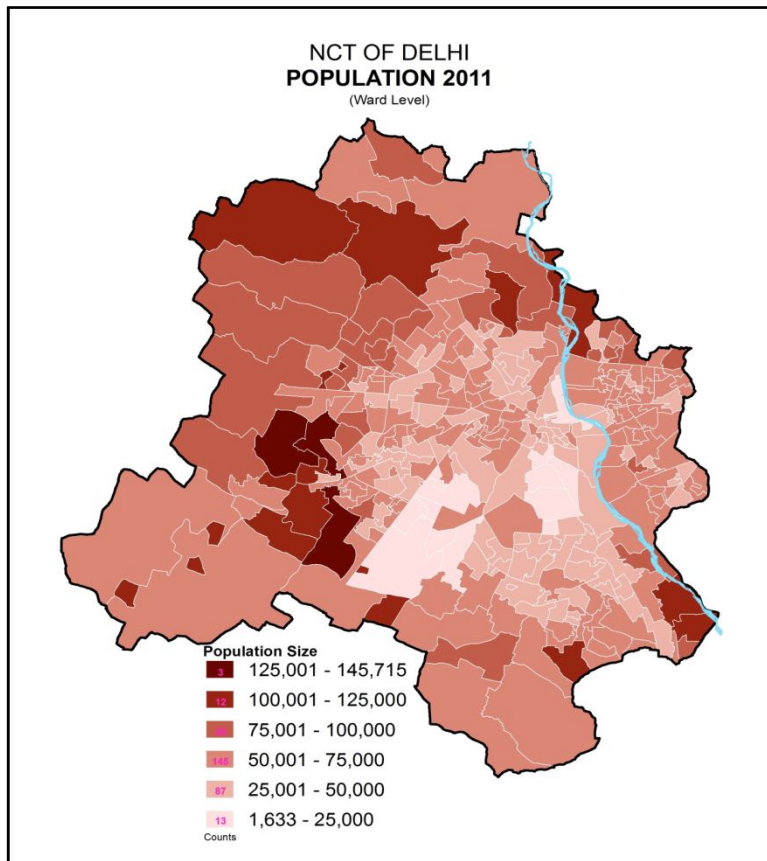


Fig 8: Population Distribution

Source: Census 2011

The location and concentration of present stationary informal units shall be considered on case to case basis and steps for relocation and improvement shall be taken. Heavy dependence on road based modes of transportation coupled with inadequate public transport system & steep rise in the population of the city, has resulted in a sudden spurt in the population of private modes of transport. This high number of private vehicles, has resulted in the highest number of registered vehicles (about 4 million), more than the total number of vehicles in Kolkata, Mumbai & Chennai. In order to minimize the increasing traffic congestion; the commissioning of metro, has been a welcome move.

4.2 Spatial Segmentation of Residential Areas

The social differentiation of urban space in Delhi highlights the persistence of segregation corresponding to traditional caste based segregation in old city, racial segregation in the Imperial Delhi and economic class as a basis spatial exclusion of lower socio and economic group. Delhi has grown in radials with its inner and outer Ring roads in a dispersed, multi nucleated manner. Growth has also taken place along the major corridors connecting Delhi to adjoining towns of Gaziabad, NOIDA, Gurgaon and Faridabad.

The density pattern shows a low density in the central Lutyens' Bungalow zone which has been marked for conservation and the periphery is marked by high density developments of DDA's projects and unauthorised colonisation.

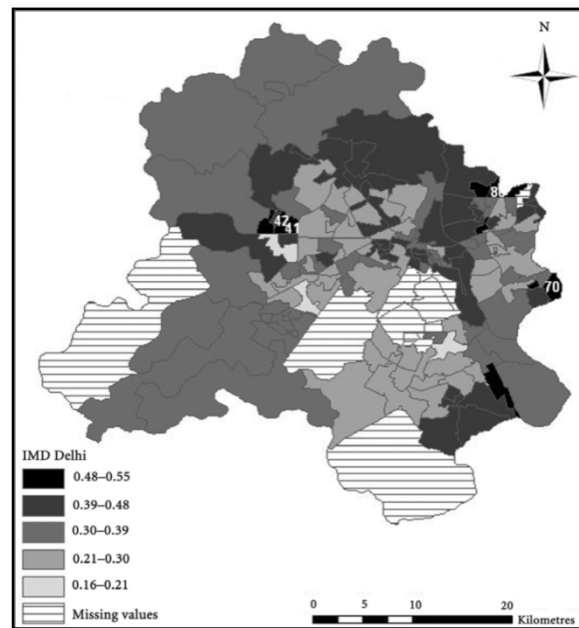


Fig 9: Hotspots of Poverty

Source: Mapping Urban Poverty for Local Governance in an Indian Mega-City: The Case of Delhi Urban Studies June 2008 45: 1385-1412

The socio- spatial organization of Delhi could be characterized by a combination of residential and social segregation at a micro, neighbourhood-level and relative dispersion at the macro, urban level—a dispersion that is also observed for economic activities. Physical proximity among different social groups does not imply, however, social proximity and harmonious relationships.¹⁹ The Public agency's housing itself has created segregation on the basis of income- Middle income (MIG) housing, Low Income Group (LIG) Housing, Economically Weaker section (EWS) Housing. However major spatial segmentation was created due to its relocation policies which have been practiced for four decades, which evicted squatters from various parts of the city and resettled them on the periphery of the city in resettlement colonies. Large Scale evictions and displacement has also taken place during National Emergency and hosting of events like the Commonwealth Games. Evictions and relocation was also taken up for development of projects like Delhi Metro, Delhi Airport (Terminal Expansion: T3), IPGCL Power Plant, Yamuna Riverfront Beautification. Alongside the elimination of “unsightly” jobs, over 200,000 people in Delhi experienced forcible eviction between 2004 and the start of the Games through similar beautification measures.²⁰

A study in identifying poverty pockets in Delhi spatial variation in the index of multiple deprivation (IMD) based on 2001 Census data clearly illustrates that in Delhi, deprivations are s. Alongside the elimination of “unsightly” jobs, over 200,000 people in

¹⁹ V_eronique Dupont Socio-spatial differentiation and residential segregation in Delhi: a question of scale? *Geoforum* 35 (2004) 157–175

²⁰ Habitat International Coalition-Housing and Land Rights Network (HIC-HLRN), *Planned Dispossession: Forced Eviction and the 2010 Commonwealth Games*, Fact-Finding Mission Report, (Delhi: HIC-HLRN, 2011).

Delhi experienced forcible eviction between 2004 and the start of the Games through similar beautification measures.²¹

patially concentrated in (northern parts of Delhi) electoral wards 41, 42, 70 and 86 The presence of slums had a much weaker correlation with the poverty index; the highest levels of poverty are *not concentrated in wards*.²²

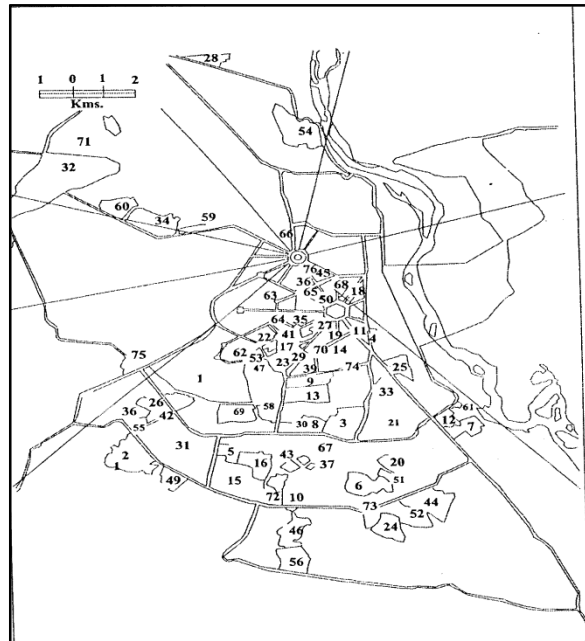


Fig. 29.3. Demarcation of Sectors

This leads to the conclusion that the elite colonies are not randomly distributed in the city but have a tendency of locating in the southern and southeastern sectors

Fig 10: Distribution of elite residential area in Delhi

Source: B Thakur and Avinash kaur sagu "Locational Analysis of elite colonies in Delhi" in *City Society and planning*

. The strongest correlation of the index is found in deprivation in financial access, followed in order of strength by physical deprivation, deprivation in human capital and finally social capital.

Another study on location of elite colonies shows that more than 86% elites have their residence south of Connaught place.²³ This is also because most of the pre Master Plan colonies developed by the private sector came up in the South Delhi. The distribution pattern shows a concentration of Particular occupational groups in certain colonies.

²¹ Habitat International Coalition-Housing and Land Rights Network (HIC-HLRN), *Planned Dispossession: Forced Eviction and the 2010 Commonwealth Games, Fact-Finding Mission Report*, (Delhi: HIC-HLRN, 2011).

²² Isa Baud, N. Sridharan and Karin Pfeffer (2008) "Mapping Urban Poverty for Local Governance in an Indian Mega-City: The Case of Delhi"

²³ B Thakur and Avinash kaur sagu () "Locational Analysis of elite colonies in Delhi" in *City Society and planning*

The resulting lines of segregation are the combined effect of income differentials, socio-economic status and professional group, caste and religious affiliation, geographical origin. The enclave or ghetto phenomenon is found both among the privileged, and underprivileged population groups, as shown by the examples of rich families' co-operative group housing societies and poor migrants' hutment clusters (Dupont, 2004).

Dupont further noted that the concentration of low castes and minority communities in the inferior (illegal or/and under-equipped) segments of the housing stock is the consequence of a multiple-layers of deprivation: low social status, low level of education and access to jobs at the lower rung of the hierarchy, and thus limited resources that bar these groups from entering into the upper segments of the housing stock.

The recent advent of the Delhi Metro is likely to change Delhi in significant ways. The Metro is also expected to change the spatial reconfiguration of the city as intensive high rise development (Transport oriented development) is proposed along metro corridors. Redevelopment of old staff housing estates of Central Government will also change the spatial pattern.

4.3 Housing Scenario in Delhi

After 1960, DDA is the only agency providing housing for all income groups with the support of provisions of 'the large scale acquisition, development and disposal of land' within the framework of Master Plan. e. But lack of sufficient amount of acquired land for the implementation of the Master Plan's, slow rate of land acquisition and development, entitlement of profit by DDA on sold land, and biasness towards Higher and Middle Income Group contributed to the increase in land prices since 1961 (Acharya 1987).

The success of this large-scale public land development and cross-subsidisation in Delhi can be seen in the rise of the revolving fund capital from Rs. 123 million to over Rs. 2 billion in 1980-81 (Misra, 1986; Pugh, 1991; Srirangan, 1997), which suggests that success lies in supplying housing land to low and middle-income households at low prices (Mitra, 1990). Maitra (1991) believes that a large number of households in the lower income range would otherwise have been driven out of urban Delhi, with no means to enter the formal housing market operated by private developers. Howland (1977) argued that Delhi's land policy programme accomplished little more than what a free market would have done to distribute the majority of the land to high-income families. McAuslan (1985) also concludes that the policy of allocation of land for mainly upper-income group housing and auctioning of land at high prices has led to the building of luxury housing in Delhi, forced up the price of land for low-cost housing, and increased squatting and illegal sub-division of land.

Over the years, three major type of types of housing developments have emerged-formal, informal and organic. Formal developments are those that have the legal sanction of the planning agency prior to the development, have been developed within the framework of government rules, regulations and controls and have a minimum required standard of environmental quality and infrastructure. Informal developments are illegal and are composed

of unauthorized colonies and squatter settlements. These have mostly emerged because of non-availability or unaffordability of housing in the legal housing market. The common characteristics of the informal sector are insecurity of tenure and low standard of infrastructure and facilities.... organic developments are the old city and rural settlements (known as urban villages in Delhi), that have evolved over a period of time without any conscious measures taken for their growth and that have now been included within the urban development..²⁴

DDA commenced its housing activities in 1967. Till 2007. DDA had allotted a total of 3,67,724 flats and about half the allotments were for EWS and LIG. In the 60s and early 70s, the option was in favour of plotted development with serviced plots ranging from 25 to 500 square metres. The DDA, however, soon realised that large plots are an unaffordable luxury due to increasing pressure on land and transportation facilities, and so it introduced group housing schemes for both co-operative societies and registered individuals.

Plots were auctioned to unregistered higher income households. The DDA, however, soon realised that large plots are an unaffordable, and so it introduced group housing schemes for both co-operative societies and registered individuals. In 1970, the DDA introduced the concept of co-operative group housing societies in which individuals were encouraged to form societies and build their flats in the form of multi-family group housing. Until the year 2000, the DDA succeeded in meeting the housing requirements of middle and high income groups, but did not do much to provide houses for low and EWS groups.

From 2001, there has been a major change in the role of the DDA, as it abstained from any further land development programmes on a large scale despite the unprecedented rise in property prices during this period. The major land development programmes shifted to the CNCR region, but within NCT

Despite this contribution. the Draft Master Plan 2021, the sub-group on shelter admitted that up to the year 1991, institutional agencies had contributed only 53 percent of the housing stock. The component of housing created through non-institutional sources - unauthorized colonies and squatter clusters - was thus quite significant. This trend has continued in the current decade as well. Small scale builders took advantage of the skyrocketing prices and absence of supply from the government. Within no time, they transformed the city by converting old single/double-storey buildings into four-storey buildings by not only using the permitted change in maximum ground coverage and Floor Area Ratio (FAR) norms from the time when these building were constructed, but invariably exceeding them in connivance with the authorities..²⁵

Table 3: Residential Houses and Households during 1991,2001,2011

	1991	2001	2011

²⁴ Alpana Sivam, (2003) Viewpoint: Housing supply in Delhi, *Cities*, Vol. 20, No. 2, p. 135–141, 2003

Pergamon ©2003 Elsevier Science Ltd.

²⁵ Jatinder S. Bedi(2014) Background Paper on Issues Related to Land Economics, Urbanisation, Development and Housing Requirements in the National Capital Region (NCR). Working Paper of NCAER.

Households (lakhs)	18.62	25.54	33.41
Residential Houses (Lakhs)	17.14	23.17	31.76

Source: Census of India 1991,2001,2011

Number of one room houses have reduced The quality of housing in Delhi has improved over the last decade, with the share of ‘good’ houses having increased from 58 per cent in 2001 to 66 per cent in 2011.6 Nearly one-third of the Planned/ Approved colonies are colonies that are approved by Planning authorities as per the norms of the Master Plan of Delhi.

Table 4: Type of Settlements in Delhi

Type of Housing Settlement	Est. Population in 2000 (100,000s)	% of total population in city
JJ clusters	20.72	14.8
Slum Designated Areas	26.64	19.1
Unauthorized colonies	7.4	5.3
JJ Resettlement colonies	17.76	12.7
Rural villages	7.4	5.3
Regularized- Unauthorized colonies	17.16	12.7
Urban villages	8.88	6.4
Planned colonies	33.08	23.7
Total	139.04	100

these are settlements that are notified as per provisions of Section 3 of the Slum Areas (Improvement and Clearance) Act, 1956 as too dilapidated or suffering from other disadvantages in terms of ventilation etc. Most of the notified slums in Delhi tend to be in the walled city.

Unauthorised colonies Very often these colonies are created on agricultural land by private developers who make a colony plan, streets and lanes etc, but these plans are not approved.

Regularised unauthorised colonies are unauthorised colonies which are regularised by the Government agencies. This regularisation is obviously a political decision and often has the effect of giving amnesty against any demolition and access to infrastructure.

Urban/Urbanised Villages – these are rural settlements that having been engulfed by the city of Delhi are now, by notification of the Delhi Government urban development department, declared as urbanised villages.

Jhuggi Jhopdi (JJ) clusters are normally encroachments on Public agency's land constructions is marked by temporary material.

Resettlement colonies are planned colonies with special standards for relocation of squatters on the periphery of Delhi.

4.4 Inner City Slums

During 1950's, the problem of "slums" in Delhi referred to dilapidated buildings/blighted areas of old city. The Slum Improvement and Clearance Act, 1956 was enacted as a first step to deal with these slums which were "unfit for human habitation." According to Government under **Section 3(I)** of the Slums Areas (Improvement and Clearance) Act, India, 1956, defines slums as areas where buildings in that area

- i) are in any respect unfit for human habitation;
- ii) or are by reason of dilapidation, over crowding, faulty arrangement and design of such buildings, narrowness of faulty arrangement of streets, lack of ventilation, light or sanitation facilities, or common combination of these factors, are detrimental to safety, health and morals.

In determining whether a building is **unfit for human habitation** for the purposes of this Act, is to say (a) repair; (b) stability; (c) freedom from damp; (d) natural light and air; (e) water supply; (f) drainage and sanitary conveniences; (g) facilities for storage, preparation and cooking of food and for the disposal of waste water; and the building shall be deemed to be unfit as aforesaid if and only if it is so far defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Declaration of slum areas (Section 3(1)): Where the competent authority upon report from any of its officers or other information in its possession that any area or buildings in that area is unfit for human habitation by notification in the Official Gazette, declare such area to be a slum area.

In Delhi it is the Commissioner of MCD who as the administrator has the power to appoint by notification in the Official Gazette the Competent Authority to notify or de notify slums. In case of Delhi the competent authority for the purpose of this Act is the Director (TP) of the Slum & JJ Department. The Slum Act provide for the improvement and clearance of slum areas in the city and for the **protection of tenants** (under Section 19(1)) in such areas from eviction.

In the Walled City and its extension about one lakh katras/properties have been identified as Slum which have developed poor conditions due to age, dilapidation, overcrowding, subdivision and poor maintenance of old rental properties ,lack of access to individual toilets. These are occupid mostly by low income families as the rents are affordable and options for job are many due to proximity to central Business District. There are two types of Property in Walled City and its extension.

- Private Property (97% of total property) i.e. about 97000 katras/properties
- Evacuee property (3%) i.e. about 3000 katras/properties which are under the Slum and JJ Department.

Out of these 3,000 buildings or properties in 319 katras in the Walled City, 365 properties have been identified as dangerous and therefore require resettlement of inhabitants. At present in case of private property in Notified slum area whose percentage is more than 95 % the Slum and JJ Department only provides certificates to these private properties stating whether these properties are in slum notified areas or not. This information is important as it provides protection to tenants. As on date there is no scheme or policy for private notified property (97% of total notified slums) in Delhi. At present two schemes are being implemented by the slum wing for the improvement of the Slum Katras. These are (i) structural improvement of Katras; (ii) relocation of Katra Dwellers.

4.5 Squatter Eviction and Improvement

The formation of the squatter settlement locally called '*Jhuggi Jhompri*' involving encroachment or squatting on public or private land by the urban poor was initially noticed in 1960s.

YEAR	JJ CLUSTERS	JHUGGI HHS	AREA IN HA	POPULATION
1951	199	12749	21.1	63745
1973	1373	98483	164.1	492415
1983	534	113000	188.3	565000
1990	929	259000	431.7	1295000
1997	1100	600000	902.1	3000000
2001	728	429662	650.2	2148310

Source: Slum Department, Municipal Corporation of Delhi, Delhi

Table 5: Growth of J.J. Clusters in Delhi.

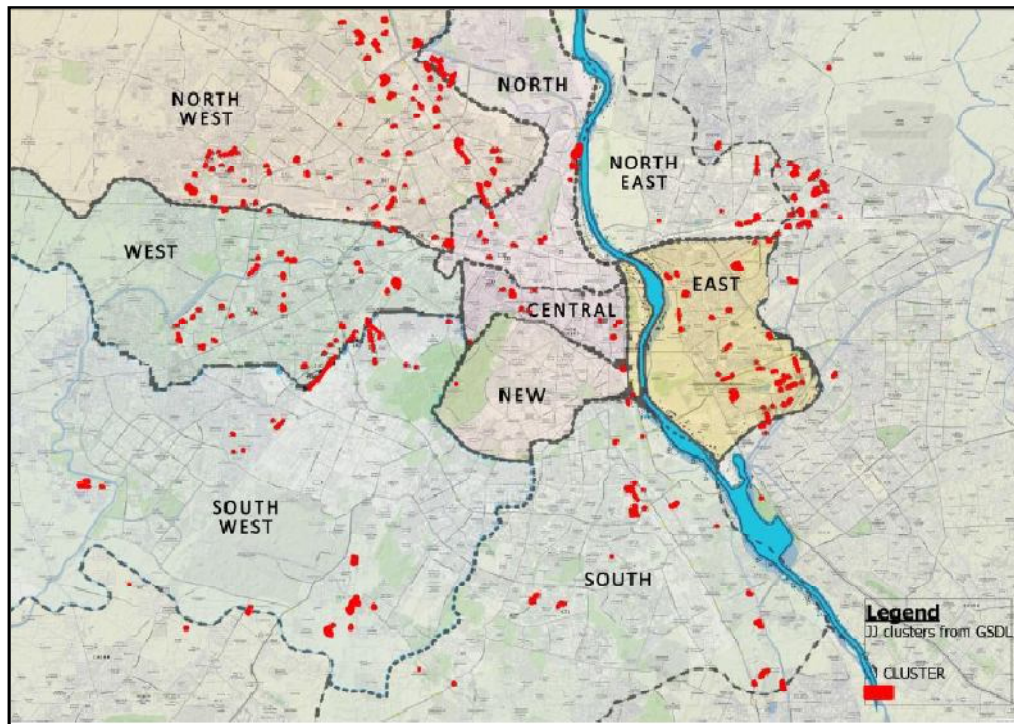


Fig 11: Location of J.J. Clusters, 2013

Source : DUSIB Survey 2013

As of 2011, the number of jhuggis across Delhi was estimated to be 4,18,282. This decreased to 2,95,859 by March 2014, but has increased to 3,04,188 jhuggis in the most recent list. The highest density of slum clusters is in North zone with 12,394 JJ clusters per Ha. and East zone 11,043 JJ clusters per Ha. followed by New Delhi & Central Delhi. Minimum density of JJ Clusters is in South-West Zone with only 72 Clusters. Maximum number of Slum Households are in South zone with 98083 HHs and North West zone with 90811 HHs. Minimum no. of JJ cluster HHs are in Central zone with only 5046 HHs.

Overall, 477 of the 672 JJC's (71%) are found to be "nontenable" and the remaining 195 "tenable." Though the exact definition of "tenability" is not provided, all the non-tenable 477 JJC's have to be relocated.²⁶ 217 JJ clusters were demolished between 1990 and 2007— where families had been officially relocated. During the preparations for the 2010 Commonwealth Games, demolitions and National Housing and habitat Policy (2007) and the MPD 2021 resettlement of slums gained judicial and administrative support, contrary to the prescriptions 217 JJ clusters were demolished between 1990 and 2007— where families had been officially relocated. During the preparations for the 2010 Commonwealth Games, demolitions and National Housing and habitat Policy (2007) and the MPD 2021 resettlement of slums gained judicial and administrative support, contrary to the prescriptions of. The demolitions have reduced the no. of JJ clusters to 685 JJ Clusters. With 20 lakh population Approx. Area under encroachment in JJ Clusters 700 Ha. Cutoff date for rehabilitation subsequently changed from 2000 to 2007. This has Excluded all those who came post 2007 from rehabilitation. Only 40 % JJ dwellers found eligible, 60% population may be in-eligible due to following reasons²⁷

²⁶ Shahana Sheikh, Subhadra Banda (2015) 'Surveying Slums Process of Survey and Use of Data', Economic & Political Weekly, MAY 30, 2015 vol 1 no 22

²⁷ Presentation by Amarnath, CEO, DUSIB

- Seasonal migration, - Lack of Ration Card/ Voter I- card, Frequent change of residence, Change in Employment opportunities.

.The demolitions have reduced the no. of JJ clusters to 685 JJ Clusters. With 20 lakh population Approx. Area under encroachment in JJ Clusters 700 Ha Cutoff date for rehabilitation subsequently changed from 2000 to 2007. This has Excluded all those who came post 2007 from rehabilitation. Only 40 % JJ dwellers found eligible, 60% Table 6: Number of JJ clusters population may be in-eligible due to following

reasons²⁸ - Seasonal migration, -

Land Owning Agency	No. of J.J. Clusters	%
Cantt. Board	12	2
CPWD/L&DO	42	6
DDA	352	51
Delhi Govt.	56	6
DUSIB	98	15
MCD	58	8
NDMC	5	1
Others	10	1
Railway	52	8
Grand Total	685	100

Lack of Ration Card/ Voter I- card, Frequent change of residence, Change in Employment opportunities One of the major reasons for this demolition was the judgments given by courts in response to public interest litigations filed by various Resident Welfare Associations for removal of slums. The rise of court orders to demolish slums is occurring not simply because the judiciary is suddenly “anti-poor,” but rather because of a reinterpretation of nuisance law, the main component of environmental law in India. The overall thrust of these petitions shows that nuisance has today become the

predominant discursive justification for slum demolitions, even when a land use violation is also identified. This pattern emerged in the proceedings leading up to the demolition of the Yamuna Pushta, a slum housing more than 150,000 people on the banks of the Yamuna River. In a March, 2003 order in the Okhla case, the bench arbitrarily took cognizance of the problem of pollution in the Yamuna River, despite the lack of any mention of the issue in the original petition..... The reinterpretation of nuisance law has been the key mechanism by which these contestations were, first, carried forward and, second, discursively justified by constructing the truth that “slums are nuisances.”²⁹ While the Government was intolerant to encroachers and was strictly implementing eviction and relocation policies, the Delhi government was regularizing number of unauthorized colonies, built by illegally subdividing land by private interests and members of middle-class households.

The Slum & JJ Deptt of MCD (now DUSIB) had earlier been following three pronged strategy for looking after the problems associated with the existence of slums and squatter clusters.

Strategy I

Carrying out environment improvement of existing slums under the EIUS scheme in the slum clusters.

²⁸ Presentation by Amarnath , CEO ,DUSIB

²⁹ D. Asher Ghertner (2010)Analysis of new legal discourse behind Delhi's slum demolitions

Strategy II

In-situ redevelopment on the JJ cluster sites, where the land owning agencies gave NOC for utilising their land for planned development and reallocation of plots to the inhabitants.

Strategy III

Resettlement of the jhuggi jhopri inhabitants on a newly developed site, in the form of allocating either a plot of 18/12.5 sqm. or by providing a built up tenement of 25-40 sqm. covered area.

In a study in 2011 by Centre for Global Development Research (CGDR)³⁰, it was found that even those squatter settlements which were improved, 74.21 per cent have common toilet facility inside the slum and the remaining 25.79 per cent reported no such facility. Clearly, a majority of slum dwellers have to use open space for toilet and this situation can only be described as pathetic. Even those slums where common facility is provided the number is not enough to meet the requirement. The greatest sufferers are women and girl children. As regards the providers of the toilet facility (Table 3.8), Sulabh International is playing bigger role with coverage of 54.4 per cent slum clusters than the Delhi administration which has coverage of 30.6 per cent of slum clusters. Delhi Jal Board is the main supplier of water and it has laid pipelines in 83.65 slum clusters, while 8.39 per cent slum clusters are provided water through water tankers. 9.22 per cent slum clusters have private tube well and 5.87 per cent have public tube wells. However only 44.23 per cent reported regular supply. 54.09 per cent slums reported absence of such facility. As can be seen the sanitation and hygiene in these settlements are very poor. In 2012, the DUSIB conducted a house-to-house socio-economic survey of JJs, which was called the “Slum Survey 2012.”

Service provisions in existing slums is very poor. Slum-dwellers report significant discontent about some aspects of slum life, most notably access to water and sanitation but, interestingly, not about others like education and healthcare. Three quarters of slum-dwellers report some kind of law and order problem in their area (Panel F). Of those, 92% cite theft. The next most frequent problems are gambling and alcoholism, which are each cited in about 70% of cases. While wealthy households report slightly lower incidence of theft and gambling, mentions of alcoholism, violent crimes (43%), domestic abuse (53%), and vandalism (8%) all increase with wealth. Overall, slum-dwellers express a strong preference for using their electoral clout to ensure higher quality service delivery.³¹

4.5 Resettlement Policies

First concerns for squatter settlements were seen in late fifties, which led to the initiation of “Jhuggi Jhompri Removal Scheme (JJR)”, by Central Government. It involved resettlement of squatters, squatting on public land until 1960 on plots of 80 sq. yds. or two roomed tenements. Since the number of squatters was on the increase, the scheme was revised in 1962 to take up relocation in a phased manner by first providing,

³⁰ Global Development Research (CGDR), 2011 http://www.planningcommission.nic.in/reports/sereport/ser/ser_slum.pdf accessed on 3.10.14

³¹ Abhijit Banerjee, Rohini Pande and Michael Walton (2012) Delhi's slums: Deprivation, Preferences and Political Engagement among the Urban Poor, Preliminary working paper. International Growth Centre, Preliminary working paper.

camping sites with shared services. The 1961 Master Plan suggested - "To counteract against squatting in Bustis, it is proposed to earmark reasonable areas in several zones for the low income people who migrate to Delhi from rural areas throughout the year." It also proposed that- "5% housing units be provided for "service personnel" in housing schemes" Above recommendations was hardly followed in practice. Thus major portion of low-income housing developed outside the legal framework of urban development of the Master Plan in the form of squatters. In 1967 the scheme was revised and it was decided to also include the post 1960 squatters and provide them with 21 sq. m. plots meant as temporary camping-sites with minimal shared services on urban periphery.

Delhi Development Authority took up a massive programme of relocating 1,42,000 families during National Emergency (1975-77). About 26 resettlement colonies were developed covering an area of 968 ha. Five of these settlements were developed outside the urban limit on areas marked as "green" in the Master Plan. The scheme neither confirmed to zoning regulations, building bylaws nor the municipal regulations for water supply and sewerage. Thus, these settlements developed outside the legal framework. An extensive survey of slums in Delhi was conducted in 1989-90 by the Delhi Administration. The households surveyed were issued silver-coloured tokens which were nailed to a wall of their jhuggi as formal proof of residence (Ghertner 2010).

Under the schemes for resettlement of JJ clusters, 44 resettlement colonies were developed during 1961-77. Around 2.0 Lakh plots were developed accommodating about 2.4 lakh households 1061745 estimated population. In 1970 camping sites with minimum facilities were provided on a monthly rental (licence) basis for 'ineligible' squatters on the periphery of Delhi. Massive clearance and relocation was undertaken by the DDA between 1975 and 1977. The scheme did not conform to the land use stipulation of the master plan with regard to zoning regulation, plot sizes, building by-laws or municipal regulation of water supply and sewerage. The rental tenure of the plots enabled this deviation (Risbud, 1989). There was hardly any recovery of the licence fee for the plots. The government recognized that although these plots were envisaged as camping sites, the colonies could not be treated as temporary.³²

Because of certain minimal provisions that the government has to provide in resettlement colonies, evidence suggests that resettlement colonies are generally better placed than slums (NCAER, 2002). Squatter resettlement colonies are provided with paved roads, public parks, water supply, public lavatories, street lighting, drains, shops, schools, dispensaries and community centres.

These resettlement colonies have degenerated due to intense population pressures and unorganized development.³³ One of the problems with regard to the strategy of relocation is that of allottees transferring the plots for payment and then squatting elsewhere. According to recent estimates by DDA, more than 50 per cent of the allottees have sold their plots which are now occupied by unauthorized persons. The sample survey in Kalkaji and Dakshinpuri resettlement colony (out of 6238 units only 2350 were original allottees) reveals that around 50% occupants were not original allottees.

³² Neelima Risbud 'Policies for Tenure Security in Delhi' Alain Durand-Lasserve and Lauren Royston (Ed) *Holding Their Ground: Secure Land Tenure for the Urban Poor in Developing Countries* Earthscan Publications Ltd.

³³ CDP, Delhi

The transfer of properties has been attributed to the fact that relocation sites planned were 40km away from the existing location of JJ clusters. The current land tenure allotted to the dwellers is for a lease period of 5 to 10 years. The lease period of around 80% dwellers at relocation sites has expired. In absence of renewal of lease, land titles become unclear. In another initiative, the Government of the National Capital Territory of Delhi (GoNCTD) has conferred ownership/freehold rights to about 45 JJ resettlement colonies, which were held on lease/license basis till June 2006. This conferment promises tenure security to almost 1.25 million persons (2,50,000 plot-holders/ households) on payment of a conversion charge. This conferment is also being considered for other such settlements.

Revised Guidelines of GNCTD for allotment of EWS houses to Slum dwellers-eligibility and procedure

- Cut-off date of residing in the jhuggie is 4th June, 2009
- Name should be in the Electoral Roll on or before 4/6/2009 & at the time of survey.
- Should possess valid ID proof (Any one of 11 documents) at the time of survey.
- Allotment of Flat on lease hold basis for 15 years, to be converted into Free hold thereafter.
- Allotment made in the joint name of husband and wife.
- Nominal beneficiary contribution of 70,000/-approx.
- 100% subsidy for SC J.J. dweller.
- Authentication of Beneficiary through Aadhaar Card.

Subsequently on 25 February 2013, the Delhi government issued “Guidelines for implementation of the Scheme for relocation/ rehabilitation and allotment of flats to the Jhuggi Jhopri dwellers under BSUP”³⁴ Under Sub Mission-II Basic Services to the Urban Poor. Government of India has so far approved 15 Projects in Delhi (10 Projects of DSIIDC, 1 Project of DDA and 4 Projects of Slum Wing of MCD) with an estimated cost of Rs.1814.51 crore. Till 31st March 2011, 13528 flats have been completed and 35768 flats are under construction stage.

JNNURM-2013

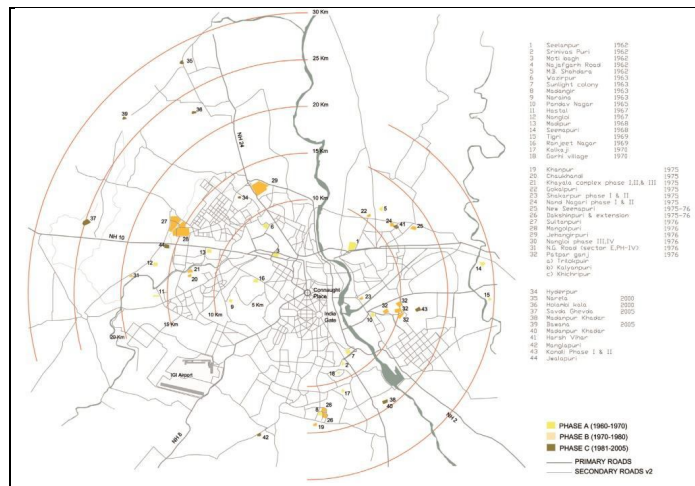
There are around 11 relocation sites such as Bawana, Holambi Kalan, Papan kalan, Rohini, Narela, Savdar Ghevada etc. The most recent relocation, of slums from central, south and east Delhi, has been made to four principal sites. Under the Basic Services for the Urban Poor (BSUP) scheme under the JNNURM, the Government of India has approved 17 EWS housing projects for construction. These projects together would provide 67,784 dwelling units for the poor in Delhi. Of these 14,844 units have already been constructed, while issues in beneficiary selection etc remain, and about 1,505 households have been allotted flats or have been issued letters of allotment.

As per the guidelines, once a land owning agency (LOA) decides to reclaim the land it should conduct a joint survey with the DUSIB, following which the latter takes a decision on who is eligible for rehabilitation and allots flats accordingly. In case of Delhi government LOAs, there appears to be an implicit requirement to intimate DUSIB before reclaiming the land. However, since an explicit requirement is missing, this may

³⁴ GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI DEPARTMENT OF URBAN DEVELOPMENT, order dated 25.2.13

not be done. Given this lack of coordination between departments of the Delhi government, it is natural to expect more complexity when central government LOAs, for e.g., the Delhi Development Authority (DDA) or the Railways, are involved. According to the guidelines, such central agencies “may either carry out the relocation/rehabilitation themselves. Since central LOAs like DDA and the Railways comprise 63% of all the land on which Delhi’s JICs are situated, the new Delhi government needs to urgently negotiate with corresponding central ministries to make these LOAs comply with its policy.³⁵ DUSIB implements a Scheme called "Grant -in Aid to MCD (Slum cell) for the construction of Pay and Use Jan Suvidha Complexes"(community toilet complexes in squatter settlements. However, the budget allocated for provision of services is not sufficient for the construction and amount for operation and maintenance is also lacking. Delhi Jal Board provides water, but there is poor coordination.

Resettlement is not an outcome that squatters link in any way to justice, rather they see resettlement as an entitlement from the state which when achieved would acknowledge their inclusion as urban citizens within the ‘legal’ city. To this end squatters use resettlement as a resource/route to make claims for a right to the city,³⁶



Relocation sites Source :Delhi Slum study by CGRD

Fig 12: Relocation Sites and Recent Eviction Sites
CDP : Delhi

4.6 Regularisation of Unauthorised colonies

An unauthorised colony is usually a large or small scale collection of unauthorised constructions on private/ government (notified) lands. It develops through a process of illegal subdivision undertaken by unscrupulous private colonisers/ vested interests and in total contravention of the Master Plan/ Zonal Plan and without reference to the Building Byelaws. Some unauthorised colonies do not contain as many structures because vacant lands have been assembled, subdivided into plots and sold and resold,

³⁵ Subhadra Banda and Shahana Sheikh (2014) Glaring Loopholes: Delhi Government's Guidelines for rehabilitation/Resettlement of Slum-Dwellers. "" Economic and Political Weekly, Vol-XLIX, jan 2014

³⁶ Ayona Datta (2013) The myth of resettlement in Delhi.' <https://www.opendemocracy.net/opensecurity/ayona-datta/myth-of-resettlement-in-delhi>

however the land subdivision is illegal and therefore cannot be legally registered. Most popular method used by residents to transfer properties in unauthorised colonies is a general power of attorney (GPA). Residents go to great lengths to secure GPAs. Unauthorised colonies have been in existence since 1957. Regularisation policies have been announced thrice since then giving exemptions from the norms of planned layout and giving special guidelines, thus giving them immunity from any demolition . A large number of rich people and private investors have made investment in land and housing in unauthorized settlements and are in a position to obtain the approval of policymakers (Kundu 2004).³⁷

Table 7: Growth of unauthorised colonies in Delhi

Period	Number	Cumulative Number	Area (in ha)	Population (in lacs)
Before 1962	110	110	500	2.21
1962-1967	101	211	1160	4.5
1967-1974	260	471	2550	7.25
1974-1977	136	612	3400	8.50
1977-1993	1017	1629	5333.4	26.616

According to the GNCTD's own estimate, 40 lakh (four million, or about 30 percent of Delhi's population as per the Census 2011 data) people were living in unauthorised colonies in 2013. In Delhi, the first regularisation happened in the 1960s and early 1977. In 1993, however, when the GNCTD was looking to regularise 1071 colonies, an NGO called the Common Cause Society approached the Delhi High Court to question the manner in which regularisation had been undertaken in Delhi. In response, the Court restrained the Government from regularising any more UACs in Delhi and directed it to prepare and submit guidelines for the process of regularisation.

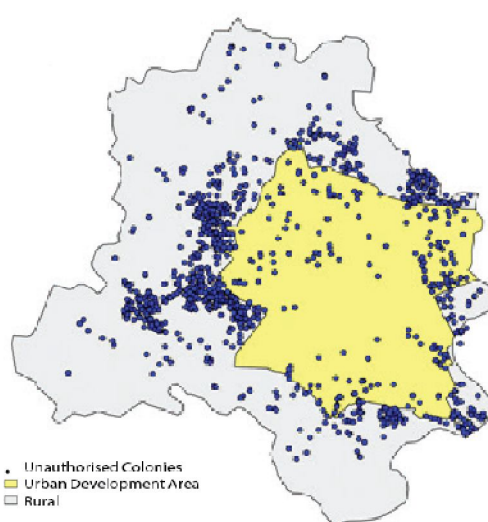
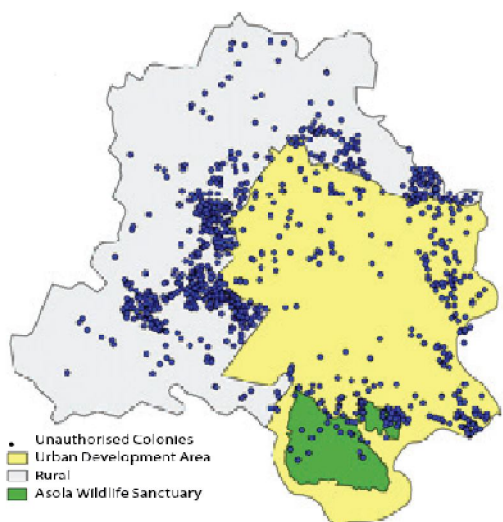
In 2007, the Government finally put guidelines before the Court. They were followed by Regulations in 2008, after which the Government resumed its call for applications from UACs seeking regularisation. In response, 1639 colonies filed applications for regularisation, and in September 2012, the GNCTD announced that it had *regularised* 7895 UACs.³⁸ Given that unauthorised colonies exist in some contravention of the law, neither original residents nor residents who bought plots in these areas hold clear title to their land.

³⁷ Kundu, Amitabh. 2004. Provision of tenurial security for the urban poor in Delhi: recent trends and future perspectives, *Habitat International* 28, 259-74

³⁸ Shahana Sheikh and Subhadra Banda (2014), "The Thin Line between Legitimate and Illegal Regularising Unauthorised Colonies in Delhi", A report of the Cities of Delhi project, Centre for Policy Research, New Delhi.

1,639 Unauthorised Colonies in 1993 Mapped against MPD '01

1,639 Unauthorised Colonies in 1993 Mapped against MPD '62



1,639 Unauthorised Colonies Applying for Regularisation, Mapped against MPD '21

Regularised Colonies in 2009, Mapped against MPD '21

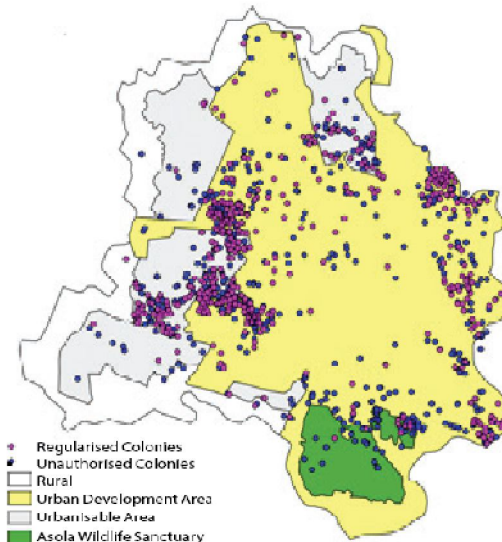
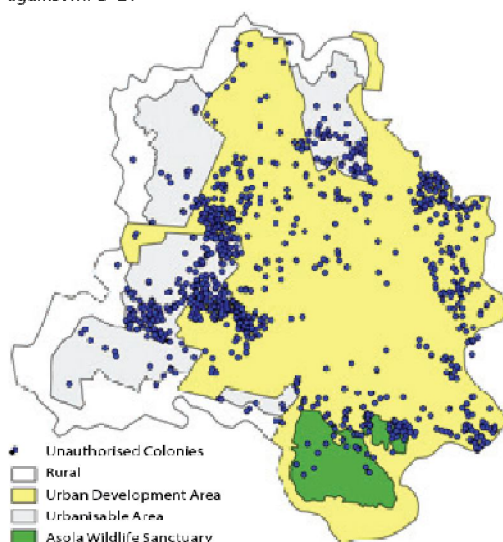


Fig: 13 : Process of Regularisation

Source: Gautam Bhan, *Indian Institute for Human Settlements, New Delhi*.³⁹

As a result, land transfers have not been by way of registered deeds of conveyance. The most popular method used by residents to transfer properties in unauthorised colonies is a general power of attorney (GPA).

Current policy calls for one time regularization, once it is regularized, there is no control on all the development and uncontrolled subdivision and construction, commercialisation continues unabated thus loading already substandard services.

³⁹ Gautam Bhan 'Planned Illegalities: Housing and the 'Failure' of Planning in Delhi: 1947-2010', *Economic and Political Weekly* (15 June 2013).

Eligibility for regularisation is determined on the basis of a 'cut-off date', it must have been in existence and built up to a specified extent prior to 2007. The 2007 Revised Guidelines state that "colonies where more than 50% plots are un-built on the date of formal announcement of regularisation scheme" are not eligible to be considered for regularisation. In 2009, Department of Urban Development of the GNCTD published an order outlining regulations for agencies executing development works in unauthorised colonies. As such infrastructure was being provided even before the colony was regularised.

The population has varied socio economic background. Policy is silent on industrial uses. The regularization process, obtaining tenure, services and infrastructure is lengthy one, private players provide infrastructure informally. The outcome of which is dependent upon the political bargaining involving many forces: the pressure exerted by current residents, the inertia by public agencies, the resistance of all competing for the land occupied by the settlement. Recent media reports reveal that according to the CAG, basic services remain unavailable in unauthorised colonies, and details of development works were unavailable even to the CAG. **Most UCs have electricity and water (privately-provided), but the provision of other services (e.g. cement roads, streetlights, sewers, drains, solid waste management) varies significantly. Living in an UC (as opposed to an authorised colony) essentially means living without legal access to basic urban services (although many UCs provide these services privately and/or illegally).**⁴⁰

4.8 Integration of Urban Villages

These are the rural settlements engulfed in urban limits during the process of development of large city. The term 'Urban Village' was first coined in 1961 at the time of formulation of the Master Plan of Delhi. Urban villages in Delhi are "protected" habitation lands, which have been exempted from the urban development authorities and are not affected by any building by-laws (Delhi Municipal Act, 1957). An urban village can be defined as a village which has acquired urban characteristics. Since DDA first acquired their agriculture land for planned development land, the farmers though got compensation but lost their livelihood and had to look for alternative options of urban occupations.

40

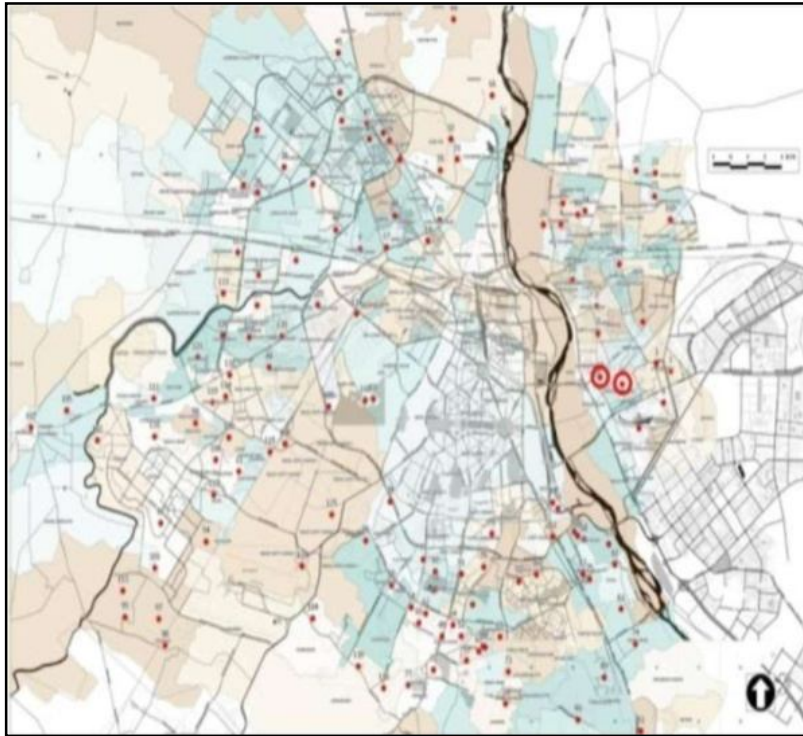


Fig14: Location of urban Villages[n2]

Source : Anuj Soni⁴¹

The urban villages of Delhi exhibit a different kind of character. They carry 5-6 times more population density than the non village areas and cater for mixed land use, with residential,

commercial and also, industrial (small or household industries), based on the demands of the surrounding localities. Urban villages attract migrating population in and settle down because of cheap rental affordability as compared to planned colonies of Delhi. Villages as notified 'Urban Villages' are not exempted from building bye laws but enforcement was almost non-existent. As a result these villages grew in the haphazard manner with intense building activity and proliferation of non residential uses like boutiques, restaurants, NGO offices, small-scale workshops eateries, galleries, studios, curio shops and shops and hostel for students. These settlements are today densely built, with very high density providing low income rental accommodation which is a major sources of livelihood. The villages are most vulnerable to fire or earth quakes as no fire engine can enter the narrow lanes of densely built up. The illegal building activity is creating housing stock quite often without proper light and ventilation.

The village once a homogeneous social community is becoming heterogeneous with increasing migrant tenants. The higher caste community in the village owned more land and now get more rent as compared to lower castes. Generally every household owns a TV, a cooking gas connection, a mobile phone, and a scooter or a motorcycle and sometimes also a car. Lifestyle of the residents is also undergoing change. Due to

⁴¹ : Anuj Soni (2014) Post graduate unpublished thesis, Deptt. of housing , School of Planning & Architecture, New Delhi.

increasing income from the rents, younger generation of men do not feel need to pursue higher occupations and quite a few are school dropouts. In a study of an urban village named Shahpur Jat, Radhika Govinda noted, With their hanging around in the village by-lanes during the day, the incidence of eve-teasing is said to have gone up. By night, they take to local parks where they partake in other illicit acts. Among the middle generation of men, gambling, alcoholism and wife-beating have increased. "When it comes to 'outsiders', the Jats selectively conduct and construct themselves in 'urban' and 'rural' ways, on the one hand projecting themselves as 'urban' and 'modern' by renovating their buildings to suit 'urban' aesthetics, and on the other hand opposing inter-caste and inter-religious marriages in the name of upholding their 'rural' roots and 'traditional' culture."⁴²

Khirki Extension. Previously home to a variety of nationalities, the recent fracas in the area has turned it into a shadow of its former self as many African residents have fled. The raid and self declared exposé against the perceived criminal activities in the area conducted by Delhi's former Law Minister have earned him and his party one of two responses – criticism for illegal vigilantism and racial profiling or praise for upholding public safety and morality in the area. These reactions have little to say about the state's role in conflict mediation, the changing landscape of Khirki, and the larger geopolitics of the expanding ties between India and African countries.

In many of South Delhi's urban villages like Munirka, Ber Sarai and Lado Sarai, pardah-wearing local women are as much a part of the fabric as girls in shorts, while dyed-in-the-wool patriarchs share the narrow lanes with liberal young men from around the country. Here, women from Northeastern states are racialised as 'available' and 'loose' just as Africans become carriers of serious criminality. These villages are still in what can be termed the first wave of gentrification, centred on locals' provisioning of rented accommodation for students and young professionals. Other villages like Hauz Khas and Shahpur Jat, to a lesser extent, are in the second wave where higher-end restaurants, bars and boutiques have replaced the first generation migrants, thereby fetching higher rents. Like many other contexts across the world, in these villages too, 'creative' professionals and establishments have served as the catalyzing agents of gentrification. Persis Taraporevala and Rohit Negi-⁴³

4.9 Policies for Homeless in Delhi

In 2000, a study done by the Aashray Adhikar Abhiyan (an NGO working in the field) had put the homeless figure at 52,765. In 2001, however, the Census by the Government of India put the number of homeless in Delhi at 24,966. A survey by the Indo Global Social Service Society in 2008 put the number of homeless at 88,410. According to another study by the GNCTD-UNDP (2010), the shelter-less population in the city

⁴² Radhika Govinda 'First Our Fields, Now Our Women': Gender Politics in Delhi's Urban Villages in Transition" 8 | 2013 ; Delhi's Margins (SAMAJ-EASAS)

⁴³ CRIMINALISING AFRICANS AND THE POLITICS OF DELHI'S URBAN VILLAGES Accessed on 2.10.14 [HTTP://BARGAD.ORG/2014/03/03/CRIMINALISING-AFRICANS-DELHI/](http://BARGAD.ORG/2014/03/03/CRIMINALISING-AFRICANS-DELHI/)

numbers 56,000. The main observations from the GNCTD-UNDP Survey (2010) for the homeless in Delhi were as follows:

- A majority of the homeless were men (85 per cent) and young adults.
- A majority of the homeless people were working and were productive citizens of the city.
- The motivation to migrate was a result of the poor state of the rural economy.

The homeless in Delhi were concentrated in three districts, accounting for 61 per cent of the total: 25 per cent in the Central district, 19.3 per cent in the North-west district, and 16.8 per cent in the South district. They were usually rag-pickers, rickshaw-pullers, construction workers, and porters, among others.

In 2011, the Supreme Court Commissioner's Office, which used a new technique to map the homeless, found their number to be 2,46,800. Prior to 2000 there were only 13 night shelters to accommodate 2500 homeless. Shelters were functioning in night only and in non-participatory basis by Govt. There was not a single shelter for homeless women. No NGO was working for the homeless in right based approach model. There was no programme ,policy available in the government for homeless. Due to advocacy of NGOs like Ashray Adhikar Abhiyan(AAA), night shelters were kept open 24 hours, special campaigns for to provide shelter during winter were undertaken, health intervention for homeless, Exclusive Programme for Homeless with severe mental illness ,Legal Aid Advocacy were provided jointly with Govt. -NGO partnership.

In the winter of 2009-2010 of deaths of homeless people in New Delhi. The Courts deemed wide scale deaths on the streets a violation of the Constitutional right to life, enshrined in Article 21, and directed cities to construct 1 shelter for each location inhabited by 100,000 people. To date, there are nearly 250 homeless shelters in Delhi in all parts of the city. These night shelters have also been provided with the basic facility of Sulabh Shauchalayas. The upgradation of 52 community halls into night shelters is in progress. Irked at the death of a few homeless in the Capital due to the cold, the Delhi high court directed the city government to come up with a plan on creating permanent facilities for sheltering homeless people. A division bench of chief justice NV Ramana and Justice Rajiv Sahai Endlaw asked Delhi Urban Shelter Improvement Board (DUSIB) to provide it with the details of the immediate steps being taken to shelter the homeless from the cold.⁴⁴

The extent of slum demolition without resettlement may not be a direct indicator of eviction induced homelessness. Nonetheless, it suggests the creation of urban conditions bearing an increased risk of homelessness. It remains difficult to know exactly how many evicted slum families were excluded from the resettlement programmes and how many remained homeless. Conservative estimates suggest that at least half of the total numbers of families evicted from 1990 to 2007 were not resettled (Bhan & Shivanand 2013). The Night Shelters are vitally important during the winter season and constantly being monitored by Hon'ble High Court of Delhi and Hon'ble Supreme Court of India. GNCT Of Delhi decided that to provide a safe, secure and comfortable environment to the homeless people in Delhi all Night Shelters (Permanent/Temporary) & emergency

⁴⁴ <http://www.hindustantimes.com/india-news/newdelhi/come-up-with-a-permanent-plan-for-night-shelters-hc-tells-delhi-govt/article1-1171190.aspx> accessed on 2.10.14

rescue service will be run by Delhi Urban Shelter Improvement Board in Delhi. (i) There will be no temporary night shelter in the radius of one kilometre from these permanent night shelter until and unless occupancy of these permanent night shelters is more than 80% & these permanent night shelters will be run by NGOs'.

Temporary Night Shelter :- All temporary night shelters are being run by NGOs'. DUSIB is ensuring that all structures for temporary night shelters should be fire retardant/resistant & water proof and strong enough to stand full winter season.

Emergency Rescue Support:- This is for shifting of Homeless from Street to shelter, to Provide safe cover, First Aid and referral linkages with the health facilities and hospitals if they are not willing or difficult to shift to night shelter.

Public Awareness:- For the better utilisation of these night shelters DUSIB has launched a public awareness campaign. DUSIB will procure Blanket/linen & other necessary items from Delhi Khadi & Village Industries Board of GNCT of Delhi or other Govt. Agencies if required in urgency. DUSIB is co-ordinating with Land Owning Agencies, Health Department of MCD & GNCT of Delhi, DC (Revenue) Office, Delhi Jal Board, Delhi Police etc. for providing better services to homeless people.

The fee for Night shelter is Rs 10 per person for every 24 hours. There are no charges for women, children, handicapped people, senior citizens and drug addicts but from 1st December 2014 till March 15, 2015, shelters were absolutely free for everyone

5. Access to Basic Services to Urban Poor

5.1 Water Supply

The river Yamuna dividing the city and the Upper Ganga Canal, are main surface water sources for Delhi. Delhi Jal Board supplies treated water in bulk to NDMC and Delhi cantonment Board, both of which are responsible for distribution in their own territory.

Delhi is an old city -leakages in water supply result in huge losses, leading to shortage. Due to the shortage of water in Delhi, private water tankers supply water in areas where the DJB water does not reach the people. These tankers supply water on behalf of the DJB to several slum and rural areas. There are about 1400 water tankers supplying water in the city, out of which half are under private control. The tankers in connivance with local authorities flout all rules and indulge in illegal activities including theft and pilferage of water.⁴⁵ The salinity of groundwater is increasing in South-west and North-west Delhi. In some areas of Shahdara and Kanjhawala, nitrate content has been found to be more than 1000 mg/litre, whereas the desirable limit of nitrate levels, according to Indian health standards, is a meagre 45 mg/litre.²⁹ The citizens of Delhi also incur high costs to procure water that is fit to drink by using systems like RO and Aquaguard, which the poorer segments of population cannot afford. The supply of drinking water by the Delhi Jal Board (DJB) has improved in the last decade, piped water now reaches 81 per cent of the households as opposed to 75 per cent ten years ago. Delhi fares well as compared to other metros in supplying water to households within their premises, accounting for the highest share (86.5 percent) However distribution itself is uneven,

⁴⁵ Dr. Arun Kumar Singh (2006) "Delhi's Watery Woes A Cross-sectoral Analysis of the Water Crisis in Delhi", Occasional Paper, Centre for Trade & Development (Centad), Delhi

ranging from a supply of 500 litres per person to some areas to less than 32 litres per person in others. The disparity is most stark between formal elite areas and informal substandard areas. In terms of inequitable distribution, a map of water distribution shows that while the cantonment area receives 509 lpd (litres per person per day), and south Delhi receives 138 lpd, Mehrauli receives only 29 lpd. In terms of mismanagement, civil society groups point out that approximately 52% of Delhi's water is lost within the supply system, due to leaky pipes. While some of this leakage includes the litres "stolen" by those who do not get any water, it also includes water that is "stolen" for "luxury" purposes

With quality, the quality of water is important. On 21 July 2004, in the wake of a cholera epidemic in Delhi, a High Court bench listening to a PIL, directed MCD to take up testing of water samples. Accordingly, MCD (Delhi Municipal Corporation) collected samples from different localities of Delhi during July 22-August 3, 2004, from various sources like DJB tube wells, government water taps, hand pumps, . As per this MCD report, water in 170 samples (25% of total samples) was found unfit for consumption purposes.

Delhi Government's proposal of water reforms through PPP based on foreign investment was strongly opposed by activists from a broad range of civil society groups, including trade unions like WWA, community organisations of Resident Welfare associations, environmentalists and consumer organisations. Together they combined to form the Water Liberation Campaign (WLC) and citizen's Front for water democracy (CFWD) alliances. The 'Water Privatisation-Commercialization Resistance Committee' came up for an immediate withdrawal of tariffs imposed by the Delhi Jal Board (DJB) .⁴⁶ Budgetary outlays for Water supply & sanitation is uncharacteristically inadequate, even in the given outlay, funds remain unspent.⁴⁷ DJB is paid by the MCD for the services it delivers to slums across Delhi through a budgetary head "Grant-in-Aid to DJB for Water Supply in JJ Clusters"

5.2 Sanitation

Sewerage facilities are provided through net work of sewers in planned colonies, unauthorised / regularised colonies, urban villages and JJ Resettlement colonies. As per present policy sewers are not provided in unauthorised colonies and rural villages.

At present nearly 90 per cent of the households in Delhi have access to latrines within their living premises (Census, 2011). At present, there are 19 treatment plants with a capacity of 514.75 MGD for sewage treatment. However, the capacity utilization is low at 62.5 per cent with around 321 MGD of sewage being treated (Economic Survey of Delhi, 2012-13). Around 1400 industrial units have installed Effluent Treatment Plants (ETPs) following Government directives and others are expected to be linked to common ETPs.

Households with no latrine down has reduced from 22.0% in 2001 to 10.5% in 2011, but households having piped sewerage is 59.3%. However, 0.24 million households, comprising 7.2 per cent of the total, use public facilities and 0.11 million households

⁴⁶ Vandana Asthana, (2009) "Water Policy Processes in India- Discourses of Power and Resistance" Routledge Contemporary South Asia

⁴⁷ Gyana Ranjan Panda and Trisha Agarwal "Public provisioning in Water and Sanitation ,Study in urban Slums of Delhi" Economic and Political weekly, February 2, 2013

(3.3 per cent) still use open spaces for defecation. According to the Baseline Survey conducted by Mission Convergence in 2012, finds that 52 per cent of the children living in slums and unauthorised colonies defecate in the open. This share is as high as 79 per cent for children aged less than 3 years old. Amongst children above 3 years of age, 56 per cent of the girls and 48 per cent of the boys go outdoors for latrine purposes. The adverse impact on infants' health from such practices would be enormous and there are externalities in terms of impact on environment, especially on the immediate neighbourhood.

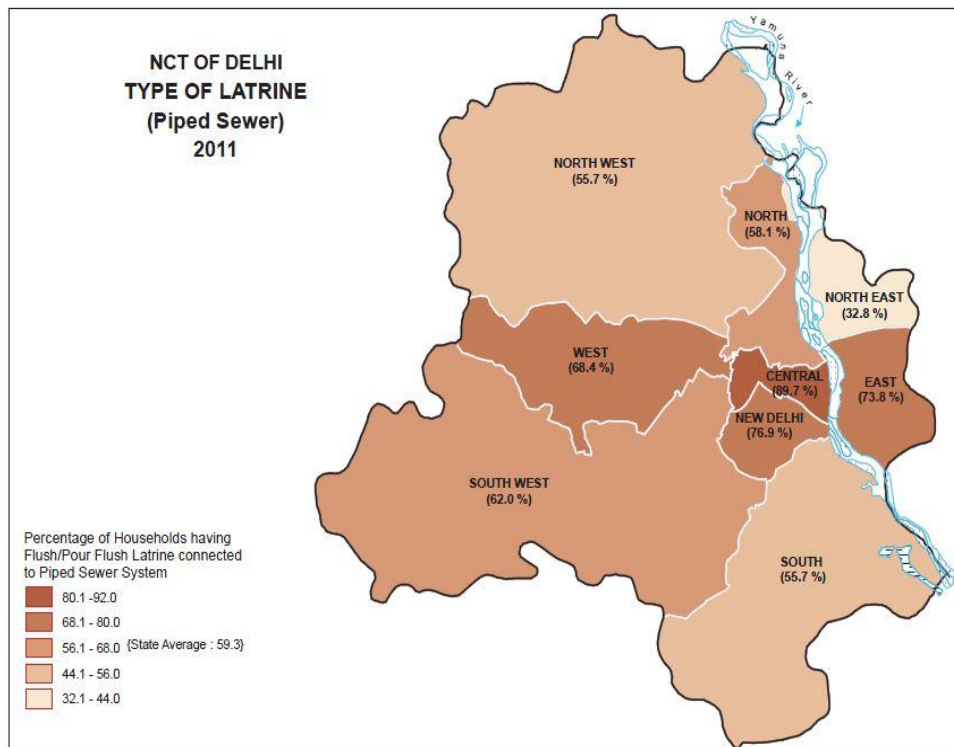


Fig15: Type of Latrine

Source: Census 2011

The report finds the intensity of faecal deposition alarming with faeces flowing into storm drains, which, in turn, flows into the Yamuna untreated. Close to half the slum households did not have latrine facilities within their premises, according to Census data, which has important implications for the hygiene situation in and around slums, according to Census 2011 data. However households having bathing facility has increased from 71% in 2001 to 91% in 2011 and those having covered bathroom are 87%.

The NDMC and the Delhi Cantonment Board are the two local bodies in charge of providing sewerage facilities in their respective areas. For the area under the jurisdiction of the MCD, the DJB is responsible for the same. Basic sanitation services to the low-income slum settlements are provided by the MCD. Sewerage treatment capacity Delhi Jal Board increased from 402.4 mgd in March 2001 to 514.75MGD in march 2012. The percentage of utilization of sewerage treatment Plants in Delhi were 62.54%. Lack of sewer connection concerns to such a very significant degree residents of unauthorised

colonies and Slums, too, fall almost exclusively in the category of unconnected residential areas. In such unconnected areas, inhabitants face regular overflow of sewage onto streets, and partly into houses. The situation worsens significantly during the monsoon months when overall city drainage systems touch (or overstretch) their limits. Next to practical problems of daily life, this presents a major health hazard.

MCD and DUSIB are the two nodal agencies mandated to provide sanitation facilities in Delhi's slums. MCD implements a plan scheme called "Grants-in-Aid to MCD for Sanitation in JJ Clusters" under its plan budget whereby resources are allocated for sanitation facilities in JJ colonies. Similarly, DUSIB also implements a plan scheme since the Seventh Plan called "Grants-in-Aid to MCD (Slum) for the Construction of Pay and Use Jan Suvidha Complexes", or Community Toilet complexes (CTCs). These are maintained by the department, an NGO or private contractors. Some of these complexes are pay & Use built by Sulabh International.

Because of poor maintenance and overuse many public toilets are non functional. As such many people use the neighbouring open area. It is safe for the men to go whenever they like, but for the women, the only time of the day when they can go alone is from 6 am to 8 am; at all other times they don't have the courage to go alone and generally make a group of about 4 to 5 women to go together. But, after 8 am, there are always men who loiter around on the women's side and trying to find ways to trouble women – there are several cases of sexual harassment. Even when the toilet complexes were 'functional', there were times when men would jump into the cubicles meant for women. This leads to the question whether a 'closed' space or an open space is safer for women.⁴⁸ In another focus group discussions (FGDs) were held in three slums in the North East district of Delhi. Their main fear was of sexual violence, both to themselves and to female relatives. Women were fearful of sexual violence when using public toilets, when defecating in the open and in public spaces in general.⁴⁹

Inequities in basic civic amenities often result in serious dissatisfaction among the masses as well as civil unrest. For example, the residents of Kondli, a locality in East Delhi, raised slogans against the Delhi government and the Jal Board, blocked roads and damaged vehicles due to non-receipt of water supply for several days.⁵⁰ A similar situation was observed in the Khanpur locality in southeast Delhi, and in Sangam Vihar in South Delhi.⁹ A shortage of drinking water results in greater reliance on private suppliers, and affects the household budget. The residents hold the view that unless they engage in disruptive action, their complaints generally go unheard. Occasionally, there have been arguments between workers of different political parties over inadequate water supply in some parts of the city.⁵¹

⁴⁸ Shahana Sheikh (2008), PUBLIC TOILETS in Delhi: An emphasis on the facilities for Women in Slum/Resettlement Areas, Summer Research Internship Programme, Centre for Civil Society, New Delhi

⁴⁹ Shirley Lennon November 2011/ Perceptions Of Risks Related To Sexual Violence Against Women Linked To Water And Sanitation In Delhi, India, Briefing note funded by DFID

⁵⁰ 'Protest Against Water Shortage Turns Violent', *The Hindu*, 7 July 2010

⁵¹ RUMI AIJAZ, Water crisis in Delhi http://www.india-seminar.com/2011/626/626_rumi_ajazi.htm cached copy accessed on 4.10.14

5.3 Drainage

A total of 22 drains fall into the Yamuna, out of which the Najafgarh drain alone contributes about 40.3 per cent of the total pollution to the Yamuna in Delhi followed by the Shahdara drain. The water quality monitoring results of the drains for the period April 2011 to March 2012 indicate that most drains are not meeting the standards with respect to Bio-chemical Oxygen Demand (BOD), Chemical Oxygen Demand (COD) and Total Suspended Solids (TSS) (Government of NCT of Delhi, Department of Environment, 2012). While Delhi, as a whole, has around 59 per cent closed drainage, there is significant inter-district variation, with the New Delhi and Central districts faring far better than the other districts. North-east Delhi stands out as the area with the poorest drainage with only 26 per cent coverage of the closed drainage.⁵²

Flood Control Department of Delhi is responsible for planning and execution of main drains within their jurisdiction. The DJB, : Delhi Development Authority (DDA), North Delhi Municipal Corporation, East Delhi Municipal Corporation, South Delhi Municipal Corporation, New Delhi Municipal Committee (NDMC), Delhi Cantonment Board and the Public Works Department are responsible for the construction and maintenance of drains in responsible within their jurisdiction. Storm water drains carry considerable quantities of raw and untreated effluents. Lack of maintenance, leading to choked drains. Open drains have become receptacles of garbage till they are completely filled up, leading to overflowing of sullage and storm water. As a result, in the rainy season the drains are unable to take the flow and spill over, flooding the roads.⁵³

Quite often rains in cause flooding on city roads resulting in water-logging resulting in traffic jams. Due to water-logging, mosquito breeding and infections increase. Moreover, till the time cleaning doesn't happen, electricity cannot be provided to the residents. Waste from 1,500 unplanned neighborhoods runs straight into the river. The Supreme Court of India took up the issue in 1994 after reports in the press, and since 2001 is actively monitoring the river and the city's efforts to clean it; in 2011,

Delhi Jal Board had admitted that over 45 per cent of Delhi does not have sewers, and untreated waste was running off into the storm water drains. Courts have issued clear orders stating that storm water drains were not to be covered so that de-silting could be done. Encroachments, unplanned growth and unauthorized colonization has blocked the natural drainage channels resulting in heavy water logging during monsoon. Many owners would encroach on the drains for creating parking spaces, thus covering them and blocking the passage of water. large quantity of untreated sewage finds its way into these storm water drains thereby reducing the existing designed discharge capacity of the storm water drains. Further, direct disposal of sewage, cow dung from dairies, solid and liquid waste from industries, dumping of garbage into storm water drains chokes these drains, thereby reducing the carrying capacity of the drains.⁵⁴

⁵² Delhi Human development report, 2013

⁵³ Delhi CDP

⁵⁴ High Court of Delhi W.P.(C) 8683/2011

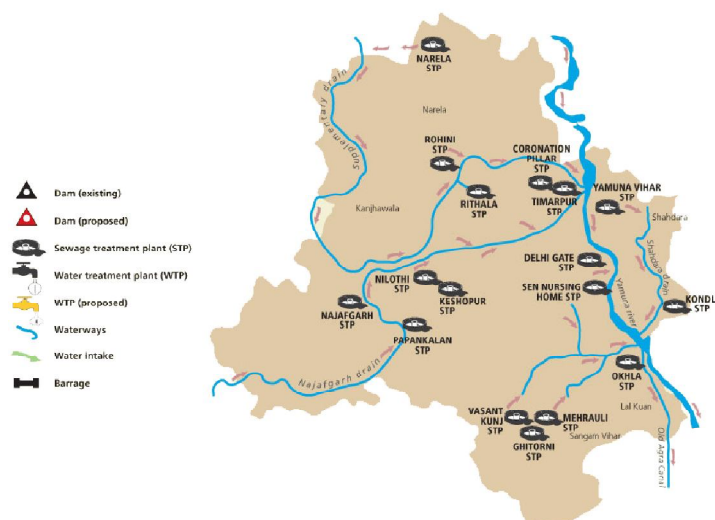


Fig 16: Drainage in Delhi

Source : CSE, Delhi

The drainage system in the slums is either absent or inadequate. In some areas the levels of the road have gone up with repair and renovation or new roads have been built. Spread of diseases like malaria, filaria, dengue and annual recurrence of gastroenteric diseases is a testimony to the failed drainage system. Continuing to leave storm water drains out of the sewerage issues will lead to continuously underestimating waste water quantities.

5.4 Solid Waste Management

The quantity of municipal solid wastes generated in Delhi has been consistently rising over the years. This can be attributed to the rapid population growth, increase in economic activities in general in the city and the change in lifestyle of the people. Delhi city generates approximately 8,000 MT of Municipal Solid Waste (MSW) every day in 2013 at the rate of 500 g/capita/day. Due to its size and multiple activities, different types of solid waste are generated in Delhi. More than 65% of the MSW collected is disposed off in landfills. The remaining amount of MSW is sent for either composting or WtE plants for energy generation.

There are approximately 1,50,000-2,00,000 waste workers in Delhi (Chaturvedi and Gidwani 2011: 131), most of whom belong to vulnerable communities and are unable to find alternative livelihoods. These workers provide environmental services in the form of high level of recycling in working conditions that are extremely hazardous but are not compensated by the State. The different kinds of waste pickers in the city of Delhi. Primarily there are four different kinds of waste pickers. · Who carry a sack on their back and collect whatever has any resale value. These street waste pickers move in their respective localities and pick up waste from streets, drains, municipal bins and open dumpings. Hazardous working conditions lead to frequent injury in the form of cuts and bruises from glass, metal sharps, broken bottles etc.

The first phase began in 2005 when the Delhi municipalities floated tenders for private firms to collect, segregate, and transport municipal solid waste. Companies were bidding for the waste itself as well as for the fee they would receive from the state for its collection.

The second phase is a plan to divert waste from Delhi's three land fills (Okhla, Ghazipur and Bhalswa) to waste-to energy plants. These plants process waste into refuse-derived fuel (RDF) that is incinerated to generate electricity in the process. Intense conflict emerged between the authorities in Delhi and residents who have opposed the privatisation of various stages of waste management. For example, those residing near proposed waste-to-energy plants argue that the plants will emit toxins and result in negative health impacts. The third phase, which has just begun, extends the reach of private firms to households by granting them the right to door-to-door collection. Privatisation threatens the livelihoods of waste workers but also reduces the percentage of waste that is recycled (and most likely result in increased toxic emission and ash).⁵⁵

A number of civil society organisations, such as the All India Kabadi Mazdoor Mahasangh (AIKMM) as well as environmental justice organisations such as Hazards Centre, Toxics Watch Alliance and Global Alliance for Incinerator Alternatives (GAIA) have opposed the transformation of waste management in Delhi by organising demonstrations and filing petitions.

5.5 Electricity

Electricity is the main source of lighting for more than 99 per cent of all the households in

the NCT. This is a significant improvement over 2001 when about 7 per cent of the households in the NCT did not have access to electricity. In per capita terms, the consumption of electricity stands at 1651.26 kwh, which is more than double the all-India average.

In 2002, Delhi government assured the people that privatization of power will reduce reduction of tariffs in 5 years. They were assured that by 2005 just as in the case of mobile phones, consumers will be able to choose their power supplier which will lead to competition between them and thus reducing the tariff. In recent years, the performance of the power sector in Delhi has deteriorated dramatically due to various reasons: In spite of increasing demand, no new capacity has been added. T&D losses (Transmission and Distribution losses) have increased from 23 percent in 1989 and have now reached a level of over 50 percent. About 18 percent are transmission losses and 32 percent are lost due to power theft.

Behind the steep increase in tariffs in Delhi after privatisation, is the whole regulatory system that has been built which allows gaming of the system by the private parties.

In the year 1997 the Delhi Government proposed a scheme to bring electricity within the reach of residents of unauthorized colonies. Before this policy was initiated, residents it her resorted to stealing power from nearby sources or by running there own generators.

⁵⁵ Seth Schindler, Federico Demaria, Shashi B Pandit, " Delhi's Waste Conflict" october 20, 2012 vol xlvii no 42 Economic & Political Weekly

While the Perceptions Survey, 2013, has shown a majority of Delhi's residents rating the availability of electricity as above average, disaggregated data reveal differing satisfaction levels across settlements. Specifically, as compared to the average figure of 80 per cent, only 57 per cent of the residents in JJ clusters and 67 per cent of the residents in the Walled city rated power availability as above average. The district-wise rating reports South-west Delhi with the highest proportion (13 per cent) of residents who rated electricity supply to be 'very poor'.

5.6 Public Transport

The PWD, MCD, DDA, DTTDC and MUD are responsible for the construction and maintenance of roads in the city; whereas urban transport is managed by Transport department. The high growth rate of vehicular traffic volumes on roads causing congestion, delay, safety issues, pollution. Owing to improper development of rail based modes in Delhi, the city is heavily dependent on road based modes of transportation (93 per cent of the total trips performed in the city are made using road based transport systems). Excessive dependence on road based modes, coupled with inadequate public transport system & steep rise in the population of the city, has resulted in a sudden spurt in the population of private modes of transport.⁵⁶ This rise adversely affects the mobility of urban poor.

The low capture of public transport systems, due to lack of integration of various modes. In Delhi, Delhi Metro together carry around 6.45 million passenger trips per day (36% of cities population use these modes of public transport). Vehicular population in Delhi grew at the rate of 7 per cent over the periods 1999-2000 and 2011-12 (Economic Survey of Delhi, 2012-13). The number of registered vehicles is more than 7 million,⁵⁰ which is higher than the combined vehicular population of Chennai, Kolkata and Mumbai. The increase in the number of vehicles in the city has a strong adverse environmental impact. Also, studies have shown that vehicular pollution is a major contributor to respiratory and pulmonary diseases in cities like Delhi and elsewhere (Ingle, *et al.*, 2005; Rizwan, *et al.*, 2013; Central Pollution Control Board and Ministry of Environment and Forests, 2008). The high growth rate of vehicular traffic volumes on roads causing congestion, delay, safety issues, pollution. The low capture of public transport systems, due to lack of integration of various modes. Low-income groups are often the major users of non-motorised traffic and the growth of non-motorised vehicles has been more or less stagnant in recent years, with their CAGR being just around 1 per cent during the period 2008-09 to 2010-11 (Delhi Statistical Hand Book, 2012).

With nearly 1,200 vehicles being added to the city roads daily, parking problems in Delhi are compounding by the day. Colony roads, parking slots, basements and open parking areas in buildings and even open spaces now remain clogged with vehicles. Frequent arguments, fights and even murders over the issue are becoming commonplace. The authorities have fallen well short of providing a wholesome solution

⁵⁶ P.K. SARKAR*, SAIKAT BOSE** & PRITHA GHOSH*** A CRITICAL APPRAISAL OF TRAFFIC & TRANSPORTATION SECTOR IN DELHI AND POSSIBLE SOLUTIONS†

to the problem. And with five lakh people coming to the city every year, even the suggested solutions come with a huge question mark.⁵⁷

The PWD, MCD, DDA, DTTDC and MUD are responsible for the construction and aintenance of roads in the city; whereas urban transport is managed by Transport department. *Bus services* in Delhi are currently provided by Private Stage Carriage operators (PSCs), the Delhi Transport Corporation (DTC), and the Delhi Metro Rail Corporation (DMRC), which provides connecting services to the metro rail system.. *PSCs in Delhi* comprised of cluster bus services, chartered buses and the Grameen Sewa vehicles for rural areas which constitute the measures that have been taken by the Government to meet the rising demand for bus services. On 15 March 2013, the Government also made the installation of GPS mandatory for chartered buses and Grameen Sewa buses to ensure the safety and security of passengers, which was to be effective from 30 April 2013.⁵² The DTC plays a pivotal role in the multi-modal transit system of public transport in the NCR

In Delhi, Delhi Metro together carry around 6.45 million passenger trips per day (36% of cities population use these modes of public transport). At present, the Delhi Metro is operational on six lines where more than 2500 train trips are made each day traversing over 70,000 KMs in day. With Phase-III of the network expected to cover about 108 kilometers, The first phase of Bus Rapid transit System (BRT) with dedicated lines for motorised and non-motorised traffic, the BRT safeguarding cyclists and pedestrians is already operational. *The Delhi Metro*, an integral part of the Mass Rapid Transport System (MRTS), was introduced in Delhi in 2002 as an alternative means of providing safe, non-polluting and expeditious travel within the city. Presently spanning a length of 190 kms.

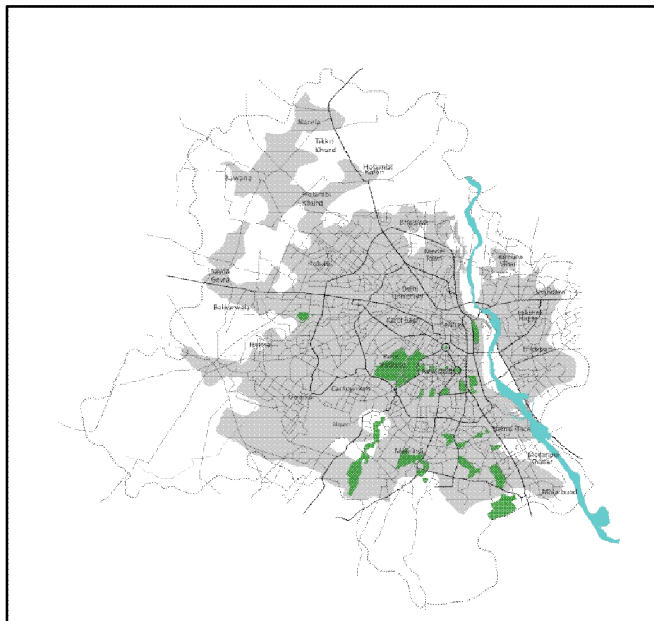


Fig 16: Main roads

⁵⁷ As vehicles increase, so does parking chaos" *The Hindu*, 30 September, 2012. accessed on 5.10.14

Source : Survey of India, Master plan, Delhi Government

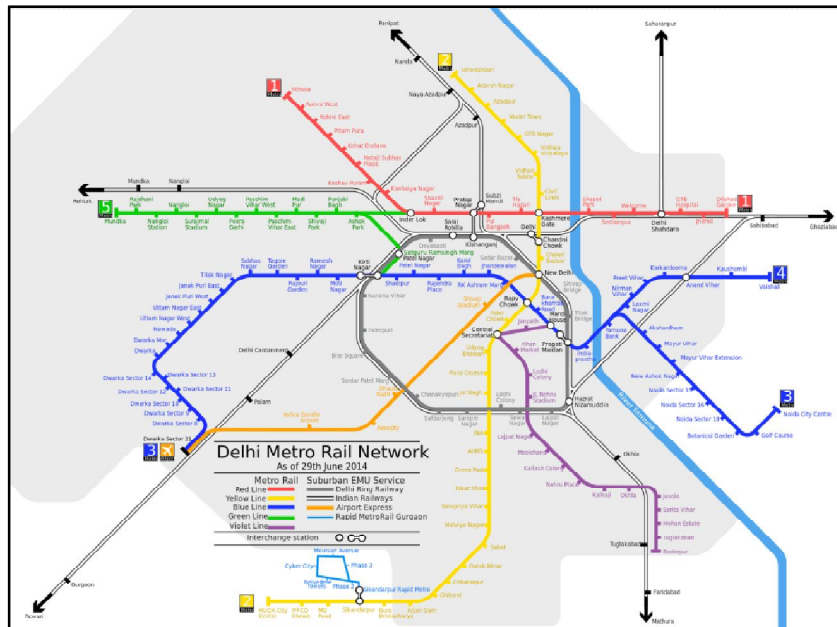


Fig 16: Delhi Metro

Source : DMRC

There is a need to regulate auto rickshaws in Delhi and their number also needs to go up. “The Supreme Court has put a cap of one lakh autos which should be removed. There is a need to regulate auto rickshaws in Delhi and their number also needs to go up. “The Supreme Court has put a cap of one lakh autos which should be removed, about 80,000 autos were plying on Delhi roads before March 2001. Then came the ruling of the Supreme Court of India and accordingly all autos had to be converted to CNG. Although this might fare well for the environment of Delhi, but as far as the auto- rickshaw driver is concerned this ruling has spelt despair right from the start. As an approximation, there are just over 20,000 autos currently on the road. Moreover the government has decided not to issue any new permits.

Launched in 2010 by Delhi’s main civic agency, the Municipal Corporation of Delhi, e-rickshaws were touted as a remedy to Delhi’s chronic traffic woes, pollution and fuel dependence, as well as an option for bicycle-rickshaw drivers to escape the backbreaking work. The MCD is one of New Delhi’s main governing bodies. Because New Delhi is the capital city of India, it has a unique governing structure involving both municipal and federal officials. The e-rickshaws are owned, operated and maintained by private vendors on contract with the MCD. The initial idea was to eventually replace the city’s 88,000 licensed human-powered bicycle-rickshaws with the battery-powered. However, the Delhi High Court, banned running of e-rickshaws in Delhi on 31 July 2014, over safety concerns raised through a public interest litigation.

Delhi, like most Indian cities, has a mixed traffic. The road space is shared by many modes of different sizes and technologies. This is partly because large numbers of people need to walk between their places of residence and their places of work. The

traffic stream include pedestrians, bicycles, animal and human drawn vehicles along with modern cars, trucks, buses, two-wheeler and three-wheelers. Nearly 32% of all commuter trips in Delhi are walking trips(Tiwari,2003; Transport Department, 2009). Delhi tops the list among cities in the country in terms of fatal road accidents with five people – four of whom are pedestrians and two-wheeler riders — losing their lives every day, a report by Centre for Science and Environment (CSE) Almost all accidents hotspots are on the arterial roads, Flyovers, poor crossing facilities and public transport access zones , 10 Bus Stops are listed as accident spots, account for 8% of the total accidents; 5 Metro stations are listed as accident spots, account for 4% of the total accidents.⁵⁸



Fig 16: Critical Road sections for pedestrian accidents in Delhi, 2006-09⁵⁹

Source : *Eastern Asia Society for Transportation Studies, Vol.9, 2013*

The geographic distribution of pedestrian victims highlights the widespread insecurity people experience in Delhi when walking. Fatal crash density is higher near ISBT in Delhi, where population density is also high. In one of the studies on walkability in a Delhi it was found that the biggest concern among pedestrians , regardless of the area surveyed was security. The lack of adequate number of policemen, presence of unruly motorists, eve teasers, pick pocketeers etc add to the worry. Women had aversion to use subways.⁶⁰

Delhi senior police officials have stated that in 2013, 36 road rage incidents were reported and in 2014 till August, there were already more than 20 cases registered. The PCR receives almost 10-12 calls every day on minor scuffles on the roads of Delhi. Short-tempered drivers have made the roads of Delhi very dangerous and unsafe for

⁵⁸ Centre for Science and Environment *Dialogue on Assessment of Safety and Accessibility in Indian Cities* New Delhi June 23, 2014

⁵⁹ Shalini RANKAVATA, Geetam TIWAR Pedestrian Accident Analysis in Delhi using GIS Proceedings of the Eastern Asia Society for Transportation Studies, Vol.9, 2013

⁶⁰ https://www.academia.edu/2393717/walkability_analysis_of_east_delhi accessed on 5.10.14

others. With the rising frequency of such incidents, this issue is giving rise to serious concerns and calls for urgent preventive steps.⁶¹

With nearly 1,200 vehicles being added to the city roads daily, parking problems in Delhi are compounding by the day. Colony roads, parking slots, basements and open parking areas in buildings and even open spaces now remain clogged with vehicles.

The current approach towards creating surface parking spaces [in Delhi] is *ad hoc* and not planned according to any well established criteria. Public spaces in Delhi such as roads, pavements, unused plots of land and parks are poorly regulated and policed such that they are treated as common pool resources for parking. In Delhi, illegal parking is common and customer satisfaction with parking availability, vehicle retrieval times from parking lots and traffic congestion are low.

Frequent arguments, fights and even murders over the issue are becoming commonplace. The authorities have fallen well short of providing a wholesome solution to the problem. And with five lakh people coming to the city every year, even the suggested solutions come with a huge question mark.

Since most of the informal resettlements and unauthorised colonies are located on the periphery with poor accessibility by Public transport. This has significantly affected women's mobility and participation and limited their employment options it seems to have

6. Security and safety

Although, in terms of percentage share, Delhi has the highest share of crimes against women, something which is attributed to its large size and high population density Official data strongly substantiates this for children, with Delhi figuring high among the top ten cities recorded for highest crime rates against children. crimes recorded in Delhi during 2005 and 2011, it is clear that Rates of crimes against property are the highest in both years, and have increased significantly along with body crimes since 2005 while crimes against women have decreased from 30.1 to 27.3 per 100,000. Economic crimes have remained more or less the same. According to the National Crime Records Bureau (NCRB) data on cognisable crimes from police stations in the states and Union Territories (UTs). the rate in Delhi (city) decreased from 397.9 to 314.3 per 100,000 during 2004-2006 to 2010-2012. Delhi reported the highest rate of rapes (4.0 per 100,000 and 3.2 per 100,000, respectively, for the time points considered), despite showing a decline in the occurrence of the same. Children constitute a vulnerable segment of Delhi's population in terms of safety and security. Delhi ranked second among 53 cities in 2011, according to rankings based on crimes against children. The NCRB data shows that the rate of overall crimes against children in all cities increased from 3.3 to 5.2 per 100,000 during the period 2004-06 to 2010-12. Kidnappings and abductions constituted the largest share of total IPC crimes against children, and their incidence increased from 50 per cent to 82.1 per cent over the period under study.⁶²

⁶¹ <http://www.mapsofindia.com/my-india/society/road-rage-in-delhi-let-us-be-responsible-ourselves-to-prevent-it> accessed on 5.10.14

⁶² DHR 2013

The Perceptions Survey, 2013⁶³, reveals some interesting findings and paradoxes. While a majority of Delhi's population felt safe in the areas wherein they resided—their localities and their neighbourhoods, they felt that crime had increased over time and did not rate Delhi favourably in terms of personal safety. Women rated personal safety more poorly than men. Children and senior citizens emerged as vulnerable groups. Senior citizens felt far more unsafe in their own localities, and also had less positive perceptions about women's safety, in general

Street lights and safe public toilets in Delhi, which contributes to fear of violence in public spaces, and is likely to affect women and girls more severely. People, in general, and women and children, in particular, feel unsafe without street lighting and many either take alternate routes, or avoid dark areas altogether.⁶⁴ In August 2012, a survey conducted by the Delhi Police revealed over 1500 areas in the city including areas near colleges, schools, residential areas and metro stations that were unlit and perceived as being unsafe (Anand, 2012). The problem of boundary walls and setbacks around residential spaces, which have experienced a rise in anti-social activities like urinating in public spaces, and harassment. These contribute to a feeling of being unsafe, particularly by women (UTTIPEC, 2010). The high walls also block visibility and isolate pedestrians. Coupled with the lack of street lighting this results in people avoiding these 'public' spaces. The Perceptions Survey, 2013, brings out this issue quite strongly, with the women respondents revealing that they feel more unsafe as they move further away from their localities and into public spaces.

Spaces like the roadside and public transport were considered as very unsafe, something that has emerged in the current PPS as well. Over 80 per cent of women in New Delhi reported harassment in public transport or during transit and over 60 per cent had faced verbal or physical harassment on the road side. Some of the factors associated with insecurity were lack of visible policing, presence of men dealing with or consuming alcohol or drugs, crowded public transport and bus stops, poor lighting and societal attitudes

From the early 1990s, middle class RWAs in Delhi started to erect gates across colony entrances in attempts to control the flows of people and traffic moving through residential spaces. In Delhi, suburban areas have come to be defined increasingly by gated complexes by raising compound walls and setbacks. The high walls block visibility and isolate pedestrians. Lack of street lighting results in people avoiding these places. Women feel unsafe as they move further away from their localities.

The construction of boundary wall around many residential area and installation of gates is not only for safety and security of the area but in many areas such as R.K. Puram, it has been constructed to distinguish between the different classes of employee and forming small gated communities of same economic class. According to the High Court order in 2004, the colony gates cannot be closed during the day if they are to be closed at night RWA must post security guards.

The backlanes in plotted development are the most vulnerable areas of crime as they are isolated and not under surveillance by the residents and also they are seldom closed

⁶³ IHD 2013

⁶⁴ DHR 13

using gates. Guest houses in residential are also a nuisance and pose a threat to the safety and security of the residents. Shops selling liquor is also a threat to the people as anti-social elements are always present outside such shops. Visitors parking within the colony always cause unnecessary congestion. Very few restrictions on the entry of vendors and sales representatives in the colony as they pose a threat to the security of women and children alone at home during day-time. The courier delivery man poses the maximum threat to the security of the women and elderly alone at home and also their entry into the colony is inevitable.

The high income group have personalised security guards for their houses with watch dogs. While the lower income group just have to rely on the lock on their grill door only as the community security is also very poor.

7. Issues of Governance and Role of Intermediaries

Economic growth, presence of Central Government, hosting of international events, urge to present Delhi, the national capital as a 'global city' has led to massive investment/subsidies and focus on large projects. The emergence, growth of squatting presents stark contrast and therefore the emphasis on eviction and spatial exclusion.

The three tier Governance structure has created more conflicts in terms of decision making between the Central and State Government around the issue of land and policies related to housing. Centralised decision making on all aspects related to land had created conflicts between the Centre and State even when the same ruling party was at the Centre and State. Recently, with *Bhartiya Janta Party* at the centre and *Aam Aadmi Party* at the State level, the confrontation has reached its lowest level taking a toll on the Governance of the city and bringing development to standstill. The conflict trickles down to bureaucracy and reflects in working of various organisations. There is not only multiplicity of authorities but also overlapping functions, sometime competition but occasionally non-cooperation due to political uncertainties.

Delhi Development Authority, being the largest land owning agency, has played a major role through its planned housing projects in influencing the spatial distribution of various socio-economic groups. It took up large scale eviction and resettlement of squatters but failed to supply adequate quantity of affordable housing for low income segment. Its policies are approved by the Central Ministry of Urban Development as such there is not significant initiative for proactive action.

The Delhi Urban Shelter Improvement Board (earlier, called the 'Slum Wing'), was constituted under the DUSIB Act, 2010 and functions under the control of Govt. of NCT of Delhi. This act empowers the DUSIB to notify certain areas as Slums, where with the passage of time, the buildings have become dilapidated and the basic civic services are missing. Apart from this, DUSIB has been also assigned the role of looking after the Jhuggie Jhopri Squatter Settlements/Clusters by way of provision of civic amenities and their resettlement too. However, its role gets limited as it does not own most of the land squatted by squatters nor has adequate land bank to relocate slum clusters. Budget allocations from the State Government are not enough to take up

significant improvement. There is no alignment of policies towards squatters between DDA and DUSIB.

In the last decade, Resident Welfare Associations (RWAs) are the new emerging stakeholder influencing policies for eviction of slum clusters. The Bhagidari (meaning 'partnership') programme was initiated by State Government in 2000 for "developing a democratic framework in which citizen groups can communicate and act in partnership with government servants in order to solve simple, daily problems". Under the Bhagidari programme, there are over 2700 participating citizen groups. In a recent study by the Centre of Civil Society (based on selective interviews of RWAs), it was found that only 33% of the ideas discussed at Bhagidari workshops have been implemented by the government agencies. A pressing point about this initiative is that it is overwhelmingly "middle-class" in nature and limited to planned colonies. The slum dwellers and unauthorised colonies are not part of the Bhagidari scheme and remain excluded from any partnership with Government.

A study showed that this may constitute the means through which the upper/middle strata (through RWAs) of the society attempt to regain their influence over local affairs, threatened by the inclusive dimension of the democratisation of the local government.⁶⁵ They have also influenced Govt. Policy for water and power charges. Increasingly, the RWAs are accessing legal channels by filing writ petitions in courts requesting the removal of a neighbouring slum. Invariably Courts are deciding in favour of RWAs directing DUSIB to evict the slum. The hostility between urban poor and high/middle income residents is increasing leading to spatial exclusion.

NGOs are also emerging as important actors especially in slums of Delhi. Several NGOs are active in Delhi's slums in the fields of Child welfare, health, sanitation, education, public awareness, women empowerment and community work. Some of them get funding from foreign donors'.⁶⁶ NGOs are also working with DUSIB in surveying slums and organising slum communities.

Poor people in Delhi use formal politics as the primary channel of accessing the state, often via client-patron relationships. Middle-class associations have traditionally been distant from formal electoral politics.

- The Almitra H. Patel v. Union of India Municipal Waste case), in February 2000, brought the focus onto the unhygienic condition of New Delhi owing to non- implementation of solid waste disposal by its civic bodies-” *Large areas of public land, in this way, are usurped for private use free of cost. Rewarding an encroacher on public land with free alternate site is like giving a reward to a pickpocket.*”
- The Wazirpur Barton Nirmata Sangh v. Union of India case, in November 2002, led the court to direct all concerned authorities to remove all unauthorized settlements from the Yamuna river bed. It stated:

"Direct all the authorities concerned, i.e., DDA, MCD, PWD, DJB as well as the

⁶⁵ Rohit Sinha (2013) "New urban governance exemplars: A glance at Delhi's Bhagidari model. <http://orfonline.org/cms/sites/orfonline/modules/analysis/AnalysisDetail.html?cmaid=49387&mmacmaid=49388>" accessed on 22.6.15

⁶⁶ I Milbert, Law, Urban Policies and the Role of Intermediaries in Delhi

Central Government to forthwith remove all the unauthorized structures, jhuggies, places of worship and/or any other structure which are unauthorizedly put in Yamuna Bed and its embankment, within two months from today.”

8. Conclusions

Delhi is a city where Planned Comprehensive Urban Development was initiated by highest political office, was given utmost importance and it was perceived that with strong legislative backing of Delhi development Act, Control over public land, allocation of resources and creation of dedicated institutions and will be sufficient preconditions to successfully achieve the goal of managing Delhi's growth in an orderly manner. However, 50 years of plan implementation/ has shown unintended/unforeseen consequences resulting in major distortions despite several revisions/modifications. One of the major outcomes has been the unexpected growth of informal housing by the poor and the lower middle class in the form of squatters, unauthorised colonies and informal economic enterprises.

Corrective action has been in the form of Regularisation measures which included legalising illegal land subdivisions, regularising land transfers made on power of attorney, regularising unauthorised additions in planned colonies, regularising conversion of residential premises to commercial use in planned colonies. Regularisation only gave immunity from urban laws, but the areas continue to have poor environmental quality. The situation has been exploited both by politicians and market forces.⁶⁷ While regularisation policies were adopted in above cases, exclusionary policies have been in force for squatters settlements which were evicted for last five decades despite Inclusive national Housing Policies, National Policies for Slum Free City Plan and the 'Three Pronged Strategy' for slums in Delhi recommending in-situ up-gradation. Irked by the deteriorating of environment, courts have intervened and given their dictates.. Lastly unaffordable and weak public transport resulting in poor mobility .

Exclusionary policies have polarised the urban poor and the informal sector. lack of basic services has made access to water supply and affordable electricity supply, housing to squatters and regularising unauthorised colonies have become important point in contesting recent elections.

Segregation and Evictions for city Beautification

Squatters become the most vulnerable section of Delhi's population facing multiple deprivation, constant fear of demolition and hostility from neighbouring higher income residents. The policy of Resettlement of squatters was initiated in Delhi in 1960s for eviction of squatters to clear public lands and for city beautification and granting of tenure at relocation site. With this began an era of eviction and resettlement of squatter in cities which continued for decades during which more than 1 million population was resettled on the periphery. The approach of eviction brought sharp reactions primarily on "humanitarian grounds" for hardships of relocated families. The scheme neither conformed to the Master Plan in terms of land use zoning regulation; plot sizes and building byelaws nor the municipal regulations for water supply and sewerage.⁶⁸ Delhi

⁶⁷ Risbud ,Neelima (2002), "Policies for Security of Tenure in Delhi" in Alain Durand Lasserre and Lauren Royston(Ed) "Holding Their Ground : Security of Land Tenure for the Urban poor in developing countries. EarthScan Publications Ltd.

⁶⁸ Risbud, 1989

was a special case, as the locus of Central Government and under its jurisdiction; it experienced both the highest level of coercion and the highest level of funding in carrying through its policies.⁶⁹ Evictions have continued throughout but have seen major upsurge during specific periods for varying reasons like political considerations, legal dictates for green agenda. Delhi's special status and visibility as national capital has made state anxieties around the management of urban spaces all the more acute : Delhi matters because very important people live and visit there; its image reflects the image of the nation-state. (Amita Baviskar, 2003)⁷⁰

Political massive relocation during 1976 (national Emergency) when 1.5 lakh families were resettled within a span of eighteen months. The forced relocation created in public anger which manifested in debacle of the ruling political party. Since then resettlement colonies have become ghettos of huge 'Vote Banks' for all political parties and populist appeasement measures. The massive relocation created huge concentrations of low income housing markets on the urban periphery. After 38 years, as the city has expanded, these resettlement colonies have consolidated with three to four stories houses, rentals of Rs 2,500 for a room and large number of small commercial establishments.

Large scale evictions directed by courts, and evictions for preparation of national events like Common Wealth games in 2010 where approximately 2,00,000 persons were evicted after 2004. What is important that the resettlement led to economic displacement and also disrupting social supports available through community networks. What is disturbing is that not all evicted families were given resettlement plot. there is no estimate of families which are evicted but not resettled. Entitlement to a resettlement plot is decided by the cut-off date, which has been shifting from 1991,1998, 2002, 2007 to 2009. In 2010. However, the Delhi High Court, finally took a decisive stand on right of way evictions in a landmark judgment, Sudama Singh v. GNCTD. provided a clear and conclusive answer to the question of whether the relocation mandate applies to residents of homes built on the right of way effectively protecting the eligibility of residents whose *jhuggis* have been demolished for sitting on a right of way to be considered for relocation.

Court directed that the state must “meaningfully engage” with those that they seek to relocate, and mandated that a separate folder be preserved by the agency or agencies that are involved in the survey for each *jhuggi* dweller, collecting all documents relevant to that resident in one place. Further, it mandated that basic services be provided to those who had been displaced. It also suggested that the survey team visit the area repeatedly “over a period of time, with proper announcement”. Although government agencies demonstrate some effort to inform residents of their status, they are not consistent.⁷¹

The process of resettlement does not involve any consultations to seek people's consent, mostly adequate notice was not served and a night before people were threatened by

⁷⁰ Amita Baviskar, (2003) Between violence and desire: space, power, and identity in the making of metropolitan Delhi, *International Social Science Journal* 55 (175), 89-98.

⁷¹ Subhadra Banda and Shahana Sheikh The Case of Sonia Gandhi Camp, The Process of Eviction and Demolition in Delhi's Jhuggi Jhopri Clusters. Cities of Delhi Centre for Policy Research, April 2014

police to vacate. All slum demolitions reportedly took place in the presence of a large police force. Government and police officials first cut off access to essential services such as electricity and water before the homes are razed. Several people reported being injured during the eviction process. The damage, loss, and destruction of personal property resulting from forced evictions, is extensive. Evicted persons from all sites were distressed at not being able to salvage their possessions.⁷² Neither the rights and entitlements of squatters during demolition are clear nor a well planned process of clearance and resettlement/rehabilitation is followed, as such there is lot of haste and non transparency on part of authorities. In many cases the vacated site has remained vacant or converted to park.⁷³

Many families moved back to the original site after informally selling their allotted plots. These evictions have resulted in temporary reduction in the number of clusters and picking up the growth again. However, over the years, the availability of public land within the city is reducing and land owning agencies are now more vigilant to protect their lands. As such availability of land for squatting is also reducing, resulting in densification of existing squatter settlements (1200 huts/ha) further reducing already available space and growth of rental option in squatter settlements. They are neither protected by the local councillors, the MLA the administration nor the Courts. In the case of Delhi, state-making is not only about reproducing the state nationally and internationally and securing resources for capitalist restructuring, but it also includes interventions aimed at improving the environmental quality of life for Delhi's bourgeoisie. For the bourgeoisie as well as for poor migrants, processes of place-making are marked by both violence and desire (Malkki 1992: 24), as displacement collides with dreams of a better life.

Exclusionary Planning Policies

The first Master Plans focussed on low density developments with higher plot sizes and higher space standards for open space and facilities. Minimum plot was stipulated as 80 sq. yds. As affordability was not a consideration, this resulted in planned development which was unaffordable for the low income households. The emergence of informal development provided total contrast in quality of environment. Subsequent Mater Plans have lowered the norms for regularisation. However the compliance to even the lowered norms remains only on paper. Delhi therefore presents a mosaic of various contrasting types of enclaves. The enclave or ghetto phenomenon is found both among the privileged and underprivileged population groups, as shown by the examples of gated housing colonies of rich families' co-operative group housing societies and poor migrants' hutment clusters.⁷⁴ The growing demand for low income affordable housing has is being fulfilled by the intense densification of informal housing options in unauthorised colonies, resettlement colonies, urban villages and existing squatter settlements. The consequences of uncontrolled densification /growth is resulting in steep declining of environment, making the population vulnerable to environmental

⁷²Housing and Land Rights Network, Habitat International Coalition "Planned Dispossession: Forced Evictions and the 2010 Commonwealth Games," Report of a Fact-finding Mission, 2011, page 20.

⁷³ Véronique Dupont, Slum Demolitions in Delhi since the 1990s :An Appraisal , Economic & Political Weekly july 12, 2008

⁷⁴ V_eronique Dupont (2004) " Socio-spatial differentiation and residential segregation in Delhi:a question of scale?" *Geoforum* 35 (2004) 157–175

hazards and its impact on health. (Densities in some of the squatter settlements is as high as 1200 dwellings /ha).

While Plan preparation becomes a technical exercise, implementation is totally governed by the bureaucracy and the political processes.

Poor Plan Enforcement and Selective Regularisation

To a great extent the centralised decision making by the central Ministry, multiplicity of authorities, poor institutional capacities, political considerations of State and Local political parties, slow pace of implementation, delay in course correction, selectively implementing the Master Plan policies, all were responsible for the tardy implementation and now problems have snowballed to a magnitude where there are no easy solutions. Although the first Master Plan proposed -" to counteract against squatting in Bustis, it is proposed to earmark reasonable area in several zones for the low income group people who migrate to Delhi from Rural areas throughout the year." Further specific recommendations were made- "5% housing to be reserved for 'service personnel housing', (low income population who provide services to neighbourhood).These provisions were not adhered to in practice.

The rate of formal housing supply could never match the growth of population. As a populist action, amnesty from punitive action for non-compliance to planning norms is provided with political backing by administrative action providing interim relief. On one hand the Planning Regulations are quite rigid expecting strict compliance, on the other, regularisation of deviations has become a regular practice supported by all political parties. The National Capital Territory of Delhi Laws (Special Provisions) enacted in 2008, was extended in 2009, 2010 and 2011, was enacted for preventing demolition of several residential and commercial establishments in the capital. The Second Act suspends all orders for "initiating action against encroachment or unauthorised development" until 31 December 2014, in regard to unauthorised colonies including village abadis (settlements) and their extensions, storages, warehouses, and godowns for farm produce beside some other categories. The preamble notes -

'WHEREAS there had been phenomenal increase in the population of the National Capital Territory of Delhi owing to migration and other factors resulting in tremendous pressure on land and infrastructure leading to encroachment or unauthorised developments which are not in consonance with the concept of planned development as provided in the Master Plan of Delhi, 2001 and the relevant Acts and building bye-laws made there under;..... to provide temporary relief and to minimise avoidable hardships and irreparable loss to the people of the National Capital Territory of Delhi against any action by the concerned agency in respect of persons covered by the policies referred.'

Various drives for regularisation coincide with either General elections or State elections. Regularisation becomes an important agenda of all political parties. A large number of middle income, rich people and private investors and politicians have made investment in land and housing in unauthorized settlements have stakes in regularisation and are in a position to influence public investments in provision of services and regularisation.

Exclusion due to Judicial intervention

The recent trend of judicial activism was initiated by Resident Welfare Association of middle income and high income residents of planned colonies arguing that adjoining slum was health hazard and nuisance. In the five petitions analyzed by Ghertner, he notes that- *lines referring to land use as the basis for demolition appeared 139 times, whereas lines referring to slums-as-nuisance appeared 346 times, or two and a half times more frequently. In all of the petitions, nuisance-based lines appeared at least fifty percent more frequently than land use-based lines. This shows that these petitions rely most forcefully on nuisance-based argumentation for declaring slums illegal. The overall thrust of these five petitions shows that nuisance has today become the predominant discursive justification for slum demolitions, even when a land use violation is also identified. the reinterpretation of nuisance law has been the key mechanism by which these contestations were, first, carried forward and, second, discursively justified by constructing the truth that “slums are nuisances.”*⁷⁵

Dupont and Ramnathan (2007) show the emerging role of judiciary in policies for the poor. Absence of any concern for the urban poor by the judiciary was reflected when in 2002 , a Division Bench of Delhi High Court struck out encroachers and those who had squatted and trespassed "on public land. It shot down the resettlement policy of the state . On appeal the Supreme Court has partially stayed .The action taken by Courts is so strong that it weighs on the executive and on the implementation of policies, and it has made the slum dwellers position even more fragile."⁷⁶

⁷⁵ D. Asher Ghertner Analysis of new legal discourse behind Delhi's slum demolitions. <http://eprints.lse.ac.uk/29736/> accessed on 8.10.14

⁷⁶ Milbert, I.

Notes:

The DUSIB Act defines “jhuggi jhopri bastis” as Any group of jhuggis which the DUSIB may, by notification, declare as a jhuggi jhopri basti in accordance with the following factors, namely: (i) the group of jhuggis is unfit for human habitation; (ii) it, by reason of dilapidation, overcrowding, faulty arrangement and design of such jhuggis, narrowness or faulty arrangement of streets, lack of ventilation, light or sanitation facilities, or any combination of these factors, is detrimental to safety, health or hygiene; and (iii) it is inhabited at least by fifty households as existing on 31st March, 2002.⁴

References:

- Ayona Datta The myth of resettlement in Delhi
- Government of India, (2007), "Evaluation Study Of DMA Towns In National Capital Region (NCR)", Town and Country Planning Organisation, Ministry Of Urban Development
- Government of national capital territory of Delhi, 2014 report on sixth economic census, Delhi 2013 (provisional results), directorate of economics & statistics
- D. Asher Ghertner (2010) Analysis of new legal discourse behind Delhi's slum demolitions
- Gautam Bhan, 'Planned Illegalities: Housing and the 'Failure' of Planning in Delhi: 1947-2010', *Economic and Political Weekly* (15 June 2013).
- Howland, M. 1977. Delhi's large-scale land acquisition, development and disposal policy, *ITTC Review* 6(3): 53–83.
- National Capital Territory Of Delhi Socio-Economic Profile Of Delhi (2011-12) Planning Department Government of N.C.T. Of Delhi, New Delhi
- Mitra, A., 1970. Delhi. Capital City. Thomson Press, New Delhi.
- Risbud, Neelima (2002), "Policies for Security of Tenure in Delhi" in Alain Durand Lasserre and Lauren Royston (Ed) "Holding Their Ground : Security of Land Tenure for the Urban poor in developing countries. EarthScan Publications Ltd.
- Veronique Dupont Socio-spatial differentiation and residential segregation in Delhi: a question of scale? *Geoforum* 35 (2004) 157–175
- The Delhi Laws (Special Provisions) Act, 2006
- Chakrabarti, P.G. Dhar (2001) 'Delhi's Ongoing Debate on Informal Settlements and Work Places – Issues of Environmental Jurisprudence' Paper presented at International Workshop
- on Coping With Informality And Illegality In Human Settlements In Developing Cities. Network-Association of European Researchers on Urbanisation in the South (N-AERUS) and European Science Foundation (ESF)
- Srirangan, K. 1997. Land policies in Delhi: their contribution to unauthorised land development. Unpublished PhD thesis, University of London.
- Alpana Sivam, (2003) Viewpoint: Housing supply in Delhi, *Cities*, Vol. 20, No. 2, p. 135–141, 2003 **Pergamon** 2003 Elsevier Science Ltd.
- Seth Schindler, Federico Demaria, Shashi B Pandit, " Delhi's Waste Conflict" october 20, 2012 vol xlvii no 42 *Economic & Political Weekly*.

- Waquar Ahmed1 Neoliberal Utopia and Urban Realities in Delhi, *ACME: An International E-Journal for Critical Geographies*, 2011, 10 (2), 163-188
- Subhadra Banda and Shahana Sheikh (2014) Glaring Loopholes: Delhi Government's Guidelines for Rehabilitation/Resettlement of Slum-Dwellers."" *Economic and Political Weekly*, Vol-XLIX, jan 2014
- Shahana Sheikh and Subhadra Banda (2014)," The Thin Line between Legitimate and Illegal -Regularising Unauthorised Colonies in Delhi , A report of the Cities of Delhi project, Centre for Policy Research, New Delhi.
- Ministry Of Urban Development, (Delhi Division) 2007 'Master Plan for Delhi-2021' Notification, New Delhi, the 7th February.
- McAuslan, P. M. 1985. Urban land and shelter for the poor. Earthscan, International Institute for Environment Development: London.
- (Misra,
- 1986; Pugh, 1991; Srirangan, 1997),
- Usha Ramnathan (2006)" Illegality and the Urban poor", *Economic and political Weekly* July 2006.
- Vandana Asthana, (2009)"Water Policy Processes in India- Discourses of Power and Resistance" Routledge Contemporary South Asia
- Véronique Dupont (2013) Which Place for the Homeless in Delhi? Scrutiny of a Mobilisation Campaign in the 2010 **Commonwealth Games Context** *South Asia Multidisciplinary Academic Journal* [Online], 8 | 2013, Online since 19 December 2013, connection on 21 May 2015. URL : <http://samaj.revues.org/3662>
- Housing and Land Rights Network, Habitat International Coalition "Planned Dispossession: Forced Evictions and the 2010 Commonwealth Games," Report of a Fact-finding Mission, 2011
- Milbert, I. (2008),"Law, Urban policies and the Role of Intermediaries in Delhi" in Baud I.S.A. & Wit J.De (Ed) *New Forms of Urban Governance in India: Shifts, Models, Networks and Contestations* ,Sage Publications India Pvt. Ltd.
- Charlotte Lemanski, Stéphanie Tawa Lama-Rewal (2013)" The “missing middle”: Participatory urban governance in Delhi's unauthorized colonies
- Kundu, Amitabh. 2004. Provision of tenurial security for the urban poor in Delhi: recent trends and future perspectives, *Habitat International* 28, 259-74.
-

