BEYOND MARKET AND POLITICS: CHANGING REGULARIZATION POLICIES TOWARDS UNAUTHORIZED COLONIES IN DELHI

by

Aniruddha Dasgupta

Bachelor of Architecture School of Planning and Architecture New Delhi, India 1987

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Signature of Author	
0	Aniruddha Dasgupta
	Department of Urban Studies and Planning
	May 8, 1992
Certified by	
·	Omar M Razzaz
	Lecturer, Department of Urban Studies and Planning
	Thesis Supervisor
Accepted by	m
r	Ralph Gakenheimer Professor, Department of Urban Studies and Planning Chairman
	Departmental Committee for Graduate Students, Course XI
Accepted by	
• •	Julian Beinart
	Professor, Department of Architecture Chairman

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Departmental Committee for Graduate Students, Course IV

Beyond Market and politics: Changing Policies of Regularization of Unauthorized Colonies in Delhi

by Aniruddha Dasgupta

Abstract

The literature on regularization of illegal land in urban areas provides a general understanding that bureaucrats in various developing country initiate legalization of illegal settlements for either direct or indirect political gains or economic benefits. This thesis questions this conventional understanding of the motivations of the bureaucrat to legalize illegal settlements. The thesis argues that the motivations to legalize illegal settlements cannot always be explained as direct economic and political gain by the actors of the state. In some instances the actors of the state might be driven by their ideological positions and a belief in their role as a provider of the public good.

The thesis discusses a case in New Delhi, where between 1980-84, the local development agency switched its role from that of massive demolition and displacement of irregular settlements to that of large scale legalization and servicing of these colonies. About 500 irregular colonies were regularized at the same time. The focus of the thesis is to analyze this particular action by the agency. The thesis is guided by the following questions: Why did the agency, who in the past had been violently opposed to these colonies, change its policies towards them? How can we seek to explain such variations in the State's response to illegal occupation of urban land? What were the factors within the state and outside it that contributed to the change?

The focus of the thesis has been to explore the political and institutional constraints to explain the changes in the regularization policies in Delhi. The thesis has two primary objectives; first, to establish the changing nature of the regularization policies with respect to the evolving political culture through an institutional perspective. Second, it attempted to analyze the justification presented by the main actors for their role in regularization. The thesis has three main findings.

First, due to the overt politicization of the regularization policies of Delhi in the late sixties and early seventies, the administrative style of the (Delhi Development Authority (DDA) began to reflect the political culture nurtured in the center by Indira Gandhi. The politicization of the planning process on one hand, encouraged a patron-client relationship between the local administrator/politician and the residents of the irregular colonies. On the other hand fate of DDA depended more and more on the relationship of the DDA chief with the central leadership. The local government of Delhi could not formally control the policies of the DDA, however, it did regularly opposed various DDA policies by organizing demonstrations etc.. This constant pressure and opposition from the local politicians greatly influenced the regularization policies of the DDA.

Second, in these two decades, as the state went through a series of political transformations, DDA did experience few short periods of relative autonomy from the ruling party and the local politicians to pursue regularization policies. These periods of relative autonomy occurred in times when the ruling party considered itself relatively 'strong'. When the state felt secure and legitimate, as in early sixties and invincible during the emergency, it allowed DDA to pursue its "rational planning" options. But when the state felt threatened or lacked widespread support it used the regularization policies to deliver political favors and gain support.

Third, the case seems to show that all initiation of regularization policies in Delhi cannot be explained completely by populist political pressures or the direct conditions of the market. Nor can the regularizations be simply explained by the need to get direct political gain by the political leadership or economic gain by the administrators. The case shows that the administrators and the politicians sometimes 'learn' from their past experiences, and are motivated to act on them.

Thesis Supervisor: Omar Munif Razzaz

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Chapter one INTRODUCTION

1.1 Introduction

Urban areas in developing countries across the globe are facing tremendous development pressures from all sectors of the society. As a result the poor are finding it more difficult to find access to the formal urban land market. Over 40 percent of the population in these urban areas live in various forms of informal settlements (linden).

Some scholars have argued that majority of these informal settlements should be regularized to facilitate their upgradation and incorporation in the formal urban system. (Payne 1989, Serageldin 1991). Though the definition of what exactly is the most effective form of regularization is unresolved. Some contend that tenure legalization should be the starting point of any regularization (Serageldin 1991). Others give little importance to the legal title, they argue the provision of infrastructure is the crucial component of regularization (Varley 1987).

On the other end of this debate, some scholars have questioned the concept of legality in this context. All these settlements are perceived in the beginning as 'illegal' in some form by definition, and the intervention is designed to bring the settlements within the boundaries of 'legality'.

Ann Varley suggests "that governments manipulate the concept of tenure illegality for their own political and ideological ends, and that similar explanations might be sought for land tenure legalization programs". (Varley 1989). She points out that while certain types of land use is depicted by the government as illegal at one time, illegality of other land use is ignored or denied. What causes this situation to change? Past experiences show that States in some cases have violently opposed illegal occupation of land, and in other cases, have not only permitted, but actually encouraged the process of illegal occupation.

How can we seek to explain such variations in the State's response to illegal occupation of urban land? An explanation according to Peter Ward requires examination of the following questions. "First, we must understand the nature of the State, whom it represents and what it stands for. What is its role in the society of which it forms a key part? What role do the poor play in the political and economic system? What is the relationship between various fractions of the classes dominating State policy making?" (Ward 1982). Where does a certain policy originate, from inside the State or from outside? To what extent is the state and its actors autonomous in pursuing certain policy direction in respect to the civil society?

Why does the state which once considered some activity illegal, change its position and legalize the activity? "Why is it important that the alternatives be legal, and for whom is it important - the people, or the state...?"(Varley 1989). The literature has examples of both: states legalizing illegal settlements for the people, as a response to populist pressures; and states legalizing illegal settlements for political gains or economic gains for the members of the state.

Hence, the general understanding is that states initiate legalization of illegal settlements for either direct or indirect political gains or economic benefits. This thesis questions this conventional understanding of the motivations of the state to legalize illegal settlements. The thesis argues that the motivations to legalize illegal settlements cannot always be explained as direct economic and political gain by the actors of the state. In some instances the actors of the state might be driven by their ideological beliefs and their perceived role in society.

The thesis discusses a case in New Delhi, where between 1980-84, the local development agency switched its role from that of massive demolition and displacement of irregular settlements to that of large scale legalization and servicing of these colonies. About 500 irregular colonies were regularized at the same time. The focus of the thesis is to

analyze this particular action by the agency. The thesis is guided by the following questions: Why did the agency, who in the past had been violently opposed to these colonies, change its policies towards them? How can we seek to explain such variations in the State's response to illegal occupation of urban land? What were the factors within the state and outside it that contributed to the change?

1.2 The case

Delhi has witnessed a considerable growth of illegal subdivisions, called Unauthorized Colony in the last thirty years. The inception and growth of these settlements are connected to the changing planning policies of the city and the wider national context. By 1983, a total of 734 unauthorized colonies had applied for regularization to the city. The official figures for the population in these colonies were about 2.2 million out of 6.2 million in Delhi in 1984. In 1988 they occupied 10 percent of urban land in Delhi.

The Delhi Development Authority (DDA) and the Municipal Corporation of Delhi (MCD) had started regularizing some of the colonies as early as 1969. In march of that year 101 colonies that had appeared between 1963 and 1967 were regularized. This piecemeal approach to regularization continued till 1977. In 1977 the Ruling Congress party fell

from power and for the first time¹ a non Congress government was elected to power. Under the new regime DDA formulated a broad policy that would regularize all colonies existing before June 1977. This meant that all 612 colonies could be regularized if they met certain conditions. The process of collecting data and application by the colonies for regularization started.

In 1984 about 500 of these colonies were regularized at the same time by DDA. By this time the Congress had again returned to power and had been governing for almost four years. The focus of this thesis is to analyze this particular action by DDA in the context of central government and local government politics, organization and politics of the colonies, and the market forces.

The theories presented in the literature are unable to completely explain this particular action by the DDA. The thesis presents a series of events that can begin to explain the logic driving this regularization policy. The thesis while confirming the political nature of the whole process, which is quite well documented in the literature, focuses on the role of the bureaucrat in the whole process, and establishes the significance of its role.

1.3 literature Review

¹The Congress Party of India had been continuously in power from 1947 to 1977.

The literature provides, on one hand, various political rationale for legalization. They include pressure from the poor, the landed or industrial elite, forthcoming elections, and political co-optation of the poor by the ruling party. On the other hand, the literature provides various managerial explanations. They include, bid for legitimization by the planning institution, increase in revenue, exercise of control over urban growth and 'self-interest' of the state actors.

Political gains have been most often cited as cause of tolerance and eventual legalization of illegal settlements. (Gilbert & Ward 1982, Mukerjee 1988, Mitra 1987). Alan Gilbert provides six possible reasons for this tolerance of illegal settlements. First, the patron client relationship that develop are politically useful. Second, illegality helps ration limited services to upper income groups. Third, it provides possibilities of politically motivated selective discriminatory activity. Fourth, it gives public authorities flexibility in acquiring land for future public projects. Fifth, it is advantageous to some interest groups like the landowners. Sixth, it reduces price of land (Gilbert 1990).

States in the past have selectively legalized settlement in order to exercise control or as a saftey valves to diffuse larger social tensions. (Gilbert and Ward 1985). Azuela has

observed in Mexico, that the state used legalization as a instrument of political control. The ruling PRI government selectively legalized settlements which were politically affiliated to the party (Azuela 1987).

States have also legalized settlements in order to exercise control over the physical growth of the urban area and to legitimize its planning agencies. Legalization also has been motivated by the need to collect taxes and revenue for services from these settlements. (Serageldin 1991).

State autonomy or lack thereof is conceptualized in the theoretical perspectives on the State in two broad directions. On one hand liberal theories, like representational perspectives and Weberian managerial perspectives on State, emphasizes autonomy of the State. The two perspective differ in their definition of autonomy. The representational perspective idealizes State as a set of political institutions standing outside the civil society, and it is this position of externality and superiority which enables it to regulate and mediate the conflicts within civil society. The managerialist perspective argue that major policy decisions are in the hands of managers who allocate urban resources according to rational criteria. They are considered to have a large measure of autonomy from partisan political and indeed from popular pressure. Resources are allocated according to rules established within state

bureaucracy. On the other hand, the instrumentalist and the structuralist perspectives argue that the State at best has limited autonomy (Sanders 1979). The structural perspective explains, while the state in general, is dominated by the interests of the elite, it sometimes acts against these interests in order to retain the power structure and to avoid social unrest (Gilbert & Ward 1985). This perspective does explain the gaps between the instrumentalist and liberal perspectives, but is unable to explain the conditions of progressive reform.

The literature, explaining occasional autonomy and the theoretical logic behind the variations in policies of the State towards land and low-income housing, has in the last decade, deconstructed the State from a homogeneous group of institutions to a heterogeneous group, consisting of, political parties, interest groups and agencies who are often competing against each other (Varley, Midgal, Peattie) This deconstruction of the State has been crucial in gaining a better understanding of the functioning of the State. The interest that drives elected political institution can never be the same as that of a funded State agency. This conceptualization of the State as a set of elected, nonelected and other institutions is also critical in the understanding of relative autonomy of the State. Because to understand the autonomy of the State we need to address the relative autonomy of the actors of the State i.e.

politicians, political parties, council members, local authorities, planning agencies, administrators and bureaucrats.

The literature on managerial perspective on the State does theorize about the autonomy of the 'urban managers' or 'gatekeepers' but fails to provide a comprehensive understanding of the whole process (Sanders 1979). On one hand it underscores the role of other actors of the State, specially the political institutions, and more critically, does not theorize about the autonomy of the 'urban managers' relative to the autonomy of other actors in the State. As mentioned above, this conceptualization of relative autonomy of the agencies of the State with respect to the relative autonomy of other institution of the State is a critical step towards this analysis. On the other hand, it offers little theoretical understanding of what factors determine the values and goals of the 'urban manager' when they behave autonomously. The 'public choice' school does refer to 'rent seeking' and 'self interest' of the 'urban managers' (Bates 19??), and the neo-weberian reformists (Skochpol, Evans) emphasizes the importance of the bureaucrats and State agencies, but both come short of systematic analysis of relative autonomy of these actors.

The importance of the issue of relative autonomy of State agencies can be perceives from a different direction. In

cases of evolving democracies, as most developing countries are, the State does not represent the important groups and power centers of the civil society (Midgal 1988). In this context, State policies often cannot address the needs of major interest groups adequately. When these policies are implemented, tensions and conflicts are created because these affected group have not been taken into account. At this stage, the affected groups make their demand, using formal or informal channels on the visible end of the policy institutions, i.e. on 'urban managers' (Grindle 1980). "Thus the implementation process may, be the major arena in which individuals and groups are able to pursue conflicting interests and compete for access to scarce urban resources" (Grindle 1980). Recent studies have shown that the residents in the low-income settlements perceive the State similarly, as a group of different agencies responsible for granting different services to them towards the consolidation of their home. They appreciate that the different agencies function differently and pursue different strategies to negotiate with them (Razzaz 1991). Some agencies are flexible in certain respect while others are not, this is added to the collective knowledge of the residents.

1.4 The structure of the Thesis

The thesis is arranged around three issues of the legalization process: what were the policies and how did they

effect the illegal land market; what were the political motivations driving the policies; and what were the institutional constraints in initiating and implementing the policies. The following three chapters deal with each of the issues separately.

The first chapter establishes the context of the particular policies by presenting the evolution of legalization policies of the state. A brief illustration of the development of the irregular colonies along with the overall urban growth of Delhi is also presented. This chapter concentrates in presenting the changes in policies of the DDA as perceived by the residents.

The second chapter addresses the political nature of regularization policies and illustrates the relationship of DDA with the central and local political institutions. It also shows instances where policies were greatly influenced by popular political pressure and instances where it was not. The third chapter presents the career of Jagmohan, the head of the DDA for fifteen years, his relationship with the different politicians and the larger community. The focus of this chapter is to establish the motivation of this bureaucrat and his role in the initiation and support of the regularization policy. The concluding chapter draws conclusions from all the preceding chapters and presents the findings in perspective of existing literature.

Chapter two DDA and the growth of Unauthorized Colonies

1.1 Introduction

The regularization of more than five hundred unauthorized colonies in early eighties by the Delhi Development Authority (DDA) was an unprecedented policy initiative. For the residents of the colonies it was the most supportive institutional environment. DDA in the past, had oscillated between strict enforcement of regulations and selective regularizations of irregular colonies. Why were the regularization in the early eighties an innovative move on part of DDA? Why were these policies significant for the residents of the colonies?

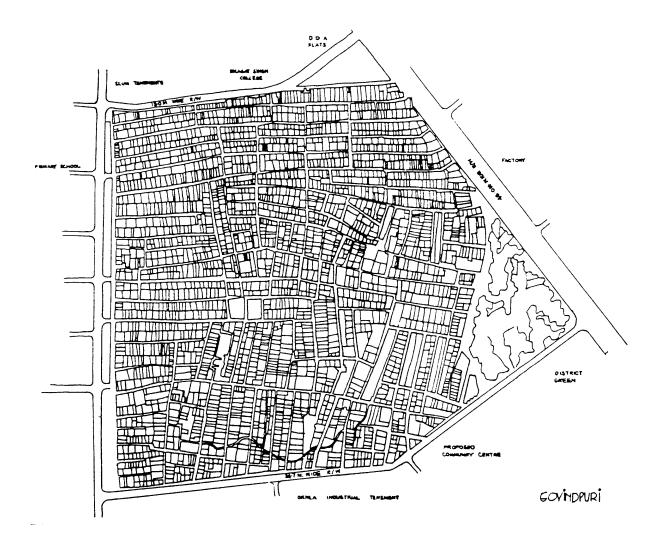
To answer these questions and to understand the institutional environment in which the irregular colonies operated, it is crucial to understand how the irregular colonies evolved. Irregular colonies in general have provided housing for the low-income population of the city. Though they have never provided housing for the poorest section of the society (Chaterjee 1978). Being 'unauthorized', these colonies are in constant struggle to get themselves regularized or accepted by the authorities. So they can receive or demand urban services and not live in fear of eviction. Hence the growth of the unauthorized colonies in Delhi depended on three primary factors: demand for low income housing; the

institutional attitude towards regularization by the city authorities; and the formal delivery of affordable housing.

Unauthorized colonies existed in Delhi much before DDA was created in 1957. The establishment of the DDA and the initiation of the masterplan in 1962 were the most important turning points for the unauthorized colonies as well as the rest of the city. The implementation of the masterplan affected the unauthorized colonies primarily in two ways. First, it froze development all over the city. DDA became the primary source of housing construction and delivery. Soon after it was unable to meet the growing demand for housing in the city, creating a large number of families, mostly from low income groups, who had no access to formal housing. Second, on the one hand the masterplan suggested that the existing unauthorized colonies would be regularized if they met certain conditions. On the other hand the masterplan zoned areas for various future use and setup planning physical standards for different land uses. Most unauthorized settlements did not meet these zoning and planning regulations. It was upto the DDA administrators to enforce or relax such regulation. Thus the colonies were in constant struggle to get themselves regularized so that they would no longer remain vulnerable to DDA administrator's discretion.

The process of establishment of a unauthorized colony, its consolidation and eventual regularization in Delhi is quite

Fig. 1. Large scale unauthorized development (Delhi) Source: Mitra 1985, pg. 200



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similar to such processes observed in other developing countries. Most unauthorized colonies are developed from agricultural land that were notified for acquisition by the DDA. Sometimes a colonizer is involved who buys the land from the landowner, subdivides and sells the individual plots (refer Fig 1). Initial settlement on the land is slow. In the initial years services are absent and only a small number of hoses are constructed. Often the colonizers provide incentives to the first settlers to encourage future buyers. The gradual improvement of roads, opening of shops and availability of basic services, such as electricity, helps to consolidate the settlement. This normally takes several years. When substantial number of plots are built up, or in reaction to threat of demolition by authorities, the residents mobilize and the press for basic services and improvements. (Dassappa 1991). Resident associations are formed with a primary goal to legalize their settlement. These associations often affiliate themselves to local politicians, offering their political support in exchange of the politicians support in getting their colony legalized. The associations also may negotiate with the DDA officials directly, this may involve meeting certain environmental standards, bribing etc. Once the settlements are legalized the land values rise significantly, and the consolidation of the colony proceeds at a much more rapid pace. The city agencies proceed to provide most services against payment of a development charge. Though maintenance of infrastructure

and services remains a problem, the settlements becomes comparable to other 'formal' low income settlements in the city. (Dassappa 1991).

Another option for regularization is the one which is not directly initiated by the colonies, rather by the city authorities. Often DDA has proposed to regularize these colonies built before certain date, in order to stop further proliferation of these settlements or due to political pressures. These regularizations are not necessarily guided by the level of consolidation of these settlements. Thus this action may range from providing a legal title to a almost fully serviced colony to providing a legal title to a unserviced colony and then gradually providing services to it. Thus there is a whole different issue of which services a particular colony managed to acquire before legalization and which after. This chapter is not going to concentrate on this issue, rather on the policy step on the part of DDA when it decided to legalize a particular settlement. The chapter focuses on: the demand for affordable housing; the various forms of supply; and the role of the DDA in providing, limiting, regulating and eliminating access to affordable housing over time.

In the period between 1960, when the regularization of these colonies began, and 1980, the initiation of the regularization policy under discussion, DDA showed definite

changes in its policies towards these colonies. These policy changes can be categorized as: period of proliferation between 1957-67, characterized by indifference from the authorities in the beginning and regularization later; period of implementation of the master plan between 1967-77, characterized by selective regularizations and demolition; a second period of proliferation between 1977-1980, characterized by lax enforcement and regularization; and a period of large scale regularizations between 1980-84. The following sections are organized according to these periods, they are preceded by a brief description of the land and housing market before the initiation of the master plan. The sections present the nature of the land market in the city in these periods to establish the overall context for changes in the regularization policies.

1.2 Pre-masterplan: Sparse Growth (upto 1957)¹

DEMAND FOR LAND

India's independence in 1947 imposed tremendous pressures on the urban structures and institutions of Delhi. Along with the enlargement of its administrative functions, the city also became an important center for trade and commerce after

¹In this and in the following sections he description of the growth of the irregular colonies and the evolution of the land sub-markets has been adapted from, Mitra, Banashree Chaterjee," Land Supply for Low Income housing in Delhi" in Paul Baross & Jan Van Der Linden (eds). Transformation of Land Supply Systems in Third World Cities. (1990) Avery Publishers. The author's original text has been used whereve rneeded for the discussion. Quotation marks have used only on some sections to highlight the author's opinion

the partition of British India. The results were increased employment opportunities and large scale building activity. The other, and more obvious, effect the partition had on Delhi was the influx of thousands of refugees from Pakistan.

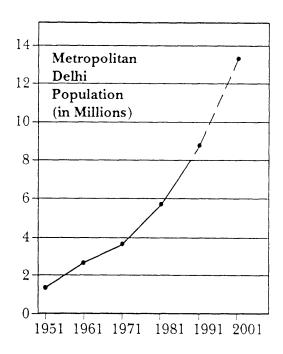
In the decade 1941-1951 Delhi's population had more than doubled to 1.41 million (refer Table 1). The implications of this growth in terms of land and shelter were tremendous in magnitude and complexity. Government employees, rural migrants seeking jobs, construction labor, political refugees, industrialists and business entrepreneurs had all to be provided for. The need to settle constituted perhaps the predominant reason for the high demand for land. The need for social and economic security through possession of land in the absence of the other investment opportunities, was also a significant issue, especially for the large number of refugees who had rescued a substantial portion of their wealth and hence had money to invest.

SUPPLY OF URBAN LAND

State supply

The government was busy consolidating its position and undertook massive construction activity of buildings for ministries, embassies and government departments. At the same time a high priority was given to refugee rehabilitation and government employee's housing thus accommodating the two

Table 1.
Population Growth of Metropolitan Delhi
Source: Benjamin 1991, pg. 9



large homogeneous group's immediate and visible shelter problems.

The government also encouraged the formation of housing cooperatives from 1947 onwards, up to 1961, 303 societies were registered and about 1,500 hectares of land transferred to them by the government. These cooperatives with their high space standards completely excluded low-income families. The DIT² did not develop additional areas after Independence. Instead it concentrated on controlling the quality of development in residential areas developed by the private sector.

Market supply

Unlike the state-run system, which largely focused on the supply of houses, the market supply system concentrated on land development and plot supply. An extremely active supply mode not only ran parallel to the state-run mode but also encroached on it in several ways.

The earlier method of individualized sale and subdivision of properties in developed areas continued as a private sector operation but was soon overtaken by the large scale conversion and subdivision of agricultural land and its sale as residential plots. this was a commercially organized

²In 1937 the Delhi Improvement Trust (DIT) was created to check haphazard growth outside the NDMC area, to take up slum improvement and to provide land at reasonable prices for residential and commercial use.

activity operated by a large number of real estate and land development agencies that were established in this period.

Bona fide land developers and real estate companies (colonizers, as they were called) acquired agricultural land from original owners and subdivided it according to layouts approved by DIT. Plot size varied from 200-800 sq.yd. and standard infrastructure, including parks, shopping centers and schools was provided in a planned manner.

The insistence on high standards of development by the controlling authority and the profit making motive of colonizers and landowners kept land prices high, restricting accessibility to high-income groups only. By 1961 about 30,000 plots were developed.

Unauthorized Colonies

The second form of land supply through the market took the form of illegal subdivisions and unauthorized colonies. Here land suppliers could keep prices low and affordable for low-income families. The modus operandi was very much similar to that adapted by the legally operating developers except that layout approval was not sought. Nor could it be given because development standards were not high enough to meet official stipulations. Plot sizes were small (60-200 sq.yd.) and infrastructure was either absent or rudimentary.

Municipal services could not be extended to unauthorized colonies because they were not approved by DIT. But transfer of plots to individual buyers was legal under the Transfer of Property Act of 1882. While the substandard nature of development kept land prices low, the lure of property ownership kept them high enough for developers and landowners to make substantial profits. Moreover, next to no investment was required to bring land into the market. Investment was assured and even facilitated by low-income households because of attractive terms of payment in installments, of course with interest accruing to the colonizers. Land values were as low as Rs. 3 to Rs. 5 per sq.yd. while profits were as high as 130-150 percent. (refer Table 2).

The post-Independence period was characteristic of petty land developers. Apart from certain cases where landowners entered into the business themselves, colonizers were the key actors in the land supply process. For many it was a part time activity along with regular employment in government offices or commercial and business entrepreneur ship (Chaterjee 1990). In any case it provided a get rich quick method to many, especially as land could be brought into the market overnight. By 1956, there were 110 colonies, 45 were in the isolated area east of River Jamuna, others were developed as extensions of villages close to the developed area, yet others were located in close proximity to refugee resettlement colonies.

Table 2. Comparative Costs of Land Development in Delhi, 1956 Source: Chatterji 1978, in Dasappa, 1991, pg. 135

A: Private housing Company:	Cost per sq. yard.(in Rs.)	
Land Acquisition	4.00	
Development costs	8.00	
Administrative and other expenses	3.00	
Total	15.00	
Sale Price	20.00	
Profit	5.00	
Rate of Profit	33.3%	
(In addition, the Company made a profit of upto 6 on reserved plots)		
B: Illegal Colonisers:		
Amount paid to land owner (14.5 acres, @ Rs. 1/s	sq. yd.) 70,180	
Amout spent on levelling and dressing	8,700	
Total	78,880	
Income from sale of plots (net area=9.6 acres,		
@ Rs. 5/sq.yd.)	185,856	
Profit	106,976	
Rate of Profit	150%	

Squatter Settlements

Although unauthorized colonies provided a viable low-income housing option, it was not affordable to all people in that bracket. Some could not afford even the low prices offered; others did not have the desire to invest in land as they were still consolidating themselves economically. Consequently thousands of households found their own solutions by illegally appropriating vacant land and constructing dwellings on it. As in the pre-Independence period, the city structure provided ample opportunity in terms of vacant publicly owned land for "jhuggi jhompris" or squatter settlements. The spacious New Delhi area proved to be particularly attractive. In 1951, there were 199 settlements with 12,749 squatter households of which 40 percent were in New Delhi. By 1961, their number had increased to 42,814. New Delhi still had the largest concentration of households but the rate was much higher in the west and south, where most of the new development was taking place (Majumdar 1983).

THE STATE WAKES UP

The increasing magnitude of squatting and large number of unauthorized colonies could not go unnoticed and caused concern in the government. In 1956, the central Ministry of Home Affairs set up an advisory committee to look into the problem. This was just one of the land related problems the government set out to solve.

³ impoverished huts/shacks

By the mid-fifties it was clearly recognized that there could be no piecemeal solution to the urban growth crises. It was an absolute necessity to plan and control development and to remove disparities in land ownership, but this would be impossible as long as land, the basic resource for urban development, was in a few private hands. Along with the decision to prepare a Master Plan to guide city development, the government established a specialized agency, the Delhi Development Authority (DDA) for the planned development of the city (Govt. of India 1957). In addition, it enunciated a policy for the socialization of urban land. (Chaterjee 1985).

1.3 Formulation of the Masterplan: Rapid Growth (1957-1962)

The Master Plan for Delhi was intended to guide development up to 1981. The plan had very specific recommendations for the provision of land for housing. It proposed to build more government employee's housing and to make developed land available to everyone. Specific areas were to be earmarked and developed in each zone for low-income people. Squatters were to be relocated and integrated with the urban community. Programs were proposed for catering to land and shelter requirements of projected population of 4.5 million (later revised to 5.2 million) and specified in terms of

institutional responsibility, income related space standards, phased house construction and land acquisition targets, and identification of existing areas for conservation, rehabilitation and redevelopment (DDA 1962).

The proposals of the Master Plan were to be strengthened and implemented by means of the Large Scale Land Acquisition,

Development and Disposal policy, which had four major goals:

- 1. to achieve optimal social use of land;
- 2. to insure the availability of land in adequate quantities at the right times and for reasonable prices to both public authorities and individuals;
- 3. to prevent the concentration of land ownership in a few private hands and safeguard the interests of the poor and underprivileged;
- 4. to control land values and to eliminate speculative profits (Govt. of India 1958)

Several measures were proposed for policy implementation. The most important proposal was land assembly through the public acquisition of vacant land within the entire urbanisable limits by using the Land Acquisition Act of 894. A revolving fund with an initial seed capital of Rs. 50 million was set up for land acquisition and development. The land was to be leased to individuals and groups for 99 years. Land prices for low-income households were proposed to be cross-

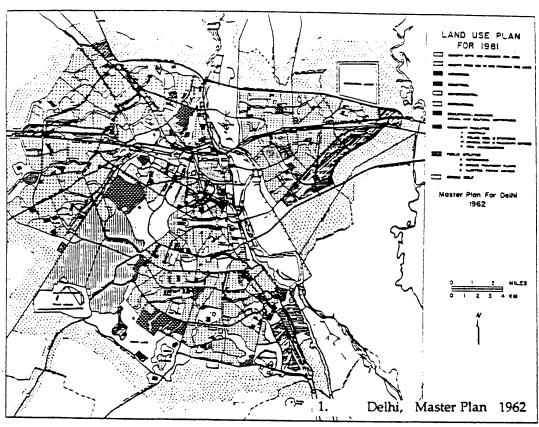
subsidized through auction proceeds of commercial, industrial and high-income residential plots. Middle-income households were to get land at the actual cost of acquisition and development. Out of the total number of residential plots 50 percent were targeted to Low-Income Groups (LIG), 30 percent for High-Income (HIG) through auction (Howland 1975).

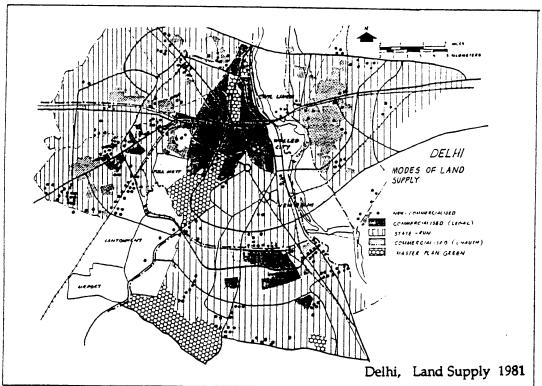
"The policy goals and implementation measures are clearly based on three major considerations. Firstly, they reflect the seriousness of the land crises in the fifties which promoted such a radical policy. Secondly, they support and lend concrete shape to the egalitarian principles of the Master Plan. Thirdly, they reflect the belief that the welfare of society, especially that of the poorer and the weaker sections, is the collective responsibility of the whole community, to be discharged through the state which acts as an agent of the people. The last is, in very broad terms, the philosophy behind the Indian economic and social policy that supports state control of resources and an enlarged government sector. What is remarkable is that the policy proposes to dispense "social justice" without burdening the state exchequer." (Chaterjee 1985)

It was clearly the political overtone in the third consideration (though never stated as such) that promoted the notification of land for acquisition under the Land Acquisition Act of 1894 even before the Master Plan was finalized. The intention to acquire was made public in 1957 while legal notice was served in 1959.

The notification for acquisition had three crucial effects on the existing land supply system. First, it excluded the market mode of land supply at a time when private developers were at the peak of activity. Second, it perpetuated the dualistic land market by excluding the already developed

Fig.2.
Comparison between master plan and reality, Delhi, 1981
Source: Joshi 1991, pg. 10





30

areas from the purview of state ownership. The areas which already were developed remained in freehold ownership, while the rest of urban area came under state ownership which could only be leased for 99 years. Third, it froze all the notified land with no possibility of development until the state could acquire, develop and dispose of it ⁴. (refer Fig.2)

State supply

By 1961 the population of Delhi had swelled to 2.4 million and the urban area increased from 171 sq.km. to 238 sq.km. But the entire additional area was withheld from development for several years. The state-run system operating through DDA began supplying plots only in 1963-64. By 1967 about 4,000 plots had been supplied to the general public. Out of these less than 700 were for low income group (LIG). The central government constructed 4,500 dwellings between 1959-1967 for renting to its employees with about 3,000 dwellings for lower-income groups. During this period the addition in the number of employees was about 40,000.

In addition to the supply of new residential land the state defined two roles of intervention for itself in the early sixties. First, it planned to replace the illegal non-commercialized land supply by resettling the proliferating squatter colonies in site and services projects. Second, it proposed to legitimize the illegal subdivisions of the

⁴the process took anything ranging from two more than 20 years

unauthorized colonies, and thereby, implicitly accepted the continuous operation of the commercial land supply system.

The Jhuggi Jhompri (Squatter) Removal Scheme was initiated by the central government in 1958 and its implementation entrusted to the MCD in 1960. Under the scheme only those squatters who were enumerated in a survey conducted in 1960 were "eligible" for an alternate plot or tenement. In all, 19 settlements were cleared and 16,000 families resettled against the target of 50,000.

Market supply

The land freeze confined the freehold land market within the developed area and prevented its territorial expansion. The effect was speculation and rise in land values. Land developers made huge profits from the sale of "reserved plots". (refer Table 3) This market had never been accessible to lower-income groups but during this period even middle-income families were excluded from it.

Legalization of Unauthorized colonies

The other aspect of state action was the legalization of unauthorized colonies. All the 110 colonies that were established before the date of notification for compulsory acquisition were regularized by the government in 1961, after strong political lobbying in the Municipal Corporation and in Parliament. Regularization was conditional to conformity with

Table 3 Normal profit on land development and sale (1956) Source: Bose 1969, in Mitra 1985, pg.199

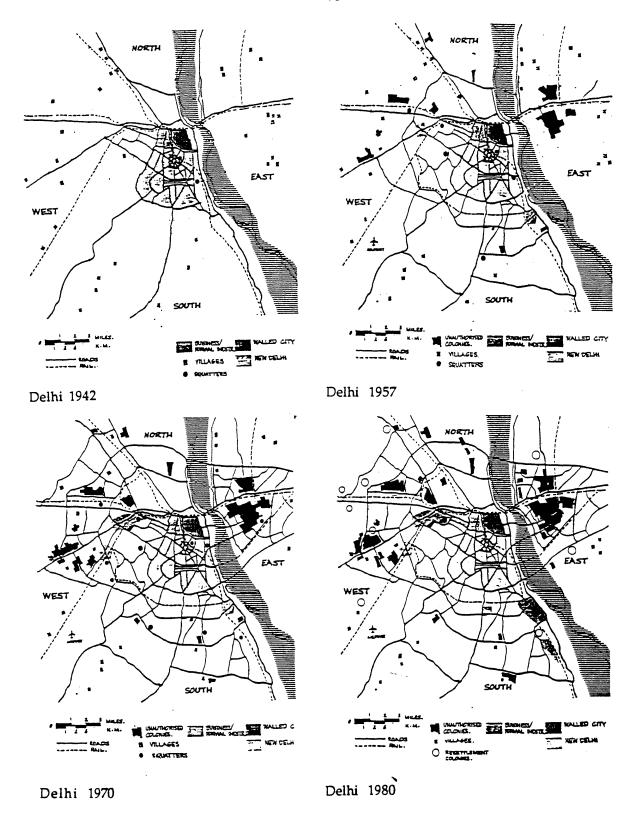
	Cost/sq.yd. (Rupees)
Land acquisition	4
Development cost	8
Administrative and	
other expenses	3
Total expenses	15
Sale price	25
Profit	10
Rate of Profit (gross)	33.3%*

^{*} In addition to this the Company made profit (up to 600%) on 'reserved plots'.

regularized plans prepared by MCD and payment of development charges by plot holders. The promise of legal freehold tenure and infrastructure obviously made unauthorized colonies attractive to the middle- and higher-income groups. This was especially so in colonies where the colonizers had provided wider roads and space for parks, schools and so on. Examples are Adrash Nagar in the north and Sant Nagar in the south (Mitra 1983). In the decade 1957 to 1967 land values rose ten to twenty times, overtaking the land prices of DDA provided leasehold plots and equaling the market prices of legally developed freehold plots in middle class localities. (Mitra 1985) With legalization and increase in land values it was more advantageous for many low-income families to sell out and move or retain only a portion of their original plots. By 1961 there were 110 unauthorized colonies accommodating 9.5 percent of Delhi's total urban population of 2,359,000 (Chaterjee 1978). By 1967, 19 percent of the total urban population were living in these settlements.

Regularization also gave an impetus to the development of new unauthorized colonies. Even though no legal transfer of property could take place after the land freeze it was possible to transfer rights through a legal power of attorney. The legal position was more tenuous than before, but de-facto security was much higher. The proof of this lies in the consideration for regularization of the 101 colonies that originated between 1962-1967 and the regularization of

Fig.3. Growth of unauthorized colonies in Delhi, 1942-1980 Source: Joshi 1991, pg. 12



33 that fulfilled the conditions for regularization (Mitra 1983).(refer Fig.3)

Squatter Settlements

The indirect effect of resettlement was that it established squatting as a safe activity. In any case, there was no other alternative for thousands of households. In 1966 the number of squatter households stood at 116,000, three times that in 1961. Most of them were located in the south and the west of the city.

1.4 Implementation of the Masterplan: Growth and Demolition (1967-77)

During the Master Plan period growth of population and consequently the demand for land and housing was greater than anticipated. The continued concentration of industrial, commercial and administrative functions in the capital and the far superior provision of health, educational and recreational facilities when compared with elsewhere in the region drew people to the city, which reached a population of 5.7 million by 1981.

State supply

DDA's response in meeting the demand for residential land and housing came only after a nine-year period gestation period,

starting around 1966. By 1981 it produced 33,000 plots which was probably less than a quarter of the registered demand.

The housing production performance, 112,600 houses by 1981, also fell short by 50 percent of what was needed. In any case, much of DDA's output did not reach low-income families. The concept of "cross subsidy" locked the agency into a self-interest of promoting land prices inflation, stabilizing a working capital which could be later used to subsidize smaller plots for the urban poor.

Unauthorized Colonies

Much of the supply of land for low-income housing came from the continued growth of unauthorized colonies. By 1983 there were over 700 colonies, occupying about 4,500 ha. of land with an estimated population of 1.2 million (DDA 1985 b). Repeated regularization and political patronage have ensured a high security of tenure for the plot buyers and the viability of this land conversion process for the suppliers. By 1974, the total number of unauthorized and regularized colonies rose to 471.

In addition to the land supply in new colonies the resale of plots by individual owners (usually through brokers) in older unauthorized neighborhoods has also become common. Thus low-income households have also emerged as suppliers of land and housing through the commercial mode. Selling the whole or

part of the plot and renting part of the dwelling provide additional income to plot owners and continue to make land and shelter in unauthorized colonies accessible to lower-income households.

Squatter Settlements

At the bottom end of the income scale squatter housing remained an important land supply system during the Master Plan period. In 1973 there were 150,000 families living in 1,373 squatter settlements in the city, with much of the same characteristics as in the previous decades. The size of clusters ranged from a few "jhuggies" to about 3,000 with the majority of the settlements below 300 (Majumdar 1983) (refer Table 4). Although some of these settlements were improved marginally by MCD (water taps) and further improvements were implemented in the period 1972-76 under the central government's Environmental Improvement Scheme, the continued existence and growth of squatter settlements irritated the city's administrators. In 1976-77 a massive eviction and forced relocation was initiated, drastically changing the location and land supply character for low-income families in Delhi.

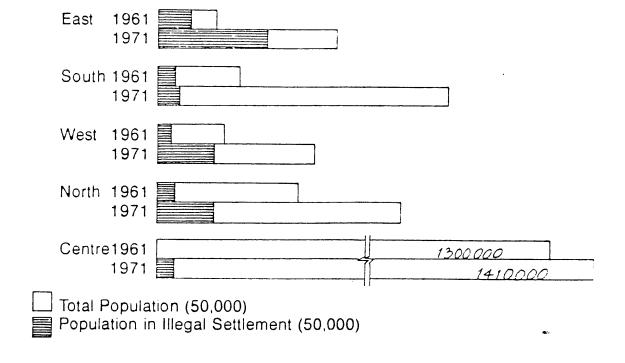
Emergency Period 1975-77

In 1975 the central government declared internal emergency suspending most conventional political and institutional mechanisms. During this period large scale demolition and

Table 4.

Delhi - Urban Population and Population in Illegal Settlements

Source: Mitra 1985, in Dasappa, 1991, pg. 134



resettlement of as many as sixteen new resettlement colonies were developed by DDA covering an area of 9,668 ha. and having a total of about 148,000 plots. Out of these, five colonies were located outside the urban limits of 1981. The sites were developed with 25 sq.yd. plots placed back to back, with roads, streets, street lights and collective water taps and latrines. Spaces were also left for community facilities. In the low-lying areas considerable earth filling was required. This along with the extension municipal infrastructure made development extremely expensive (Misra and Gupta 1981). The entire exercise was possible because of political will, especially because the country was under state of internal emergency when fundamental rights were suspended.

In nearly two years, DDA evicted about 150,000 squatter households from different parts of the city. It provided plots to the evicted families in 27 resettlement colonies. It created 500 parks and planted half a million trees. During the peak period , about 12,000 persons were employed every day in these operations, 250 trucks, 25 road rollers, and 20 bulldozers were also engaged per day.

In spite of initial difficulties some resettled families stayed on, while others for whom location in the city was important for their livelihood returned as soon as the emergency was lifted and the government changed in 1977.

Several returned to their original "jhuggi jhompri" sited as they were still vacant. This started a new phase of squatting in Delhi and by 1981 there were again 526 squatter settlements accommodating 113,400 families (DDA 1982).

Squatter settlements of the post resettlement era differ quite significantly from the previous ones. They are located more in the peripheral than in the central areas. Many of them are on sites earmarked for health and education facilities near resettlement camps. They are large, with 30 of them having more than 1,500 "jhuggis" (DDA 1982).

1.5 Janata Regime: Large Scale Proliferation (1977-80)

Janata Party was elected to power in the 1977 general elections, replacing the ruling congress party for the first time. They relaxed enforcement of most of building regulation which were strictly enforced in during the previous regime. This resulted in rampant growth of irregular settlements in the periphery of Delhi. This activity was also encouraged by a massive regularization program initiated by the government.

State Supply

Development at the periphery started with the squatter resettlement camps of 1976-77. Immediately following this the

neighboring state government of Uttar Pradesh initiated a planned industrial township of 12,100 hectares to accommodate 400,000 people at the south-eastern border of Delhi. Its impact has been most strongly felt in the Trans Yamuna area where land in the vast conglomeration of low-income settlements is becoming attractive for middle-income groups. The result is the increase in property values and increasing commercialization of land and housing supplied through the state-run mode.

Market Supply

In the late seventies the market supply of land shifted outside Delhi, west and southwards into the adjoining state of Haryana. The state government of Haryana has provided enough incentives for the conversion of agricultural land into large housing projects, essentially plotted development. The private land developer became reactivated at the time when residential plots were not being provided by DDA except by auction. They created a large market for middle- and upper-income households. The modus operandi has been much the same as in the pre-Master Plan period in Delhi.

Unauthorized Colonies

The newly elected Janata government, in an attempt to gain popularity and to show how dramatically different their regime was, turned a blind eye to unauthorized colonies. They in fact often supported local manipulation of land use

regulations. Small scale manufacturing, based in homes, expanded rapidly as new areas within neighborhoods received electrical services and improved roads. (Benjamin 1991,p.10).

The unauthorized colonies proliferated under this regime. New colonies were formed and old ones densified. DDA restricted its demolition activity to token exercises in commercial areas. The major policy direction was a support for regularization of all irregular settlements constructed before 1977, if they met certain conditions. A wide scale survey and data collection of all the irregular colonies were carried out. During this period 136 colonies were regularized.

1.6 Congress-I Regime: Large Scale Legalization

In 1980 the Congress Party came back to power headed by Indira Ghandi. This period is characterized by a large scale regularization program, very similar to the one initiated by the previous regime, was implemented. But unlike the previous government this time DDA was able to regularize more than 500 of the 602 settlement identified. On the other hand DDA continued to show dismal performance in the house building program and began to encourage cooperative housing groups in a big way.

Table 5.

Distribution of Residential Plots in Delhi up to 1981 by DDA

Source: Mitra, 1985, in Dasappa, 1991, pg. 133

Income	Distribution	Distribution of Plots					
Category.	of urban population (%)	Policy Statement	upto 1967	upto 1971	upto 1977	upto 1981	
L.I.G. M.I.G. H.I.G. Alternative	78 19 3	50 30 20	19 10 61	11 25 50	44 20 27	62 25	
Allotment	•	•	10	14	9	9	
Total No. of Plots Allotted	-	-	3,936	9,755	29.083	32,700	

State Supply

By 1980, barely a third of the land proposed for housing development had actually been distributed for use; only a fourth of the total land to be acquired had been taken into possession (refer Table 5). The remaining area could not be acquired as it was under legal dispute or had already been built upon in the time period between notification and acquisition.

The private plotted development on lease-hold plots started in 1963. The emphasis always has been on open auctions of plots, thus the buyers have been generally from the higher income groups. The supply of residential land for low income and middle income families have seen disproportionately low. On the whole less than 50 percent of the demand has been met. (refer Table 6). Moreover, the DDA itself has engaged in speculation, by staggering the release of plots in certain areas, so as to benefit from the interim rise in land value. (Dassappa 1991).

The program to provide built flats by the DDA through a hirepurchase basis has also been unable to meet the demand.

Barely 44 percent of registered demand has been satisfied.

(refer Table 7). Government employee's housing, undertaken by
the Central Public Works Division has been unable to keep up
with demand due high standards and highly subsidized rents.

"Officially the deficit among the lowest ranks is as large as

Table 6.
Supply and Demand of Residential Land in Selected Areas (1976-1978)

Source: Chatterji, 1978, in Dasappa, 1991, pg. 133

Income Category	Demand (No. of Plots)	Supply (No. of Plots)	Unmet Demand (%)
L.I.G.	13,322	10,238	23
M.I.G.	1,701	1,529	10
Total	15.023	11.767	22

Table 7.

Demand and Supply of DDA Group Housing up to November 1977

Source: Chatterji, 1978, in Dasappa, 1991, pg. 133

Income Category	Total Registration	Allotted	Balance	Unmet Demand (%)
E.W.S.	19,027	7,821	11,386	61.8
L.I.G.	20,823	12,245	8,578	50.3
M.I.G.	23,868	11,180	12,688	56.5
Total	63,893	31,246	32,652	56.1

90 percent". (Dassappa 1991). Cooperative housing on land allotted by the DDA was only 1.3 percent of the housing stock by 1986. (J Anthony 1991, in ibid).

Unauthorized Colonies

The Janata Government had promised large scale regularization, but nothing much was actually achieved in their two and half year rule. When the Congress-I came to power, they had not promised anything specific to the irregular colonies, there was nothing much to promise, the Janata government already had initiated regularization of all illegal colonies. Yet the residents were weary, they were aware what level of destruction and misery DDA could bring, though they were presently enjoying a relatively lax enforcement. The only colonies that were saved from DDA's wrath during the emergency, were the colonies which were regularized.

The DDA during this period, systematically upgraded existing settlements and initiated regularization of all irregular colonies built before 1980. This was aided by the survey and data collection work started two years back. By 1984 DDA had regularized 602 settlements. The central government in a move to expedite the whole process, subsidized the upgradation costs by a central grant. In the previous proposal, by the Janata government, the upgradation costs

were suppose to be paid by the residents in the form of a betterment charge.

1.7 Conclusions

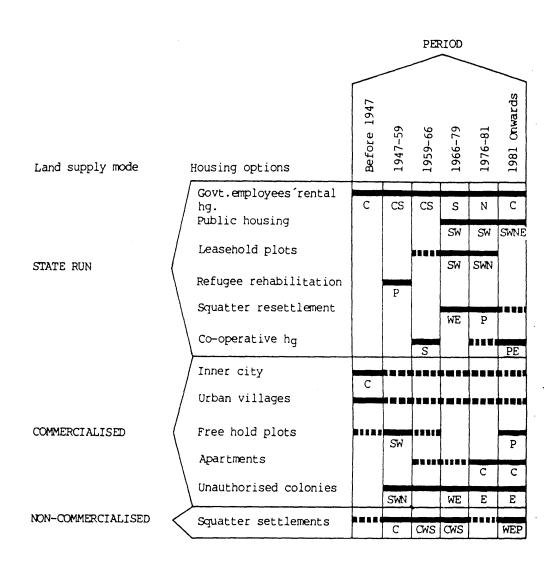
This chapter presented a brief overview of the functioning of the land market and the various actors involved in the process (refer Table 8). It is however clear that the state, with its masterplan was the most significant actor (refer fig.4). The masterplan, though created with good intentions, was unable to meet the demand and complexities of a rapidly growing third world metropolis. Paradoxically, the masterplan was created in response to rampant growth of irregular colonies and squatter settlements. The government felt that the colonizers were taking advantage of the plot buyers, and making 'unjust' profits. It assumed under a centralized system, the state would be able to provide affordable housing for the poor and bypass the profit making colonizer.

This particular effort of centralization created a context of widespread shortage of housing for all section of the society specially the poor. This huge unmet demand for low income housing encouraged further growth of unauthorized colonies. Thus the state effort which was actually aimed at halting the proliferation of the unauthorized colonies ended up helping them grow.

Table 8. Housing supply in Delhi Source: Mitra 1985, pg. 215

Mode, form of supply		1947-61 (% of total)		1961-86 (% of total)		Cumulative 1947-86 (% of total)	
		All cate-gories	Low income	All cate-gories	Low income	All cate- gories	Low income
(1)		(2)	(3)	(4)	(5)	(6)	(7)
I.	State-run						
1.	Govt.employees rental	8.7	7.5	5.4	3.8	6.2	4.7
2.	Refugee rehab- ilitation	27.0	13.5	-	-	6.6	1.4
3.	Public housing (plots)	-	-	4.5	2.0	3.4	1.5
4.	Public housing (apartments)	-	-	15.4	9.9	11.6	7 . 5
5.	Coop.housing		-	5.4	_	4.1	-
6.	Slum rehousing	-	-	2.2	1.1	1.6	0.8
7.	Squatter resettlement	-	-	26.9	26.9	20.3	20.3
	Sub-total	35.7	21.0	59.8	41.6	53.8	36.2
II.	Commercialised						
1.	Private colonies	41.5		-	-	10.2	•
2 .	Unauthorised colonies	17.4	17.4	-	-	-	-
3.	Unauthorised regularised colonies	-	-	20.4	5.1	19.7	5.0
	Sub-total	58.9	17.4	20.4	5.1	29.9	5.0
III.	Non-						
1.	commercialised Squatter settlements	5.4	5.4	19.8	19.8	14.9	14.9
	Sub-total	5.4	5.4	19.8	19.8	14.9	14.9
	Total	100.0	43.8%	100.0	66.5%	100.0	56.1%
	Total Number	2,41,00	0 -	736,000) -	977,000) -

Fig.4. Development of housing options in Delhi Source: Mitra 1985, pg. 214



LEGEND

- C Centre
- P Periphery
- N North
- S South
- E East
- West

STRONG PARTICIPATION

********* WEAK PARTICIPATION

Periodic regularizations has also helped to institutionalize the whole process of unauthorized settlements rather than restrict their growth. Different regimes have shown different attitudes towards the unauthorized settlements. They have oscillated between selective regularization, demolition and large scale blanket regularization.

While DDA's blanket regularization policy improved the lives of and security of existing colonies, it is unlikely to address the structural problems of these settlements. By bypassing the structural and institutional issues these regularizations only postponethe problem.

This blanket regularization was also the first time DDA acted directly against the recommendations of the master plan. It can be argued that the previous selective regularizations and the demolition's were directed towards providing services to residents on 'humanitarian grounds', while at the same time discouraging further proliferation. All the policies of the DDA previous to this regularization were at least presented as being part of or an adaptation of the masterplan. But the blanket regularization of all the existing colonies actually rezones a vast section of the masterplan. Why did the agency which had been so dedicated to the masterplan, to the extent that it demolished 150,000 structures, change its attitude and go against the masterplan? An answer to this question can

only be found in the analysis of the political and institutional context in which this change in attitude occurred. The following chapters attempts to provide some of the answers.

Chapter three Regularization Policies and the Political Process

3.1 Introduction

The last chapter discussed the evolution of the land market of Delhi in the last four decades. It presented the changing relationships between the different modes of land production and delivery. It illustrated how the three institutions, namely, the state, the market and the non-market, reacted to the rising pressures of urbanization and delivered land to the urban poor. It presented the emergence and grwoth of the irregular colonies along with the overall evolution of various land sub-markets. The evolution of the regularization policies carried out by the Delhi Development Authority was also presented. It was argued that the nature of growth of the irregular colonies in the city is greatly influenced by the regularization policies of the DDA.

It is evident from the discussions in the previous chapter that the evolution of regularization policies though exhibits a overall predictability, i.e. more and more regularization, it however exhibits a rather oscillating and contradictory behavior in various short periods. This oscillating nature of the regularization policies, e.g. regularization of some colonies, land freeze, demolition, regularization, does not seem to be a direct result of a technocratic approach to deal with this 'problem' by the DDA. The fact that most of the declaration of the legalization policies in the last twenty years took place in an election year also points towards

inherent political implications of these policies. The examination of the political environment and how it molded the regularization policies is the core objective of this chapter.

Scholars have often stated that land policy is in general is a political process (Angel 1983). Land is closely bound up with the exercise of power and influence in society by a large number of competing groups; any significant change in policy regarding distribution and use of urban land cannot, therefore, take place unless it is supported by the major centers of power. One has to conceptualize the nature of the state to understand these relationships among the competing groups in society and the various centers of power . As presented earlier (in chapter one), the literature has addressed this issue from both directions, on the one hand they have conceptualized the nature of the state, e.g. as an instrument of class relations, and then on the basis of that conceptualization explained the nature of the land policy. On the other hand, some scholars have concentrated on the nature of the land policies and from that constructed the nature of the state. This chapter more or less would follow the second method, as it would concentrate on explaining the policy choices of the DDA in relation to the larger political climate.

Though the thesis concentrates on one particular policy implementation by the DDA between 1980-84, it is necessary to analyze the changes in the policies in the past to establish the political and institutional imperatives faced by the DDA in the early eighties. Only through such a historical analysis, can one appreciate the uniqueness of the regularization policy of the 1980. DDA as an institution, is very different from other city agencies. Being the capital of the country, and some other reasons discussed in the last chapter, DDA is controlled directly by the central government. Hence the national political parties as well as the local political parties play a role in the formulation of DDA policies.

The chapter presents the changes in the political development in a chronological fashion. The three decades presented are divided into smaller time periods corresponding to changes in the leadership or changes in the political environment. The chapter is organized around five sections which reflect five periods of distinctly different political environments. These periods are spread over twenty years, from early sixties to early eighties. These sections are: Nehru and the early socialists (1960-67); Rise of Indira Gandhi (1967-74); The authoritarian state (1975-77); The Janata regime (1977-80); and The return of Congress-I (1980-). Before the presentation of the political development, a brief description of the institutional structure of DDA and its relationship to other

city institutions is presented. This would illustrate the various formal and informal links the local and the national government has in the DDA.

3.2 The unique position of DDA

Delhi being the capital has a different governing structure than any other city in India. The central government enjoys considerable power and influence over major policy issues. Though Delhi has an elected Metropolitan council whose responsibility is to "assist and advise" the administration, the real authority in the Delhi Territory is the lieutenant governor. The Lt. governor is appointed by the Prime minister of India (the central govt.), and has exclusive powers over - law and order, police, services, nominations to the New Delhi Municipal Committee, and some other areas.

The power of zoning was given to an independent authorityDelhi Development authority (DDA) - whose membership of
eleven (excluding the chairman, the Lt. governor, and the
vice-chairman) consists of two member of the parliament, two
municipal councilors, and seven officers of the central
government (attached to the Delhi Administration, NDMC,
etc.). The DDA has an Advisory Council made up of ten elected
representative and ten members drawn from the social service
organizations or government agencies.

It is clear that though Delhi has three administrative agencies (refer to apdx.1), New Delhi Municipal Corporation (NDMC), Municipal Corporation of Delhi (MCD), and the Delhi administration (DA), the DDA is controlled directly by the Lt. Governor who is the chairman of DDA, hence unlike any other agency in Delhi, the DDA is controlled by the central government. This autonomy of the agency from local politics has worked both ways for the agency: sometimes it has been used by the agency to pursue various unpopular policies; and in other times the very fact that the agency is directly connected to the central government has been a cause for its policies being an arena of fierce political competition among the political parties. As Delhi is the capital, all the national politicians are physically present most of the time, this presence of the national politicians in the city often blurs the line between national and local politics.

The local politics of Delhi were dominated by the Jana Sangh in the sixties and early seventies. Which means that the elected Metropolitan Council was controlled by the Jana Sangh and the central government was under Congress control. This contradiction of the elected local government being controlled by a political party other than the national ruling party, and having virtually no power over local administration, while the national ruling party with or without local political support having control of the local

administration, has to be kept in mind while analyzing the policies of the DDA.

3.3 The Indian State¹

The next sections present the changing nature of the Indian state and the very a nature of politics. The land policies, and specially the legalization policies are most of the time greatly influenced by both national and local political environment. The various political regimes can be identified by the style of politics of various leaders. In the twenty years under discussion. from early 60's to early 80's more than half the time Indira Gandhi was the Prime Minister of India. Hence her regime has been subdivided further as the legalization policies dramatically oscillated during her regime. The regimes can be divided into four segments: Nehru and the early congress socialism; the rise of Indira Gandhi and centralization of power; Emergency and the authoritarian state; the Janata government and proliferation of the irregular colonies; and finally the return of Indira Gandhi and legalization of 500 settlements.

As many other post colonial state, the Indian state with its wide spread inherited bureaucratic machinery enjoys a relative position of power. The Indian state can be

¹For a more complete analysis of the Indian state refer to Dassappa 1991, Kothari 1989, Kaviraj 1988 and Kohli 1984. The majority of the descriptions in this section are borrowed from these sources.

understood as a set of institutions, headed by an executive authority, and comprising at least three identifiable institutions (i.e. the political regime in power; the bureaucracy; and the armed forces) (Dassappa 1991). While the state is distinct from the civil society, it may not always act as a collectivity, i.e. governments and bureaucrats may be in disagreement as to their jurisdiction over civil society. The state however is characterized by a collective interest in, and a unified goal towards civil society (Kohli 1984).

Scholars have argued that the Indian state cannot be conceptualized merely as an instrument of class relations, but rather as an arena of negotiation for the resolution of conflicting interest which may or may not be class based (Kothari 1989). "While the state in the long run, ensures the reproduction of conditions necessary for the continued domination of the hegemonic fractions in the society, it is more than a mere expression of these. The conflictual bargaining relationships that characterize the power process, the state is sometimes an independent actor" (Dassappa, 1991). Such theory of the Indian state as a distinct public power is consistent with liberal, neo-weberian and neo-Marxian conceptions, which agree at least on the point that the state in India continues to maintain a relative autonomy from the major class formation in the society. Kohli² in fact

² A. Kohli 1984, p 21

has argued that this condition of relative autonomy is determined by the characteristics of class relations in Indian society: class structure is highly fragmented, so that there is seldom a clearly dominant class able to impose hegemonic rule; moreover, the prevalence of significant precapitalist economic and political forms, and ongoing transition from these to capitalist forms precludes the primacy of a dominant capitalist class. Such a class is still preoccupied with establishing and consolidating itself economically. Under these conditions, the state's role in mediating and structuring/controlling social relations is enhanced, and the constraints on its interventions are lessened, or determined to large extent by its need to preserve itself (Dassappa, 1991).

After independance, the Congress Party that assumed power in 1947, was undoubtedly the party of dominance and consensus, enjoying considerable degree of legitimacy. The leadership of Nehru was unquestioned.

Like any other country, the new state needed industrial capital to substantiate its legitimacy as much as capital needed state intervention to consolidate its interests.

The social formation of India at the time of Independence was characterized by a weak bourgeoisie (the industrial and commercial groups) that favoured protectionism and state intervention to ensure their economic consolidation. Thus the

onus for reproduction of capital was placed squarely on the new state. This dominant economic interest coincided with dominant political interest, which was committed to transform India into a "modern industrial state", albeit while stressing the aspect of redistribution for greater social justice.(ibid.).

This encouraged a fast growing public sector, that was intended primarily to support internal capital accumulation. Simultaneously the landed elite was appeared by the constitutional protection extended to private property. Planning required the creation of large bureaucracy of economic and technical personnel to monitor and direct state programs. These were derived from the already existing colonial administrative machinery (ibid.) The sector spread rapidly in size and increased its strategic control over productive processes and resources, leading, in the long run, to the growth of a large non-market mechanism of resource allocation, "a process which was originally justified by socialist arguments of controlling private capitalist power, but shown by later events to be increasingly prone to arbitrary distribution of economic patronage by politicians" (Kaviraj 1988 in Dassappa 1991) .

The ruling bloc as it emerged in post-independance India, contained three distinct social groups: the bureaucratic elite, the commercial and industrial bourgeoisie; and the

landed elite, reflecting a "tacit but mutually beneficial alliance of domination between political and economic forces, neither of which was strong enough to mould the process of social change in line with its own interests and ideals (Kohli 1984 in ibid.).

3.4 Nehru and the early socialists (1960-1967)

During Nehru's tenure, the state consolidated its institutional structure in pursuits of its goals of planned economic growth, and greater social justice through redistribution. The following features of the Nehru era are significant. First, Nehru enjoyed great popularity, both within the Congress party, and among the people, and was the obvious choice as India's first prime-minister. Although his popularity declined in subsequent years, the electoral survival of the Congress in the country's first three general elections (1952, 1957 and 1962) were never in question. The first two decades after independence the 'congress system' was based on the principle of consensus, involving opposition parties in a credible 'margin of pressure' whereby they could keep the party in power responsive to public interest (Chaterjee, R 1988). While this may reflect either Nehru's confidence, or the opposition's weakness at that time, it meant that the process of decision making and policy formation for planning within the state was marked by a remarkable consensus that extended over virtually all

political parties. There was a broad agreement as to the role of the state in the economic development, as well as the major goals of the state.(ibid)

Second, Nehru was simultaneously ideological and deeply pragmatic. Although committed to reformist programmes, he had an " overwhelming sense that political programs in countries like India must be set in the form of objectives in the historical long term; so that, for him, political ideology meant an interpretation of historical possibilities, rather than populist gimmicks" (Kaviraj 1988, in ibid.). Nehru realized and respected that the alleviation of poverty in India's context would be a protracted process, and he neither promised nor exploited the possibilities of short term tactics. Third, closely related to the last aspect, the government decided to give a bureaucratic, rather than a mobilizational form to its reformist policies. There was little or no attempt to mobilize/politicize the people to break down traditional ties and conservative resistance, which perpetuated their poverty. Instead, greater emphasis was laid by the state legislation of reform policies, which would, it was foreseen, gradually enable an overall improvement in the situation of the poorest (ibid.).

The land policies advocated during this period in Delhi reflects the political culture nurtured by Nehru. Two beliefs stand out, first a belief that the welfare of the society,

especially that of poorer and weaker sections, is a collective responsibility of the society. Second, that the land crisis in general could be solved by competent and apolitical planning agency. This resulted in the creation of the Delhi Development Authority in 1957 under the direct control of the central government, assuming that this would decrease the influence of local politics in the just distribution of land. It was not however foreseen at that time that the line between local and national politics would fade for Delhi, and the national politicians would politicize the process in the subsequent years.

The creation and implementation of the master-plan of Delhi, from 1957-62, not only reflects the government's belief of the ability of the planning agency but also its strong belief in social justice. The policy goals and implementation measures were clearly based on three major considerations. Firstly, they reflect the seriousness of the land crises in the fifties which promoted such a radical policy. Secondly, they support and lend concrete shape to the egalitarian principles of the Master Plan. Thirdly, they reflect the belief of redistribution. The last, in very broad terms, the philosophy behind the Indian economic and social policy that supports state control of resources and an enlarged government sector. What is remarkable is that the policy proposed to dispense "social justice" without burdening the

state exchequer. (refer to chapter two for the major policies of the master-plan)

A theme that continues in this period is a strong belief by the state that policy is non-political activity, and its politicization was seen as a corruption of the system. This was evident, as late as in 1967, four years after Nehru's death, in a recommendation of a special group appointed by the home minister to study a particular land policy,

In 1960, when preparation of the Delhi Master Plan was in hand, a scheme, known as Squatter resettlement Scheme, was formulated to deal with the problem of slums and squatting on public lands. It was sanctioned by the union cabinet in 1960. The scheme envisaged the removal of squatters from public lands and allotment of alternative plots to them in colonies to be developed for the purpose. Nothing happened till 1967.

A comprehensive review of the scheme was undertaken in 1967. A study group was appointed by the Home Minister under the chairmanship of the Minister of Works and Housing, Jagan Nath Rao. The member of the study group included the Lt. Governor DR.A.N. Jha, The chief executive councilor, the Mayor of Delhi among other elected officials of the Delhi administration and the Municipal Corporation. The basic recommendation of this group was the "scheme" had met with limited success because of political interference in the

process. It thus agreed that the squatter problem In Delhi would be treated entirely as "non-political both inside the Group as well as outside". (Jagmohan 1978).

This also resulted in transfer of the scheme to be managed by a 'apolitical agency'. Initially the squatter resettlement scheme was entrusted to the Delhi Municipal Corporation.

However in 1967-68, the central government decided to transfer the responsibility to the DDA after unsatisfactory performance of the Municipal corporation in its implementation.

3.5 The early Indira years (1967-1974)

India entered a period of deep political crisis with Nehru's death in 1964. The unquestioned legitimacy that Nehru and the other Congress leaders of the nationalist movement had enjoyed was fast diminishing, as the party was increasingly perceived not as a force of transformation, but as inherently conservative, and enmeshed in traditional social structures. Fractions splintered off from the main party to form opposition groups which contested the Congress in the fourth general elections. Shastri assumed leadership of the party (and country) after Nehru, but himself died in 1966, leaving Indira Gandhi, Nehru's daughter, to face the electorate in early 1967, as a head of a debilitated Congress.

The Congress party was defeated in as many as eight states in the general elections of 1967, this concluded the era of one party dominance. Although the party retained its majority at the Center, its fortunes declined alarmingly, indicating the need for drastic measures to restore its legitimacy with the general public. The most important measure was the heavy state investment in advanced agricultural practices. This culminated in the 'green revolution' of the seventies and put the country on the road to self sufficiency in food production. This was credible, it spurred overall economic growth and stabilized the prices of essential goods, it however, also worsened rural inequality. (Dassappa 1991).

However, 1967, also marked a crucial turning point in the politics of the Indian state and the Congress party. While Indira Gandhi ensured a massive electoral victory for the Congress in the general elections of 1971, she did so at the cost of some basic tenets of democracy, and ideological and consensus politics that Nehru had instilled in the party (Dassappa 1991). Anxious to consolidate her position within the party, she systematically undermined state Congress leaders who could pose any challenge to her leadership. These positions, instead, were turned over to more servile members, who could act as mere clients rather than supporters of the central authority. Moreover, electoral processes were not allowed to be revived in these organizations, so that the nomination of the state party leaders came to depend entirely

on a system of patronage that reached back to the center. In effect, this petrified the local structures of the party and rendered them totally ineffective. Power was increasingly concentrated in the central party organization.

Intolerant of dissent in the Congress party, Indira Gandhi was no more accommodating to the opposition parties. She rejected the principle of consensus followed by Nehru, in favour of majoritian principle (Chatterjee R. 1988). As a result the bureaucracy gradually became politicized, as did the planning process--national plans came to be identified with the political programmes and economic policies of the party in power--which weekend their effectiveness and credibility considerably (Dassappa 1991).

In the process of centralizing, but effectively weakening, the Congress system, Indira Gandhi changed the entire nature of politics as it had been conducted in India. "This new, populist politics turned political ideology into a mere electoral discourse, used vacuous slogans not meant to be translated into government policies" (Chaterjee R. 1988)³. There is no better example of this than the Congress electoral slogan in 1971, "Garibi Hatao" (eradicate poverty), which promised the abstract eradication of poverty, while conditions responsible for the failure of milder promises made earlier still remained. This transformation to

³ quoted in Dassappa 1991, p75.

populist politics resulted in further subversion of the existing intermediate party structures, and increasingly depended on a direct appeal to the masses by the leader. The political mechanism of the party slowly lost its significance at it was divested of any real power. The whole burden of delivering political goods shifted to the bureaucracy, contributing to its increasing politicization. As the party and its message receded to the background, the government came to depend on, and exploit primordial groupings and schisms to advance its short term electoral interests (Dassappa 1991). Ad-hoc, "quick-fix" programmes became prevalent, designed to channel resources to specific social groups selected by widely divergent criteria's (ibid).

A lack of a sense of security of leaders subsequent to Nehru seems to be the central factor underlying this transformation of the political culture of India. The centralization of power and an effort to directly appeal to the masses started by Indira Gandhi, continued well after her regime. Dassappa⁴ has rightly concluded that the state in this period lacked the unquestioned legitimacy of the early years, and sought to re-establish it at every general election. In a context of widespread poverty, this necessarily involved an appeal or commitment to the interests of the large number underprivileged, irrespective of practical capabilities to fulfill such commitment. The debate centered around

⁴ Dassappa 1991,p76

Congress's electoral survival, rather than its policies, i.e.after 1967, the focus was entirely on electoral issues and the question of retaining power, rather than any ideological differences.

This practice turned the elections into populist referendums rather than an a acceptance of a definite policy direction by the people. The contesting parties depended upon highly emotive and rhetorical issues to gain their support rather any real ideological discussion. This eventually blurred the distinction between the the different parties for most of the voters, as different politicians offered similar goods in return of their votes. The long lasting effect of this political culture is that India has seen a gradual erosion of the political cycle, no government since 1971 has seen a comfortable five year term. This has resulted primarily due to the lack of continuity and coherence in policies, mismatch between raised expectations and government ability, absence of consensus imposing mechanism and unbashed political competition (Dassappa 1991).

The policies directed towards squatter settlements and irregular colonies in this period exhibited two distinct trends, both reflected the new political culture and leadership. On the one hand, the DDA started an all out effort to 'clean up' the city of its 'ugly blemishes' and control growth of the city according to the master-plan. On

the other hand irregular colonies were legalized in a piecemeal fashion with no clear long term policy.

Indira Gandhi was keen on transforming Delhi into a high quality urban environment, she actually had referred to Paris being the appropriate model. Her desire to become a leader of international standing and hosting international conferences in Delhi, and to show the rest of the country what could be achieved under strong leadership, both could have contributed to this. Her "Garibi Hatao" slogan for 1971 general elections, while being a rhetorical promise, reflects her hope that somehow it is possible to remove misery without actually dealing with the causes of poverty and homelessness. In the leadership of DDA she found a willing partner. DDA was just about 10 years old when she came to power in 1967. Preparing the master plan in 1962 and going through the process of implementing its recommendations, had kept the organization quite busy. It had not formulated or implemented any concrete policy for squatter settlements and the irregular colonies by this time. Only in 1967, by the recommendation of a special group appointed by the housing minister, DDA was given the responsibility of the Squatter Resettlement program.

The Squatter Resettlement program involved, removing squatters from prime urban land and resettling them in 'camps' or planned colonies in the periphery of the city. DDA

realized quite early that to make the squatter resettlement program work, it would have to force people to abandon their present homes and move to a resettlement camp⁵, attempts to persuade people to move by the MCD⁶ had failed. People simply refused to move or got some politician to protest for them, eventually stopping the move. This intervention by local politicians, opposition party members as well as Congress, was seen as a hindrance both by DDA and the central leadership. DDA and the center accused the local politicians for using the resettlement issue for petty political gains (Jagmohan 1978).

DDA realized that to carry out these resettlement projects it would need political support and would have to carry out the whole move very quickly. By executing the move quickly, DDA thought that the local politicians would not have enough time to organize a protest hence would not be able to delay or stop the moves. This worked for some time. DDA sought and received complete support from the Lt. Governor, Dr. A.N. Jha, for these 'clearance-cum-resettlment-cum-redevelopment drives" DDA perceived these moves as a war effort. In the first such move in June 1967, it pressed into service about 300 trucks for three days and moved 30000 people.

⁵they were called 'camps', because it permitted DDA to move people there with less than 'basic' services ⁶Municipal Corporation of Delhi managed the program before DDA

⁷term used by DDA at that time, Jagmohan 1978 p 31.

The lack of conviction on the part of the leadership even on these moves is evident from an incident in the early seventies. After Dr, A. Jha died in early 1972, he was replaced by M.G.Pimputkar. He neither had the experience of his predecessor nor the clout. The resettlement schemes with their demolitions had received wide spread opposition and resentment. Questions about this issue were raised in the parliament. The press negatively reported the demolitions and opposition groups burned a effigy of Dr. Jha. Dr Jha was able to ignore all this, but it was not possible for the new Lt. Governor. It is believed, that in early seventies, in one such clearance move, DDA unknowingly destroyed a unauthorized structure belonging to the serving Mayor of Delhi. This resulted a high level protest and confusion. The incidence, however small, ultimately caused the whole resettlement scheme to drastically slow down. The central leadership realizing that the opposition parties were getting more mileage out of these schemes, willingly accepted a slow down of pace.

The government till 1971 had repeatedly promised to regularize irregular colonies built before a certain cut off date. This started as early as 1961, when 103 settlements were regularized which were built before the initiation of the master-plan and met certain criteria. In 1966, the municipal council passed a resolution relaxing some planning standards concerning roads and community facilities, and

unauthorized construction before 1962. In 1969, the government legislated preparation of regularization plans for irregular settlements established before 1967. Fifty three settlements were regularized in this process. Forty eight settlements could not be regularized as they were in non-conforming zones of the master-plan.

The fate of the irregular colonies oscillated in thus period with no definite policy. Often one policy would contradict previous ones. Demolition and ad-hoc regularization continued side by side till 1972. The governments lack of comprehension of the enormity of the irregular settlements and a non existent ideological stand on the issue resulted in various contradictory policies. For example, just after promising in 1971, that unauthorized construction up to 1972 would be considered for regularization, the government in 1972 supported a three stage clearance of all unauthorized construction. In early 1972, a high level meeting was held under the chairmanship of Union minister for works and housing. In the meeting it was agreed that unauthorized constructions, which came in the way of construction of bridges and road alignments, should be taken up for clearance first. Unauthorized structures on lands earmarked for hospitals, schools and colleges should be taken up for clearance next and in the third stage all other unauthorized constructions should be cleared as soon as possible (Jagmohan 1978, p. 40). In April of 1972, it was also decided that the

demolition squad of the DDA could be used by any other city agency requiring their services. It was also agreed by the leadership that the services of the police also could be used in these demolition operation to expedite the process. This heralded the beginning of regular police presence in almost all subsequent demolition exercises.

In this environment patron-client relationship between politicians and the irregular colonies grew rapidly. This development can be seen as a mere extension of the political culture created by the central government and specially Indira Gandhi. The ideology of the political parties were far in the background, votes were bought by distributing political favours. An unclear overall policy also helped the politicians and the DDA officials to bend the rules to suit specific favours. By this time the irregular colonies represented a significant vote bank. The easiest political favour to distribute was to stop demolition. Actually this in some instances had become routine, DDA would initiate demolition only to be stopped by timely intervention by some local politician (Mukherjee 1988). These favours extended to providing services, extending bus routes and eventually regularization. As this practice grew, the residents became quite comfortable that sometime in the future all colonies would be regularized in this process, if only they could stall or delay the demolition process.

3.6 The Authoritarian state (1975-1977)

These oscillation of policies towards irregular colonies, were seen as a political necessity by the central leadership. The DDA officials complained that political intervention was making their job of transforming Delhi to a 'beautiful' and 'functioning' city impossible. They argued that if only they had more authority and political support they could get the job done. They got both, and more than they asked for, during the two years of national emergency declared by Indira Gandhi, from 1975-77.

In 1975, the state facing a political crisis, declared a national emergency, saying the country faced a severe threat to internal security. Various factor contributed to this crisis: the extreme centralization of power by the leadership; resultant erosion of leadership consensus; escalation of opposition to the congress regime; the broadening of the arena of legitimate demands as a result of various populist promises; and emergence of new social and political groups competing for limited resources. The emergency limited the democratic rights of the people, and disrupted or dramatically changed the functioning of administrative and political institutions.

The emergency was a unique period. Dayal and Bose conclude, "The uniqueness of the emergency lies in the

tremendous powers that the State wielded over society without any moral will behind it. Despite popular confusion, the emergency did not bring in a fascist regime. At no stage in the nineteen months there were any signs of political fanaticism, nor were there any attempts to whip up popular frenzy. The state nether sought to create nor had it any mass psychology to prop it up. On the contrary, the imposition of emergency was a coupe d'etat -a virtual takeover of a bankrupt civil society by a coterie of individuals who cornered tremendous power by being able to represent the state" (Dayal and Bose, 1977, p.4).

Not all agencies or officials flourished in this period, only the people close to Sanjay Gandhi, son of the Prime-minister, were the ones wielding excessive power. Most officials and petty politicians have explained their activities during emergency as being born out of fear. Fear may have been one factor. However, many authors have pointed out that many individual in power, finding an extra-constitutional center of authority in Sanjay Gandhi and recognizing in it the power head that would help them in their own respective ambition. (Dayal and Bose, 1977, p.2).

DDA, with its leadership close to the political leadership experienced widespread support from the government. DDA found what it was looking for, a complete authority and political support. It initiated large scale development plans, slum

clearance, distribution of low-income plots, general beautification of the city, resettlement of evicted families etc. All the tasks it wanted to carry out but was unable to do so due to political intervention (Jagmohan 1978,p.45).

Though DDA carried out numerous projects during this time, the activity that stood out was its large scale demolition. In the span of nineteen months DDA forcibly evicted about 150,000 squatter households from various parts of the city. It only could provide 49,000 during these two years to resettle these squatters. The scale of devastation and misery created was unprecedented and unanticipated even by the DDA officials.

This period was a nightmare for the residents of the irregular colonies. Lot of structures in colonies across the city were destroyed by an army of bulldozers, and families whose houses were not actually destroyed lived in the immediate fear of destruction for one and half year. The patron-client relationship between the colonies and the politicians, nurtured in the preceding years were abruptly terminated, as DDA was able to supersede their influence and authority. This left the residents with little room for negotiation. The only way they could stop demolition was to get organized in their respective colonies and physically stop the demolition. This resulted in numerous confrontations resulting in regular arrests and few deaths.

Though the excessive force used and the extent of demolition in this period stands out, and has been cited as an example of misuse of power by most, an underlying belief of DDA in the master-planning process and a possibility of a 'rational' solution continued to dominate. All the activities in this period was geared towards conforming the growth of the city as dictated by the master-plan. This belief in the 'rational' approach was shared by both the DDA and the political leadership, as opposed to the 'incremental' policies of early 70's.

The 'rationalist' beliefs are clearly reflected in the state's final attempt in 1976, to regulate the ownership of vacant urban land. The Urban Land Ceiling and Regulation Act (ULCRA), was a measure to impose a ceiling on urban property on the lines of a rural land ceiling act attempted earlier. The act imposed a ceiling on vacant land holding and put a limit on the size of dwelling units to be constructed in the future. All lands in excess of the ceiling was to be acquired by the state, at nominal rates. The basic purpose was "redistribution of wealth and improvement of access of the poor to land for shelter purposes" (M. Mehta, p17)⁸. Land for housing the poorer section or for certain industrial use were exempt.

⁸Quoted in Dassappa 1991 p89

3.7 The Janata regime (1977-1980)

The congress government realizing the unpopularity of its resettlement programs, initiated a policy of large scale regularization in February 1977, two months before a general election. These patch-up measures did not help the congress in the elections, it lost its majority in the center, and all the seven parliamentary seats from Delhi. The Janata Party was voted into power, a weak coalition of various opposition parties. The political culture of the Janata regime was sprinkled with numerous defections on the parliament floor, a general lack of security of the government and fierce competition among the members of the ruling coalition. Dassappa has argued that this was a consequence of politics of patronage and direct mobilization introduced by Indira Gandhi (Dassappa 1991 p.77). This was added to a confrontational rather than a consentual attitude of political parties towards each other. This further encouraged detrimental politicization of the bureaucracy. Most people in power in this period were at this position for the first time after thirty year rule by the congress regime, they had observed from the side lines the political favours being distributed by the congress leaders, now it was their turn.

The newly elected Janata government, in an attempt to gain popularity and to show how dramatically different their

regime was, turned a blind eye to unauthorized colonies. They in fact often supported local manipulation of land use regulations. Small scale manufacturing, based in homes, expanded rapidly as new areas within neighborhoods received electrical services and improved roads. (Benjamin 1991, p.10).

The unauthorized colonies proliferated under this regime. New colonies were formed and old ones densified. DDA restricted its demolition activity to token exercises in commercial areas. The major policy direction was a support for regularization of all irregular settlements constructed before 1977, if they met certain conditions. A wide scale survey and data collection of all the irregular colonies were carried out. During this period 136 colonies were regularized.

The most striking feature of the policy at this period is not the lack of any long term solution but unlike the previous regime, the Janata leadership showed little respect or belief in the recommendations of the master-plan. The regime for the most part of its existence was unstable, which only encouraged a wide spread re-emergence of patron-client relationships between the politicians and the colonies. Though the nature of the relationship was quite different from before, it seems the residents were more organized, and a large portion of light industry being located in these

colonies, brought a new found power to the bargaining table. (Benjamin 1991 p.11).

3.8 The return of Congress-I (1980-)

The Janata government did not last long, intra-party rivalry and large scale defection assured its early demise. A general election was called in 1980, two and half years earlier than the usual election cycle. Indira Gandhi was voted back to power, as a leader of a new Congress party called Congress-I, the "I" stands for "Indira". The Congress-I was voted to power this time, not necessarily because of its rhetorical slogan, or secular ideology , but because the Congress alternative was unable to provide a steady stable government. Indira Gandhi was once again able to mobilize the people by her speeches, and convince them that voting on her picture was a better alternative. The election was won primarily by her popularity, though the Congress-I did not receive a landslide majority in the parliament. This resulted in a more centralized and confident central leadership than before. The political culture as existed in 1974, slowly crept back, only in a more severe fashion. The intermediate party machinery was non-existent, all state level and party appointments were decided by the central leadership.

Political bargaining and deal making proliferated in the $center^9$.

Irregular colonies experienced a new Congress as far as they were concerned. The Janata Government had promised large scale regularization, but nothing much was actually achieved in their two and half year rule. When the Congress-I came to power, they had not promised anything specific to the irregular colonies, there was nothing much to promise, the Janata government already had initiated regularization of all illegal colonies. Yet the residents were weary, they were aware what level of destruction and misery DDA could bring, though they were presently enjoying a relatively lax enforcement. The only colonies that were saved from DDA's wrath during the emergency, were the colonies which were regularized. The informal networks and political patronage were not enough to protect the colonies from an authoritarian state.

Jagmohan, the head (vice-chairman) of DDA during the early Congress rule, from 1967-77, was now appointed the Lt.Governor of Delhi. As DDA is directly under the authority of the Lt. Governor, the ruling machinery that existed during the emergency was virtually back in place.

⁹The Congress party had their first intra-party election to decide executive posts in 1991, after Indira Gandhi came to power in 1967.

The DDA during this period, systematically upgraded existing settlements and initiated regularization of all irregular colonies built before 1980. This was aided by the survey and data collection work started two years back. By 1984 DDA had regularized 602 settlements. This process was generally supported by the central government. Important policy meetings in this subject were either presided or attended by the Home minister or a member of his staff. By now the whole policy aspect of the DDA operation had become part of the national political debate, with no or insignificant local political participation. The central government in a move to expedite the whole process, subsidized the upgradation costs by a central grant. In the previous proposal, by the Janata government, the upgradation costs were suppose to be paid by the residents in the form of a betterment charge.

These actions by DDA and support by the central leadership are puzzling. The Congress leadership in the past had been guided in regularization issues by two considerations, either by 'rationalist' need to follow the recommendation of the master-plan, or political gains by coopting populist pressures. The same people, Indira Gandhi and Jagmohan, were still the guiding forces of the city, and they continued to express their strong belief in planned development (Jagmohan 1984,p.). In this context it is difficult to argue that the belief in the master-plan or planned development had abandoned the leadership of the DDA.

On the other hand, the Congress-I was just comfortably voted back to office, following an election in which they did not have to promise legalization, and the next election was almost five years away. The residents were enjoying a lax enforcement mechanism. This encouraged the growth of large number small scale industry, some of them involved in hitech production (Benjamin 1991). These economic and commercial development in the irregular colonies increased their inroad and clout with the established industries and city agencies. Though the colonies were politically stronger and more savvy they however did not have a city wide organization which could put a unified pressure to the government. In the absence of a real possibility of demolition and relocation, lack of such organization is not surprising.

3.9 Conclusions-beyond politics

In the period described the state progressively declined in its authority, the emergency being the exception. Giving rise to undermining of conventional political and institutional processes. This added by intense competition for electoral support led to direct mobilization of the people by the leadership. In absence of a intermediate party machinery, the bureaucracy slowly got overtly politicized, as it was used to deliver political favors.

Due to this overt politicization of the regularization policies in the late sixties and early seventies, the administrative style of the DDA began to reflect the political culture nurtured in the center by Indira Gandhi. The politicization of the planning process on one hand, encouraged a patron-client relationship between the local administrator/politician and the residents of the irregular colonies. On the other hand fate of DDA depended more and more on the relationship of the DDA chief with the central leadership.

Delhi, being the capital of the country, houses the central government, thus, the majority of the national politicians in the city. Institutionally DDA was answerable to the central leadership, yet its policies were implemented in a geographical area whose local government was often a party other than the central governing party. Though the local government could not formally control the policies of the DDA, it did regularly oppose various DDA policies by organizing demonstrations etc.. This constant pressure and opposition from the local politicians greatly influenced the regularization policies of the DDA.

DDA regularization policies in the early eighties are surprising. In the context of strong belief of the leadership in planned development and lack of populist pressures, its

policies reflect a progressive bent. The reason for pursuing liberalized regularization policies could lie in the government or in the agency. The following chapter discusses the various possible reason for this policy direction and the role of the bureaucracy in the process.

Chapter four
The Head of DDA: A story of
Learning and Adaptation

4.1 Introduction

The previous chapter narrated the gradual politicization of the Indian bureaucracy over twenty years, from 1960 to 1980, as a result of the political culture developed by the central leadership. The argument made was that the evolution of the land policies of Delhi, specially the policies pursued towards squatter settlements and irregular colonies, partly reflected the politics of the governing party. The new policies, which were often contradictory to the existing ones, followed the logic of the political imperatives of the ruling party at the center. It was also argued that the local government of Delhi, in this period, was generally weak and more often than not was unable to influence the strong control the central leadership had on the land policies of Delhi.

The above observations remained true as the nature of the state itself went through a series of transformations during this two decades. The Indian state was at times strong and legitimate, at times insecure and dictatorial, at times weak and factious and other times authoritarian. As the nature of the state changed and fluctuated throughout this period, so did the relationship of the government and the Delhi Development Authority (DDA), the planning agency responsible for land policy and implementation for Delhi. However

politicized the policy making process became, each action had to be incorporated in the formal policy of the DDA and implemented by the bureaucratic machinery of the DDA. throughout these two decades DDA was the primary instrument of control and delivery of land policies in Delhi. As the nature of the state and the priorities of the political leadership changed, so did the relative power of DDA. Though the agency and its policies, in this period, were extensively used to serve political agendas of the ruling political party, it however, did experience brief periods of relative autonomy. This was mostly due to the nature of relationship between the central leadership and the chief of DDA. chapter charts the relationship of the chief of DDA with the ruling government in an attempt to identify the cause and effect of these periods of relative autonomy experienced by the agency.

The politics of the governing party can explain most DDA policy initiatives towards irregular colonies: piece-meal regularization of the early seventies; large scale demolition and resettlement during the emergency; and the promise of large scale regularization after the 1977 general elections. Politics of central government, however, cannot explain the regularization carried out by DDA during the early eighties. In the 1980 general elections when the Congress-I was voted back to power, it had not made any general promise of regularization, because the previous government had already

done that. Neither was there an organized populist pressure from the residents of the colonies for regularization, as the Janata regime provided a environment of weak enforcement of regulations and instances of direct encouragement for growth of new colonies.

This chapter argues that part of the reasons of DDA's regularization activity in the early eighties can be found in the goals and aspirations of the most prominent DDA official at that time. Through out the discussion of the changes in the political environment it was pointed out that during the Congress-I regime DDA enjoyed a relatively greater political support. This was generally due to a special relationship between Indira Gandhi and the chief of DDA, Jagmohan. Both of them shared a view of a planned, beautiful Delhi in the future. Jagmohan was part of the DDA leadership from 1967 to 1977 and was its chief from 1971 onwards. In 1980, when Congress was back in power Jagmohan was appointed the Lt.Governor of Delhi. DDA is under direct control of the central government through the office of the Lt Governor of Delhi, a nominated position of the central government. Jagmohan was connected to DDA for the most part of the two decades in various positions. His relationship with the political machinery and his vision for Delhi greatly molded the policies of the DDA during the seventies and the early eighties.

The chapter is arranged around a series of policy actions which charts Jagmohan's tenure as the chief of DDA and also as the lt. Governor of Delhi. The attempt is to present the changing relationship of DDA and the political leadership and the evolution of the relative power and position of DDA. First, the first large scale demolition activity carried out by DDA is presented. This was an instance of complete political support from the government and contributed to the legitimization of demolition as an activity. Second, the demolition and relocation activity during the emergency is discussed. Third the aftermath of the emergency is presented. Finally the actions of Jagmohan as the Lt Governor is recounted.

4.2 legitimization of Demolition 1967-72

The Squatter Resettlement Scheme for Delhi was initiated by the central government in 1960 during the Nehru regime, and its implementation was entrusted to the Delhi Municipal Corporation (MCD). The central government was, however not satisfied by the the performance of the MCD. The MCD was unable to effectively remove any squatter as the local politicians (both Congress and non-Congress) always were able to stop any such move. Thus in 1967, the central government decided to entrust the implementation of the scheme to the Delhi Development Authority, arguing that a agency controlled

by the central government will be able to superceed local political influence. The central leadership was also alarmed by the continued growth of squatter settlements in the city and the effectiveness of the the scheme was reviewed by a 'high level study group' appointed by the Home Minister in 1967. The group, among others, consisted of: the Minister of Works and Housing; Lt. Governor of Delhi, Dr. A.N. Jha; members of the Delhi Municipal Corporation; and some local opposition leaders. One of the observation of this group was that the problem of squatting would be incapable of solution if politics got injected in it. The group recommended "that the squatter problem in Delhi should be treated entirely as non-political both inside the group as well as outside."

(Jagmohan 1978, p 29).

Jagmohan became a part of DDA in 1967, and quickly realized two things, first, that the squatter resettlement scheme was a immediate concern of the central government, and second, that political support was crucial to carry out any relocation activity. Jagmohan also showed a strong belief in planned development and a vision for a clean and functioning city. In 1973 in Delhi, there was one squatter household for every five non-squatter household, whereas in 1951, there was one squatter household for every twenty non-squatter household. In absolute numbers, there were 12,746 squatter families in 1951, 22.415 in 1956, 42,814 in 1961, 77,693 in 1966, 1,15,961 in 1971 and 1.41.757 in 1973. (TCPO 1973). In

this context Jagmohan wrote, "...will haphazard and disorganized squatting, with consequent wastage of resources, help any one? Will the general environmental degradation be in the interest of squatter's health and happiness? Will it be wise to close our eyes to the gathering storm and not evolve a long term policy to meet the challenge of new forces sweeping the developing world?...". (Jagmohan 1978, p 24).

Jagmohan found both, a shared vision for a 'clean' Delhi and political support, in Dr A.N. Jha, the Lt. Governor of Delhi from 1967-72, a veteran civil servant. The first major clearance and resettlement operation was carried out in the summer of 1967 in a area called Yamuna Bazar near the Nigam Bodh Ghat. The Ghat is a sacred and historical site where a large majority of the hindu citizens perform cremation rites. The site housed about 6,000 families, sores of cattle dairies, and about 700 small industries and godowns. The land was slushy, uneven, and floodable with hardly any drainage, sanitation or clean water. According to Jagmohan it was "the foulest nauseating slum, incapable of being developed or serviced at reasonable cost"(ibid p 31). The Ghat was also used to cremate deceased political leaders, resulting the visit of political leaders, diplomats and elder statesmen, hence the cleanliness of the environment around it was more significant. Nothing could be done to the area for a long time due to affiliation of the business and warehouse owners of the area with the local politicians. Jagmohan wrote,

"...such was the stranglehold of the politics of the slums, nothing was done for years. The area remained a spectacle of national shame and human misery in its worst form." (ibid p.32).

Dr. A.N. Jha took personal interest in the project and extended full support of his office to Jagmohan and the clearance operation. On June 17, 1967, which was referred to as 'the D-day' by Jagmohan in war like fashion, the clearance operation began. About 300 trucks were pressed into service, and in three days, the clearance and 'simultaneous resettlement' was completed. Immediately after the shifting, bulldozers were pressed into action. The area was levelled, and the work of developing the River-front and laying down the garden started. Horticulturists, engineers, planners, and administrators worked round the clock to translate a 'dream' into reality. (ibid p.32). Jagmohan was pleased with his work, in 1978, he wrote, " Seeing the area today, in its simplicity and charm against its historical and cultural legacy, it appears to have sprung from the soil as truly as folk music springs from the soul of the people". (Jagmohan 1978, p33).

The radical and efficient change that took place in the Yamuna Bazar area and the river front pleased some section of the city. A civil suite brought against the DDA, in connection with a land dispute of Yamuna Bazar, was decided

in favour of DDA. The wide spread acceptance of this action was important for DDA and Jagmohan. It legitimized large scale demolition as an activity, if it could be organized and carried out swiftly. Many other such clearance and resettlement projects followed in all parts of the city. In a similar operation in the walled city, help of the police was used to calm protesting residents and to make sure that they pick up their belonging and board the trucks quickly. Hence this became a mechanized operation, the DDA officials will come to the site with eviction orders, numerous trucks and the police, most often in the early hours of the morning. And within hours the first trucks will start leaving the area to take the squatters to peripheral resettlement camps.

These activities continued till early 1972, Dr.A.N. Jha passed away on January 19, 1972. His immediate successors (refer appendix) neither possessed the vision nor the political clout to continue to support the resettlement operations. Even when Dr. Jha was alive, opposition to his continued support to demolition and relocation was building up in different section of the city. A noisy demonstration burnt the effigy of Dr. Jha. The two main political parties, the Congress and the Jana Sangh, started to blame each other to control the political fall out. The local Congress leaders accused the Delhi Administration, which was at that time controlled by the Jana Sangh party of trying to embarrass the Congress party and its supporters. The Jana Sangh members of

the parliament suggested that the Congress party workers were enraged because a godown belonging to the Congress Mayor of Delhi was demolished. Jagmohan was frustrated, lack of a political mentor slowed down the clearance processes, he wrote, "The climate, which dominated the period January 1972 to June 1975, existed earlier. But it gained ascendancy during January 1972 to June 1975. With the passing of Dr. Jha, in fact, ended the phase of Delhi's development. Thereafter, petty jealousies and intrigues took firm grip, and service to the cause of Delhi's became liability-a constant source of trouble an harassment... political factors did constitute a constraint, but better results could have been achieved if the administration had shown the same courage, the same dynamism, the same regard for the city's cultural heritage, and the same sense of timing and coordination as was exhibited during the Dr.A.N. Jha's time." (Jagmohan 1978 p43).

4.3 Emergency years (1975-1977)

In May 1975 the Congress government headed by Indira Gandhi declared a state of national emergency. During this period basic rights of the citizens were suspended and the state behaved more or less as a centralized police state. Most forms of protest against the government were banned, even grievances through local politicians were of little value.

In the absence of local political interference, negligible protest from the residents and with the help of armed police force, DDA initiated a large scale demolition and resettlement operation. In nearly two years, DDA evicted about 150,000 squatter households from different parts of the city. It provided plots to the evicted families in 27 resettlement colonies. It created 500 parks and planted half a million trees. During the peak period , about 12,000 persons were employed every day in these operations, 250 trucks, 25 road rollers, and 20 bulldozers were also engaged per day.

Though DDA implemented various projects in this period with speed and efficiency, the large scale demolition operation stood out. The combined effort of a army of bulldozers and armed policemen, created unprecedented misery, fear and destruction large number of residents of squatter settlements and irregular colonies. It is apparent that the DDA saw this as a unique opportunity to clear slums and unauthorized construction it had been trying to clear for many years, but was unable due to various political interventions. Its overzealous officers, some of them with good intentions, did not understand their limits in the absence of any opposition, unleashed, what was perceived by the residents as an regime of terror. After the emergency, most section of the political machinery, including some of the leaders of the ruling party distanced themselves from the activity of the

DDA and blamed its officers for taking advantage of the situation and misusing power.

The DDA leadership maintained, specially Jagmohan, that DDA did not do anything new during the emergency, it only carried out previous programmes more efficiently. "During the emergency, the same scheme, the same policy, and the same procedures were continued; only the pace of work increased. The government had intended to remove the squatters and liquidate the problem in the shortest possible time".

(Jagmohan 1978, p45). Later Jagmohan had tried to distance himself from the initiation of the large scale clearance and resettlement operation, saying that he was out of the country when these operations were started.

Prime Minister Indira Gandhi, took personal interest in these operation during this time. She chaired meetings on the subject of speeding up of clearance of slum and squatter settlements. Such a meeting was held in August 1975, and attended by among others the home minister, local members of the parliament and the Chief Executive councilor. It was decided that all slum and squatter settlements and non-conforming trades had to be removed. The Prime Minister also visited the resettlement colonies to inspect the progress of the work. In discussions on the parliament floor Indira Gandhi supported the work of the DDA and suggested that it could not be done before because of political interventions.

In a statement made in a All India Congress Committee

(A.I.C.C.) Meeting held in May 1976, Indira Gandhi reminded her partymen that in the past the program of slum clearance had not secured their support because of electoral considerations. A newspaper reported, "Prime Minister Indira Gandhi today defended the city planning work taken up in Delhi recently and said there was bound to be hardship to some people. She told the A.I.C.C. that to plead that because there had been some inconvenience we should not go ahead with the program is anti-national attitude". (Hindustan Times, May 31, 1976)¹.

Jagmohan points out three features of this period in one of his publications. First that the DDA did not initiate any new program during the emergency but continued with the existing programs. Second, it never misused any authority, it only carried out programmes authorized by the central government, implicating that if any misery was experienced by the people it was due to the government programmes. Third, that these actions could not be generalized as demolition, they were rather development, whatever DDA did was for the betterment of the squatters. The following quotes summarizes his perception of the situation. He wrote, "All this shows the tremendous effort put in by the Delhi Development Authority to put the squatters on the road to progress and prosperity...the entire program was development-oriented, and

¹Quoted in Jagmohan 1978 p 54

not demolition-oriented...Can anyone in good conscience deny that what we have done is development, and not demolition? What we heralded is dawn, not doom. We have converted our liabilities into assets, and laid the foundation for cleaner and better environment. " (Jagmohan 1978 p13,p75)

4.4 Jagmohan as the Lt.Governor

Not many people agreed with Jagmohan's view of the activities of the DDA during the emergency. In the general elections called shortly after the end of the emergency, the Congress party suffered a massive electoral loss, and lost all seven parliamentary seats from Delhi. The Congress wipe-out in Delhi was not solely due to DDA activities, but it did contribute significantly to ensure a win for the opposition. Janata party came to power and initiated an official enquiry into the misuse of power by various government officials during the emergency. The enquiry was carried out by a commission headed by Justice Shah, hence called the Shah Commission. The deliberation of the Shah Commission was humiliating and embarrassing for Jagmohan, who had to spend days defending and explaining his actions during the emergency. Though he was never formally charged, Shah Commission deliberations destroyed his reputation and standing in the Delhi community. Only the years before he had received the highest civil award of the country for his meritorious service.

The following years were difficult for Jagmohan, with his reputation in an all time low. But unlike many other civil servants and politicians, Jagmohan did not blame the Indira Gandhi leadership for DDA's actions. Many civil servants and local politicians by now were trying desperately to distance themselves from the Indira Gandhi regime, arguing that what they had done during the emergency was out of fear. Jagmohan remained supportive of the activities of the Indira regime. He continued to express his belief that what the DDA had done was continuation of government program, and what it had done was beneficial in the long run for the residents and the overall city.

Jagmohan was appropriately rewarded for his unflinching loyalty. The Janata government lasted only two and half years, and Indira Gandhi was voted back to power in the general election of 1980. Indira Gandhi appointed Jagmohan the Lt, Governor of Delhi. This meant a lot to Jagmohan, he was finally on the top of the administrative hierarchy of the city he loved, and for which he had a cherished long term vision. Though he was no longer the head of DDA, he was directly in control of it.

Jagmohan quickly went to task to restore his tarnished reputation. He concentrated on undoing the destruction and havoc DDA had created under his guidance. He sought to

somehow erase the memory of misery from the residents of the squatter settlements and irregular colonies, though he publicly never acknowledged that. In a sweeping move he instructed the DDA to regularize irregular colonies and provide them with basic amenities.

The Janata government had initiated a similar program of regularizing irregular settlements, making good on a election promise. The DDA had started to collect data on these colonies as a first step towards regularization. The Congress government also had initiated a similar program in early 1977. Just after the end of the emergency, in an effort to win votes in the coming election the DDA announced in January 1977, that it would legalize all irregular settlements constructed before that date. This was in direct contradiction to what DDA had been doing in the preceding two years. As Congress did not win the election nothing happened to that program. The incoming Janata government announced their own program for large scale regularization with a new cut off date.

When Jagmohan became the Lt. Governor, all his instruction and correspondence (see appendix) referred to the January 1977 date. As if he was continuing with the policy initiated by the Congress government in 1977. The DDA regularization activity during the Janata regime was either ignored or side stepped. Though this technicality meant very little to the

residents of the colonies, as they were happy that the Congress-I government was continuing the process started by the Janata government. But it shows Jagmohan's desire to revalidate the actions of DDA under his leadership and a create a continuity between the old DDA regime and the present DDA regime. This as an effort to convince the citizens of Delhi, that all this liberal regularization was being carried out by the same organization and leadership which was responsible for large scale demolition.

The central government was quite receptive of the Jagmohan initiative. Though they did not share Jagmohan's attachment to the city and its historicism, being central politicians, they spent most of their time in the city and the Congress party was also eager to shed its authoritarian and destructive image formed during the emergency.

The center supported the regularization activity and took interest in the progress. The Home Minister chaired various meetings concerning regularization at this time. In one such meeting it was decided that the betterment charge paid by the residents for regularization would be subsidized and would be paid by a central fund. This process continued for about three years. With the strong support of the Lt. Governor and political and financial support of the central leadership DDA managed to regularize 500 irregularity settlements by 1984.

Though Jagmohan supported the regularization activities of the DDA in this period, he did not abandon his belief in plan development. From his initiation and support to regularize all existing colonies one would believe that he finally has abandoned his rigid belief in planned development and large scale public participation in such process. In a lecture delivered by him in 1984, he restated his firm belief in large scale state participation in planned development. He said, "Whatever success Delhi has been able to achieve in regard to the provision of social goods has largely been due to it s (large scale) acquisition policy...in this advocacy of acquisition of land and freezing of land values at a given time, no ideology is involved. It is a practical necessity of our cities...to conserve land and resources, group housing should be encouraged by the public authority...the individual is saved of the botheration of constructing a house. Simultaneous allotment of the flats in large housing estates brings immediate life to the community." (Jagmohan 1984 p. 30). This further validates the hypothesis that his support for the regularization process was not due to his ideological position but his need to reestablish his reputation and attempt to erase the memory of misery from the minds of the residents.

4.5 Conclusions

During his tenure in DDA, and as the Lt. Governor of Delhi, Jagmohan showed a great belief in the masterplan as the legitimate vision for the future of Delhi. According to him demolition of squatter settlements and unauthorized colonies, and relocating them in the periphery of the city, was part and parcel of the masterplan. He realized that these moves would cause hardships to the residents, but he reasoned that these hardships would be temporary and they would be outweighed by the greater good these relocations would bring to the larger society and the rest of the city.

Jagmohan realized early that these relocation moves would not be possible without a strong political support. As such moves initiated by his predecessors had failed due to opposition by local politicians. He got first significant political support for these moves as early as in 1967, and from then on his relationship with the Congress leadership grew steadily. This support was most dramatic during the emergency, when DDA enjoyed unprecedented power, support and flexibility. In this period DDA embarked on a large scale demolition and relocation operation, which it was unable to do due to 'political interference'.

Jagmohan resented the interference by local politicians in these operations, for him they were the major cause for slow implementation of the masterplan. The 'Political interference' to Jagmohan, always meant interference by the

local politicians. The interference by the central leadership was acceptable. This could have been because, Indira Gandhi, the Prime Minister during his tenure shared his views about the future of the city. By the end of the emergency the relationship between Indira Gandhi and Jagmohan had become quite special. When Indira Gandhi came back to power in 1980, she appointed Jagmohan as the Lt. Governor of Delhi.

The initiation of the large scale regularization of the irregular colonies, from 1980-84, did not come from the political leadership, it came from Jagmohan, the ex-chief administrator of DDA who was now the chief administrator for the overall city. In the general elections following the emergency the Congress Party suffered a total loss. The elected Janata government initiated a formal public inquiry to identify administrators who had misused the power of their office during the emergency. In these proceedings Jagmohan was indirectly implicated and suffered a loss of reputation and a great loss of face among the intellectual elite of the city.

Jagmohan was a lover of the city and specially its historicism. In the past he had repeatedly got involved in projects to restore and rehabilitate historic monuments, which Delhi has many. The most significant being the redevelopment of 'Shahjahanabad', the historic walled-city of Delhi. He wrote poetry, and published various articles.

He perceived himself as a intellectual and a credible member of the thinking elite of the city. The portrayal of himself as a insensitive tyrant, causing unprecedented misery across the city, by the Janata government was a great blow to his reputation.

The Lt. Governors office being in direct control of DDA,
Jagmohan used this opportunity to restore his tarnished
image. As soon as he was appointed Lt. Governor he initiated
policies to regularize almost all irregular colonies. This
was effort on his part to erase the memory of widespread
misery from the minds of people who were worst effected
during his tenure in the DDA. The central Congress
government was a willing participant in this effort, along
with Jagmohan they were also eager to shed their destructive
image.

Chapter five **Conclusions**

5.1 Introduction

The focus of the thesis is to explore the political and institutional constraints to explain the changes in the regularization policies in Delhi. The thesis attempts to establish the changing nature of the regularization policies with respect to the evolving political culture through an institutional perspective. Specifically, it attempts to analyze the historical roles of some of the main actors involved in the process, emphasizing the unique circumstances which 1980 presented.

Certain patterns emerge from this analysis which merit further investigation and should be restated here. The observations included here include: the gradual politicization of the bureaucracy; the changing autonomy of the planning agency; the 'learning' of the bureaucrats; and the limitations of the existing theories explaining politicization of the planning process.

5.2 Politicization: Centralization of power in the ruling party and lack of political legitimacy leads to politicization of the bureaucracy

Delhi Development Authority (DDA) was established in the late fifties by the central Congress government with two primary goals in mind. First it wanted to create a super agency which will be responsible for all aspects of planning and delivery of land in the Delhi metropolitan area. A modern agency which could direct the growth of growing metropolis in a 'rational' and equitable fashion. Second, it wanted to create an agency which was directly controlled by the central government, and not by the local government so as to reduce the possibility of local political interference in the process of formulation of land policies.

Beginning in the late 60's, however, the institution and its policies became gradually politicized. In 1967, when Indira Gandhi became the Prime-minister, she was among the younger members of the cabinet and her position was challenged by party stalwarts like Morarji Desai, who resented her appointment. To consolidate her position in the party Indira Gandhi initiated two separate strategies. First she gradually centralized most of the party decision making process. This resulted in bypassing the intermediate party machinery and eventually destroyed authority of the lower party workers which diminished the grassroots party activities. Second, she tried to mobilize the voters directly, with rhetorical election slogans and making herself the most known political figure. These two strategies worked partially, she secured a

comfortable majority for the Congress party in the 1971 general elections and by 1971 she was the unquestioned leader of the congress ruling party. These however had significant influence on the bureaucratic machinery. With the intermediate party machinery more or less destroyed, the ruling party started depending more and more on the bureaucracy to deliver political favors. This led to gradual politicization of the planning process. Like many other cities in developing countries, Delhi's regularization policies became instruments to deliver political favors by the ruling political party.

Due to this overt politicization of the regularization policies in the late sixties and early seventies, the administrative style of the DDA began to reflect the political culture nurtured in the center by Indira Gandhi. The politicization of the planning process on one hand, encouraged a patron-client relationship between the local administrator/politician and the residents of the irregular colonies. On the other hand fate of DDA depended more and more on the relationship of the DDA chief with the central leadership.

Delhi, being the capital of the country, houses the central government, thus, the majority of the national politicians in the city. Institutionally DDA was answerable to the central leadership, yet its policies were implemented in a

geographical area whose local government was often a party other than the central governing party. Though the local government could not formally control the policies of the DDA, it did regularly oppose various DDA policies by organizing demonstrations etc.. This constant pressure and opposition from the local politicians greatly influenced the regularization policies of the DDA.

5.3 Relative Autonomy: The planning agency experienced relatively more autonomy in periods when the ruling party perceived itself relatively "strong"

Conceptualizing the nature of the state through an analysis of the evolution of the regularization policies, it would seem the nature of the state itself went through a series of changes. The Indian state over these twenty years exhibited tendencies of a strong, benevolent and socialist state; a relatively weak state lacking widespread legitimacy; a authoritarian state with immense centralization of power and suppressed conventional political and institutional mechanisms; a divisive ruling party with no clear vision of the future of the city; and a relatively legitimate state responding to a tamed populist pressure concerning the issues of regularization.

Due to the direct control of DDA by the central political leadership and the politicization of the planning process, DDA experienced a change in its relative position and power as a city agency as the nature of the state evolved. In these two decades, as the state went through a series of political transformations, DDA did experience few short periods of relative autonomy from the ruling party and the local politicians to pursue regularization policies. These periods of relative autonomy occurred in times when the ruling party considered itself relatively strong. When the state felt secure and legitimate, as in early sixties and invincible during the emergency, it allowed DDA to pursue its "rational planning" options. But when the state felt threatened or lacked widespread support it used the regularization policies to deliver political favors and gain support. The literature has discussed a likelihood of increase in relative autonomy of the administrative agencies in periods of relative weakness of the government (Migdal 1988, p 402). Arguing that in a climate of factious or illegitimate government the power base shifts to the administrative machinery. This was not the case with the regularization policies of Delhi. This has two primary reasons, first, being in Delhi, the DDA administrators could not ignore or bypass the central leadership however weak a government might have been. Second, regularization being one of the easiest policy initiative to take, costing the government very little resources in the short run and having

widespread political gain, was always among the first instrument to be used by a weak regime.

The first period of relative autonomy for DDA was in the early sixties (1961-65), in the early years of the master-plan implementation. The second period of autonomy came during the emergency (1975-77). Both times the ruling party enjoyed a perceived period of relatively greater authority. In the first period (1961-65) this authority came from unquestioned legitimacy of the ruling part and its leaders, in the second period (1975-77) this authority was assumed by the ruling party by suspending the conventional channels of accountability and protest. The nature of the relative autonomy, however, in the two instances were quite different. In the early sixties, Nehru and his government enjoyed unquestioned legitimacy. He had supported the creation of DDA and the master-plan process because he believed that a rational solution to the urban problem, specially a equitable distribution of urban resources was possible through this process. The creation of DDA was on one hand an effort to create a super-agency which could look after the planning issues of the metropolitan area comprehensively, and on the other hand, to create an agency directly under the central government which would be beyond local political interferences. The Nehru government did not need to and did not want to undermine its own initiative by overtly

controlling the DDA policy process. Hence in this period DDA enjoyed a period of relative autonomy in its day to day functions from the central political leadership. Yet it must be remembered that the DDA was given autonomy to pursue the policy of master-planned development by the Nehru government, where the overall policy itself was a part and parcel of Nehru-Congress political ideology.

The nature of the second period of relative autonomy, which was during the emergency, was quite different. In this period the agency was not necessarily autonomous from the central political leadership, but was autonomous as far the local political opposition was concerned. In this period DDA enjoyed unprecedented level flexibility in following 'rational' options to pursue its goals towards transforming the city according to the master-plan. It is argued that DDA actually misused it powers and caused unnecessary hardship to thousands of families. The political leadership felt relatively strong and invincible, and it encouraged DDA to pursue activities which would not have been possible or would have taken significantly longer in a conventional political environment. Yet, the political leadership and the DDA leadership, in this coercively created autonomous environment, chose to pursue policies with limited personal political or economic gain, rather driven by a utopian vision of the city and a specific understanding of the public good.

5.4 Learning: Bureaucrats and politicians sometimes have a utopian vision of their role as providers of "public good". Their perception of "public good" however changes as they learn from successes and failures.

In this environment of politicized regularization policies, almost all policy initiatives during the two decades could be attributed to some direct or indirect political logic.

However, the large scale regularization undertaken by the DDA during the early eighties, under the Congress regime did not have any apparent political gain. The Congress-I had just won the general election in 1980 by a respectable margin and the next parliamentary elections were five years away. The residents of the irregular colonies were enjoying a unprecedented regime of support under the preceding Janata government; hence there was no organized populist pressure to regularize the colonies. The Congress Party did not have to promise regularization as part of their election campaign as the Janata government had already promised to regularize a majority of the colonies.

Thus the initiation of the large scale regularization of the irregular colonies was not a response by the political leadership to a mass organized populist pressure. It can be

argued that it came from Jagmohan, the ex-chief administrator of DDA who was now the chief administrator for the overall city. Jagmohan was the chief of DDA for seven years including the two years during emergency, during which DDA embarked on a massive demolition and relocation operation on the squatter settlement and the irregular colonies. In the general elections following the emergency the Congress Party suffered a total loss. The elected Janata government initiated a formal public inquiry to identify administrators who had misused the power of their office during the emergency. In these proceedings Jagmohan was indirectly implicated and suffered a loss of reputation and a great loss of face among the intellectual elite of the city.

Jagmohan was a lover of the city and specially its history. In the past he had repeatedly got involved in projects to restore and rehabilitate historic monuments, which Delhi has many. The most significant being the redevelopment of 'Shahjahanabad', the historic walled-city of Delhi. He wrote poetry, and published various articles. He perceived himself as an intellectual and a member of the city's elite. The portrayal of himself as a insensitive tyrant, causing unprecedented misery across the city, by the Janata government was a great blow to his reputation. The 1980 government of Indira Gandhi appointed him as the Lt.Governor of Delhi. The Lt. Governors office being in direct control of DDA, he used this

opportunity to restore his tarnished image. As soon as he was appointed Lt. Governor he initiated policies to regularize almost all irregular colonies. This was effort on his part to erase the memory of widespread misery from the minds of people who were worst affected during his tenure in the DDA. The central Congress government was a willing participant in this effort, along with Jagmohan they were also eager to shed their destructive image.

The literature has attributed the reasons for regularization primarily to various political rationale. They include pressure from the poor, the landed or industrial elite, forthcoming elections, and political co-optation of the poor by the ruling party. Less often the literature provides various managerial explanations. They include, bid for increasing legitimacy by the planning institution, increase in revenue and exercise of control over urban growth, and 'self interest' of the administration or bureaucrats.

Jagmohan's actions in the early eighties could fall into the last category. It could be argued that, Jagmohan supported the regularization policies of the early eighties due to 'self interest'. The literature has suggested that 'rent seeking' by administrators as one form of activity motivated by 'self interest'. This is demonstrated when administrators initiate a policy to seek 'rent' from the beneficiary. Another form of

'self interest' is demonstrated when they act only to advance their career. Both activity are in general to gain economic benefits. Does the theory of 'self interest' hold true when the motivations go beyond simple economic gains? Jagmohan's 'self-interest' cannot be argued being motivated by an perceived economic gain. How does the theory accommodate these actions. As long as the motivations of bureaucrats are economic their actions become predictable, hence the theory remains more or less valid. But non-economic motivations are difficult to predict and categorize hence more difficult to accommodate in a market oriented theory. The theory seems to deny bureaucrats any sense of "public purpose". Since any "public purpose" can be attributed to self-interest. In this respect the theory is tautological.

Bureaucrats are not always motivated by narrow self interest.

Many perceive themselves as public servants pursuing the

"Public good". This thesis has shown that bureaucrats can
learn from experience and reexamine their perception of

"Public good".

The case also seems to show that all initiation of regularization policies in Delhi cannot be explained completely by populist political pressures or the direct conditions of the market. Nor can the regularizations be simply explained by the need to get direct political gain by

the political leadership or economic gain of by the administrators. The case shows that the administrators and the politicians sometimes 'learn' from their past experiences, and are motivated to act on them. The case also shows that initiation of regularization policies can come from non-political actors who are not acting according to some economic or political logic.

5.5 Limitations of existing Theories: The theories explaining politicization of the planning processes underscore the possible significance of singular actors in the process

The theories discussed in the literature concerning politicization of the planning process and administrative obstacles, seem to use 'large' common denominators to build their respective models. For example, the literature concerning political logic uses class, populist pressures, cooptation etc. as its unit of analysis. On the other hand the administrative literature uses rent seeking, patron-client relations as their operative units. The predictability of these models seem to depend on an assumption of similar activities by a large number of people at the same time.

Yet in the case discussed in this thesis, the majority of the regularization policies in the two decades were molded by two

people, the Prime Minister of India and the chief of DDA. And their motivations were not always political or economic gain. The actions supported by Indira Gandhi during the emergency, to relocate thousands of families, were not motivated by political gain, but rather by an utopian vision what the city should be like. Similarly, Jagmohan's actions in the early eighties were not motivated by economic gain, but by his perception of what he wanted to be to the upper crust of the Delhi society. Though a level of generalization is necessary for any theory or model building, but in this situation it seems the usefulness of a model would be measured by its ability to incorporate motivations of singular actors and actions which are driven by factors which are beyond the logic of politics or market.

5.5 Future Research

As in any case study, this study empahasizes some aspects of the case while underplaying others. A more comprehensive analysis of this process would require a detailed examination of the forces in civil society. For example, reasons for various regularization policy changes were suggested as a result of political pressure from the voters, yet the dynamics of the power relations at the societal level are still not well understood. Similarly various factors which could have had significant influence on the planning process are outside

the institutional and political processes, whose analysis are therefore outside the realm of this thesis.

The thesis does not propose that this case identifies the critical factors necessary for future progressive reforms in regularization policies. However, it raises a questions about the mechanism of progressive reform. Is it possible for the bureacracy to initiate progressive reform in land policies? If so in which circumstances? What is the nature of this reform? What are the political and institutional preconditions necessary for such reform?

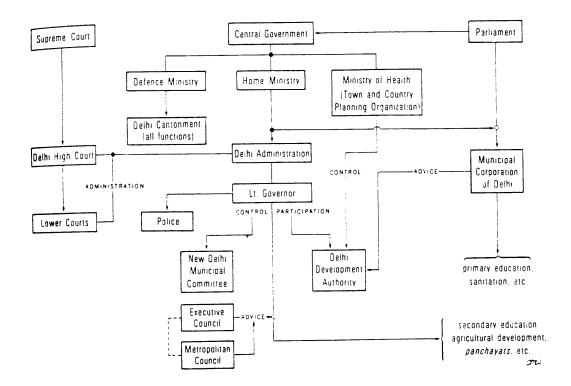
The thesis identifies some of the structural and institutional constraints that influenced such a reform in a case in Delhi. To answer the above questions comprehensively a series of studies needs to be carried out covering various aspect of land policy in diffrent socio-political contexts. Only an analysis of the structural and institutional constraints in a number of cases of progressive reform will provide us a deeper understanding of the mechanism of such processes.

Appendices

APPENDIX 1

Major Authorities in Delhi.

(Source: Oldenburg, 1976, pg. 27)



APPENDIX 2 Vice-Chairmen of DDA from 1964-1990.

November 1964 K.L. Rathi

January 1966 S.D. Basumullick

January 1971 Jag Mohan

April 1977 R. Gopalaswamy June 1977 M.W.K. Yusuf Zai

February 1978 N. Buch
November 1979 M.A.K. Tayab
April 1980 V.S. Allahabadi
August 1982 Harish C. Khanna
July 1984 Prem Kumar

July 1984 Prem Kumar
July 1986 Om Kumar
August 1988 K.S. Bains
December 1989 M.G. Gupta
June 1990 C. Noronha

APPENDIX 3

<u>Lieutenant Governors of Delhi from 1966 - 1988</u>

(Delhi had Commissioners till 09/06/66, then came Lieutenant Governors.

September 1966-January 1972 January 1972-April 1972 April 1972-October 1974 October 1974-March 1977 March 1977-February 1980 February 1980-March 1981 March 1981-September 1982 September 1982-April 1984 April 1984-November 1984 November 1984-November 1985

November 1985-August 1988

A.N. Jha (ICS)
M.G. Pimputkar (ICS)
Baleshwar Prasad (IAS)
Krishan Chand (ICS)
D.R. Kolhi
Jagmohan
S.L. Khurana
Jagmohan
P.G. Gawai
M.M.K. Wali
H.L. Kapur

APPENDIX 4 Mayors of Delhi from 1964-1990.

1964 -1965	Baba Bichiter Singh
1965-1967	Nuruddin Ahmed
1967-1972	Hansraj Gupta
1972-1975	Kidar Ńath Sahni
1975-1977	The Corporation was superseded
1977-1980	Rajendra Kumar Gupta
1080-1983	The Corporation was superseded again
1983-1990	Mahendra Singh Saathi

APPENDIX 5 Number of seats won by each party in Parliament since 1965

1962		INC	SWA	BUS	Cbi	PSP	SP	OTHER	INDE.		
	494	361	18	14	29	12	6	34	20		
1967		INC	SWA	5US	QP1	ÇPM	5SP	PSP	OTHER	INDE.	
	520	283	44	35	23	19	23	13	45	35	
1971		INC	ŞWA	B US	CP+	(PM	SSP	₽Ş₽	INCO	OTHER	INDE
	508	342	8	<u> 22 </u>	23	25	3	2	16	53	14
1977		:NC	INCO	CP+	OPM	BLD	OTHER	INDE.			
	<u>542</u>	154	3	7	21	295	52	9			
1980		(NO)	INCU	JP	UPS		CPM	OTHER	INDE.		
	529	353	13	31	41	į 1	36	3 <u>5</u>	9		
1984		INC	BUP	JP	LKD	CPI	CPM	133	MUS	OTHER	INDE
	543	415	2	10	3	6	22	5	59	16	5

INC	Indian National Congress	SP	Socialist Party
INCO	Indian National Congress (Organization)	CPM	Communist Party of India (marxist)
INCL	Indian National Congress (Indina)	JP	Janata Panty
INCU	Indian National Congress (U)	JPS	Janata Party (secular)
SWA	Swatantra Party	BJP	Bhnatiya Janat Panty
BUS	Bhanatiya Jana Sangh	LKD	Lok Dal
CPi	Communist Party of India	ICS	Ingian Congness Socialists
PSP	Praja Socialist Party	MSP	Major State Parties

APPENDIX 6

<u>Details of the seven seats lost by Congress.1977 (General Elections)</u> (Source: Dayal and Bose, 1977, pg. 201)

The Congress Lost All Seven seats in Delhi.

Atal Behari Vajpayee of Janata Party beat Shashi Bhushan of Congress by 80,294 votes in New Delhi.

T.N. Sarsunia of Janata Party beat T. Sohan Lal of Congress by 65,000 votes in Karol Bagh.

V.K. Malhotra of Janata Party beat Charanjit Singh of Congress by 1.07 lakh votes in South Delhi.

Kanwar Lal Gupta of Janata Party beat A.N. Chawla of Congress by 79,871 votes in Sadar.

Choudhry Brahm Prakash of Janata Party beat Choudhry Dilip Singh of Congress by 1.04 lakh votes in Outer Delhi.

Kishore Lal of Congress for Democracy fighting on Janata symbol defeated H.K.L. Bhagat of Congress by 1.33 lakh votes in East Delhi.

and

Sikandar Bakht of Janata Party defeated Mrs. Subhadra Joshi of Congress by 1.5 lakh votes in Chandni Chowk.

Turkman Gate is in the Chandni Chowk Parliamentary Constituency.

· VARIOUS POLICIES AND DECISIONS TAKEN DURING. 1961-1975

- a) It was decided on 19th July, 1961 to release from the purview of acquisition built-up areas and regularise them provided:-
 - They were putum before the date of preliminary notification under section-4 of the Land Acquisition Act:.
 - They could be fitted into the san-(ii) ctioned regularisation plan.
- (b) On 14th March, 1963, the Corporation passed a resolution, regularising certain categories of construction but un before 17th May, 1962.
- (c) In April, 1966, the Corporation massed a resolution relaxing some of the planning standards about roads and community facilities in regard to the unauthorised constructions but up before 1st September, 1962.
- (d) On 28th October, 1966, Government reviewed the decision and comprehensive policy statement made by the Chief, Executive Counciller, wherein it was made clear that unauthorised constructions, which were located in the densely populated areas and were nut-un before the enforcement of the Master Plan i.c., Ist Sentember, 1962 and did not violate the 'Land-Use pattern' would also be considered for regularisation.

- (e) In March, 1969, it was decided by the Lt. Governor/Governorment that the Corporation and the Delhi Development Authority should. prepare regularisation plans of unauthorised colenies/constructions but up brior to Ist . February, 1967 subject to the condition that all such unauthorised colonies/consttructions would be acquired and houses/plots leased out to the individuals after charging premium equivalent to any property which did . not confirm; to the land use mattern of the Master Plan or which is a required for community facilities, such as roads, parks, schools atc.
- (f) 110 colonies were regularised on the basis of the decision quoted in mara (a) above. and 101 colonies were considered for regularisation on the basis of the decisions quotedin para (e) above, out of these 101 colonies, 68 colonies wore in residential area andtheir regularisation plans were prepared. while the remaining 33 colonies were not regularised as they were located in the 'grean' or other nen-conforming areas. Thus, the total number of colonies reqularised on the basis of the decisions quoted above is 174 (110 nlus 64).
- (g) Out of the 33 non-conferming colonies refered in above, 13 were also transferred to the Delhi Divelopment Authority in 1969, as those areas were declared as 'dewelonment areas'.

(Source: Delhi Development Authority, Policies and Regularization of Unauthorized Colonies,1983 Various Policies and Decisions taken during 1961-1975

Annexture pg.

- Although there are no official records, certain (h) public statements were made which contained the implied assurance to the public that construction done upto 1971 would be considered for regularisation. Presumably, on account of this assurance, the Corporation and the Delhi Development Authority were asked by the Central Government to make a broad survey of the areas and report about unauthorised construction done during the period February, 1967 to 1972. The Delhi Development Authority carried out a broad survey of the areas which were subsequently declared as 'development areas' and submitted its report to the Government in December, 1972. The Corporation, however, could not submit its report.
- (i) As the menace of unauthorised construction centinued unabated and as some of the unauthorised builders advanced the plea that they were deputed by the colonisers to get their sale deed registered, the Government decided to ban sale on land notified for acquisition, and the Delhi Lands (Restrictions on Transfer) Act, 1972 was enforced with effect from 15th June, 1972.
- Notwithstanding the provisions of the aforesaid Act, the notified land continued to change hands through 'Power of Attorney' Moreover, by resorting to the Civil Courts and obtaining stay orders from them, unauthorised

- builders prevented speedy action being taken against them. This created a serious situation. To meet this situation and to curb the menace of unauthorised constructions, particularly those which were put up on the lands which were required for execution of important public projects, such as laying down of roads, trunk sewer lines etc. As a consequence of the special drive launched, a large number of unauthorised constructions were domolished. This was followed by agitation by a section of the people and the Government decided to review the situation and appointed the aforesaid Committee.
- (k) The Government of India appointed a Committee, vide its Gazette Notification No. J-13037/113/74-UDI dated the 26th August, 1974 to study the problems of unauthorised colonies in Delhi, particularly those which had come up before 15th June, 1972, to submit its report to the Government to enable it to take decision in regard to the future of such colonies.
- (1) As per decision of the Government, first meeting of the Expert Committee, held on 24th September, 1974 and the final meeting on 13th January, 1975. For the final meeting, a note was sent by the Vice-Chairman, DDA to the Ministry of Works & Housing alongwith the names of 89 new unauthorised colonies sprungup in Urban Areas of Delhi and 53 in Agricultural green belt after 1967.

APPENDIX 8

Steps to be Followed in Regularization of Unauthorized Colonies.

(Source: Delhi Development Authority, Policies and Regularization of Unauthorized Colonies, 1983, pg. 28)

STEPS TO BE FOLLOWED IN REGULARISATION OF UNAUTHORISED COLONIES

There are following 18 activities/steps in the entire process of regularisation of unauthorised colonies, as details given under. It is clarified that these steps are not in an order.

- 1. Physical surveys it includes plain table survey

 (levels also wherever necessary). Demarcation of
 the individual properties with built up/open areas,
 position of existing infrastructure like water line,
 sewer line, drainage, electricity, etc. Details
 are given in annexure No.15.
- 2. Collection of survey charges @ Rs.5/- per sq.mt., as decided by the Ministry and the DDA. Details are given in annexure No.14 & 17.
- 3. Socio-economic surveys It is to know the population of the colony, density, land use, ownership of land (whether freehold, lease hold or on power of attorney) and date of purchase of the plot.

 Type of data to be calculated is given in annexure No. 16.

- 4. Super-imposition of Master Plan/Zonal Plan proposals on the base map and finalisation of alignments of infrastructure and major roads.
- 5. Finalisation and approval of the layout plan from the competent authority, as per procedure laid down by the DDA. Details are in annexure No.21 and 24.
- 6. Demarcation of pockets required for community facilities and survey of the families who are affected from the proposal, and their rehabilitation after developing, the land in nearby and alloting them land or built-up flats.
- 7. Acquisition of the pockets required for community facilities and infrastructure:
- 8. Detailed estimates of the development works including administrative approval of each colony, calling of tenders etc.
- Development of the colony including levelling, dressing, construction of roads and service roads, laying of services viz. water lines, sewer lines, drainage and electric lines etc.
- 10. Sanction of building plans.

cont.

- 1.1. Connection of services viz. water supply and sewerage.
- 12. Transfer of work of the maintenance of the colony to Municipal Corporation of Delhi.
- 13 \bullet Registration of lease decd in individual's name.
- 14- Collection of premium by DDA in case of properties on govt. land.
- 15. Disposal of commercial and other properties, if any, in the scheme of unauthorised colonies and credited to the total scheme.
- 16: Collection of development charges in various stages
 as details given in the chapter of "Fiscal Planning".

APPENDIX 9

Constitution of a new Technical Committee by Lt. Governor, Delhi.

(Source: Delhi Development Authority, Policies and Regularization of Unauthorized Colonies,1983, Annexture pg. 119)

CONSTITUTION OF A NEW TECHNICAL CONSTITUTE BY LT. COVERNOR, DELHI

RV.J NIW/S: DELHI

In supersession of the earlier erer on the subject, the following Committee will come into being with immediate effect and will consider all cases of unauthorised colonies for regularisation in terms of government orders dated 16.2.77.

l.	Vice-Chairman, DDA	Chairman
2.	Engineer, Member, DDA	Member
З.	Commissioner(Lands), DD/	Momber
4.	Commissioner(Plg.),DDA	Member
5.	Secretary(L&B)	Member
6.	Ďy. Commissioner, MDD (Sh. M.K. Yadav)	Member
7.	Shri D.D.Mathur,TP,MCD	Member
8.	Shri Ram Rokhvani, S.E. (Sowerage),MCD	Momber
9.	S.E.(Water)	Member
10.	S.E.(Planning),D.E.S.U. (Shri R.D. Sharma)	Homber
11.	Director(C.P), DD/.	Momber Secy.

The Committee should meet at least once in a week initially and subsequently once in a fortnight.

The principle of regularisation will be the same as has been adopted by the Municipal Corporation of Delhi in case of the colonies under its jurisdiction.

Sd// (Jagmohan) Lt.Governor, Delhi 14.1.81

Copy to:-

/11 the members of the Committee.
 No.10(13)/81-RN/104/621.dated 15.1.1981.

D.O. No.J-13036/8/82/DDII-B Government of India Ministry of Works and Housing

M. Srinivasan Joint Secretary New Delhi. 3rd July, 1982

Dear Shri Khurana,

Sub:- Unauthorised colonies in Delhi-Approval of.

As you are aware a committee of officials from the Ministry of Lorks and Housing, the DD/, and the MCD headed by me is going into certain aspects of the regularisation of unauthorised colocies existing on Government land and to recommende the policy that may be followed in the matter. The committes will take some time to submit its recommendations. Meanwhile. from the materials furnished by the DDA and the MCD in course of discussions in the committee, it appears in view of the substantial amount of construction tha has taken place that the need for the provision of hasic civic amenities in some of the colonies standing on Government land has become urgent. I am therefore desired to say in supersession of the instructions contained in paragraph 1 of Shri M.K. Mukharji's D.O. Letter No. J.13016(14)/77 DDIIB dated the 8th September. 1980 addressed to your predecessor that the work of regularisation and provision of minimum basic facilities may be taken up by the DD/./MCD in such colonies in terms of the instructions contained on the above subject in this Ministry's letter No. J-13037/113/74uDI/UDIIB, dated the 16th February, 1977, is nontimed:

in paragraph 2 of the letter the instructions would apply to unauthorised colonies which have come up in Delhi including those around villages outside the "Lal Dora" etc.

2. For the present these instructions would apply only to the colonies included in the list of 612 identified by the DDA/MCD for the purpose of regularisation.

This issues with the approval of the Minister of works and Housing.

With regards,

Yours sincerely, Sd/-(M. Srinjyasan)

Shri S.L. Khurana, Lt. Governor, Delhi.

Copy to :-

- 1. Vice-Chairman, DDA, New Delhi.
- Commissioner, MCD.

Sd/-(M. Srinivasan) (Source: Delhi Development Authority, Policies and Regularization of Unauthorized Colonies,1983, Annexture pg. 124-125)

Housing, Government of

APPENDIX 11

Letter from Minister of Parliamentary Affairs and Works and Housing, Bhishma Narain Singh, Government of India, New Delhi. 1982

(Source: Delhi Development Authority, Policies and Regularization of Unauthorized Colonies, 1983, Annexture pg. 126)

D.O. No. J-1 3036/8/82/DDIIB

MINISTER OF PARLIA-MENTARY AFFAIRS AND WORKS & HOUSING INDIA NIW DELII-110011.

July,3,1982.

Please refer to the discussions which you and other Congress(I) members of parliament had with me, regarding regularisation of unauthorised colonies in terms of the Government decision taken in February, 1977. There is no ambiguity in the instructions issued at that time and I have instructed the Delhi Development Authority as well as the Municipal Corporation of Delhi to ensure that the process of regularisation of those 612 unauthorised colonies which are covered as per the February, 1977, decision (including Shakarpur and Laxmi Nagar areas), may be speedily done. This covers the colonies both on Government as well as on non-Government lands, including those around villages outside the 'Lal Dora'. The only criteria being that such colonies have to be in the list of 612 colonies which were identified in pursuance of the Government decision in February, 1977. Further, I have directed the DDA and the MCD to provide basic civic amenities in such colonies.

2. I am enclosing a press Note issued by my Ministry in this connection for your information.

Yours faithfully,

Sd/-(Bhishma Narain Singh)

Shri K.K.L. Bhagat, Member of Parliament, 34, Prithvi Raj Road, New Delhi-110003...

Encl: As above.

APPENDIX 12

Newspaper Extract on Demolition ban.

(Source: Hindustan Times, New Delhi. September 10, 1987, in Joshi, 1991. pg. 30)

Demolition ban a poll-eve bonanza

NOTHING could be more disastrous for Dethis planned and orderly development than the Lt-Governor's new directive to the local bodies banning demolition of unauthorised inhabited buildings. As per the new guidelines, the Municipal Corporation and the Dethi Development Authority have been asked to check fresh encroachments on land owned by Government. MCD and the DDA. The new order, however, does not say anything about private or agriculture land. Mushroom growth of jhuggi clusters, unchecked development of unauthorised colonies and large scale illegal construction in the commercial compiexes in connivance with the local civic bodies have already ruined the urban planning concept.

Despite scores of surveys and expert studies, the local administration has been grapping with the ever increasing problem of approved and unapproved residential complexes which have become near stums because of lack of basic civic services and unplanned development. The unchecked migration of lakhs of reopic into the Capital from different parts of the country and total failure at the NCR plans have added to the urban chaos facing nearly eight million seenies.

The Li-Governor in the note issued on Aug h save: "As we are taking some policy decisions regarding unauthorised colonies and those areas which are inhabited etc., I do not want any demolitions to take place of any constructed buildings which are inhabited. This must be very strictly enforced.

"Our main attention should be to see that no fresh encroachments take place on Government, municipal or DDA lands and no fresh unauthon need colonies develop. These should be stopped at the initial stages itself."

City planners have already started questioning the desirability of the new directive banning the demolition of unauthorised innabited buildings. The directive is, however, totally vilent in regard to the already encroached land nimed by the Curporation, the Government or the DDA or illegal constructions thereon

A close look at Mr Bhandari's new

order clearly makes out that the Untion. Territory's administrator has
asked the local bodies not to initiate
any action against unscrupulous people who have already encroached
upon public land. It amounts to a
total surrender by the administration
in its battle against illegal activity.
The Government has legalised what
in the eyes of law it route, illegal.

in the eves of law is totally dlegal. The order prevents the local eve bodies from taking any action against those who have carried out unauthonised construction before Aug 6. The timing of the order indicates it could be a bonanza to land grabbers or those carrying out unauthorised construction in different parts of the Capital in the election year and possibly, the ruling Congress-I wanting to win over voters from what is otherwise known as unauthorised residential complexes.

The Lt-Governor might have his own administrative reasons or political compulsions for issuing such a directive. It is likely to give en-

their vote hanks. It is widely known that the parties have been enoutries ing illegal huiding activity and they are also extending their full patronage to the people living in unapproved colonies. There have been instances, when pointed leaders themselves comissed with land grabbers and thwarted the administration's action. Because of political patronage, most people living in the unapproved areas have got basic civic services, such as, electricity or supply of potable water.

While the officials in the civic bodies and the DDA will vehemently oppose the directive, the political parties are bound to welcome it.

At his Press conference on Aug. 4. Mr. Bhandari had dwelf with the problem of increasing number of pluggi jhoppri dwelfers in different parts of the Capital and said that a survey undertaken for shifting the II dwelfers identified 652 clusters in vanous parts of the city. He said there was a plu to tallot each inurge dwelf.

issued his new directive putting a baon demolition of unauthorised mbabited buildings.

The Lt-Governor expressed his ways regarding the problem bear faced by the administration from it creasing number of 11 disters in only at his Press conference but in a address to the Metropointan Count on July 24. Mr. Bhandan had state that "The administration is also conscious that appropriate conditions that donies where a lar population belonging primarily the weaker sections resides, grappropriately incorporated in metropolis and basic chica amenit are provided. Appropriate proposi in this regard are being worked to submission to the Government India.

Hundreds of unauthorised contest had been regularised by Government on the clear unustanding that the people living these areas would cooperate paying development charges so they could be provided adequitive cervices and also to save thinew residential colonies from coming systual slums.

Actorume to infinal sources the n07 unauthorised colonies with euroan limit of the Union Terribaring. A residential complexes administration and the healthough for one reason or the other ularised them and similarly directly them at par with the DC residential complexes, the admitration as well as the Union Gowent half mit been after to evolvoid and clear-cut policy in regar the encroachments. Juggi clu and even unapproved colonies. Sailure of the first Master Plan lastically because of the increasin terference of political parties in day-in-day functioning of the a nistration.

The Lt-Governor would do w reconsider his directive purely the administration's point of and not because of political concider or considerations. Unless new directive is immediately drawn the apprenensions exprisely the city planners and othe peris are bound to come true the Capital may end up as a worst stitle country.

Take it from me

By A. R. Wig

couragement to large scale ideed building activity in the Capital and those involved are bound to take cover under the new directive.

As per the orders it only prohibits construction of unauthorised coloures on Government, impricipal or DDA land and not on private farms or agriculture land. Colonisers are bound to exploit this to their advantage and make a mockery of the administration's wo-called land and building laws. It is also likely to open avenues for maipractices and corruption and the civic hodies employees, many of whom are already in league with the colonisers or farm inwiners, many openly abert to seutite the administration officials while preferring to remain anonymous also fear that the directive will worsen the prevail-

As things are, political parties are not going to react to the Lt-Governor's directive mainly because they will not like to annoy or offend

ler a 25 sq mt. prof for rehabilitation. It was stated at the Pres conference that the curves. Annel had covered 450-old influence clusters out of 652 revealed that there were 2.12 task pluences proximing shelter to nearly 15 task people.

Ar Rhandari, who completed one sear as Lt. Governor on the day of his Press, conference, expressed the administration's mappins to check the menace of enerotechners on profile land and unauthorised constructions because of lack of police force. He had also said that police assistance was not available when it was required to check the unauthorised construction because of various reasons as the police was busy providing security to the VIPs and tacking strikes, demonstrations etc.

Swin after the publication of the report of his Press conference, most people in the Capital had shared the Lt-Governor's feelings about the magnitude of the problem hut just two days later, the Lt-Governor

(Source: Hindustan Times, New Delhi. May 29, 1988, in Joshi, 1991. pg. 38)

Houses demolished near Najafgarh

HT Correspondent

NEW DELHI, May 29 Hundreds of people were rendered homeless in the blistering mid-day heat today when the Delhi Development Authority (DDA) demolished many houses, including double storeyed ones, at Sewak Park Extension near Najafgarh Road, here.

A stretch about half a mile long and 51 metres wide from Najafgarh Road to DDA's prestigious Papankala Project areathrough the Sewak Nagar Extension was cleared by buildozing what DDA termed as unauthorised construction on acquired land to lay a road.

collected their belongings and piled the area. them in mounds.

Singh and land acquisition collector R. P. Singh as well as land and buildings department officials assisted by their staff looked on as the residents first protested and then resigned themselves to watch aghast as their homes were being turned to rubble.

The overpowering presence of the massive police force comprising one company of Delhi Police and two of the simmering discontentment and tension from exploding.

It took about five hours for the deover but the tension only mounted flats would be allotted. As the three companies of police further when the residents and owners

Senior DDA officials including about 100 boundaries had been looked on vacantly. "It happened so claimed by DDA.

However, as the affected people gheraoed DDA officials conditions became chaotic as there was no proper Maharashtra Police precluded much of method of identifying those to be given Janta Flats. While people milled around making their claims the officials insisted they pile their belongings molition squad to complete their on to parked trucks and go to the work. By 3 p.m. the demoitton was Papankala Project office where the

As a dust storm engulfed the Capital force virtually surrounded the area, who had witnessed the whole opera- in the afternoon the chaos there bebulldozers razed to ground the houses tion were told that only after proper came worse. Several residents of the in the area. Tension in the area identification would they be given area told this correspondent that they mounted as house after house was alternate accommodation of a Janta had been given no notice regarding brought down. The people helplessly. Flat at Hastsal about three km from demolition to be carried out today, of alternate accommodation only after While Mr J. P. Singh claimed that haustion and heat. An aged man said,

"Commissioner Papankala Project J. P. cleared and 40 houses demolished, re-suddenly and all my family is now on sidents and house owners of the area the street", said Amarnath Kurana. claimed the figures of families ron- His wife Suhagwati said, anguly, dered homeless to be about 200 and "Look at these people, it's so infiuman houses razed over 100. Police sources to do this to all of us in mid summer, also stated that the number of houses that too without prior warning and no demolished far exceeded than that alternate accommodation. Where should our family of so many meinners go now."

> Mr Singh, however, denied that the residents had not been warned. They had been given notices a year and a half back that construction on this land which had been acquired by DDA would be demolished. Sources on the other hand said that senior police officials had cautioned top DDA officials to begin demolitions only after various families living in the area and owning the houses built there had been given allotment letter for alternate accommodation. But the DDA did not heed to this advice and began the allotment One woman fainted out of sheer ex- the demolition was complete, sources

APPENDIX 14

Letter from Secretary General for FOAPEC, Vinod Kumar Sinha, to the Prime Minister, Government of India, Rajiv Gandhi. 1985

(Source: Exhibit 1 of Federation of All Patparganj Extension Colonies, in Benjamin, 1991, pg. 109)



FEDERATION OF ALL PATPARGANJ EXTN. COLONIES

(A Unitary Body of Welfare Associations of Patparganj Complex & Extns.)

D. R. Lakhani Advocate

Patron: T. R. Thakur Prasident : J. R. Handa

Secretary Gen : Vinod Kumar Sinha

B-31, Shashi Garden. DELHI-110 092.

Dated 26th September,

1. Panday Nagar South (E & F Block)

2. Janta Garden

3. Pandav Nagar P Block

4. Partap Nagar

5 Acharya Niketan

6. Shashi Garden

7. East Vinod Nagar

9. West Vinad Nagar (Kumaon Square)

9 New Ashok Magar

10. Kandli Village Extr.

11. Kaiyan Vas (Delhi Admi.)

12-15 Mandavli Extn.

Shri kajiv Gandhi, Prime Minister,
Govt. of India, 5, Race Course,
New Delhi-110 001.

Ref. No. FOAPEC; 85-86/

Dear Sir,

Sub :- Regularisation of unapproved colonies and left out portions under Patharganj and Mandavii Complex, New Ashok Magar, East and West Vinod Magar etc.

Respected Sir,

We the residents of ratparganj, Mandavli, randav Magar complex, East and West Vinod Wagar and New Ashok Magar are extremely grateful to your honour for the patient hearing given to our delegation who met your Honour on 2nd September, 1985 at your residence alongwith Shri Padam Sharma, vice President, Delhi rradesh Youth Congress (I).

your honour has very kindly agreed to consider the problems of regularisation or unapproved colonies and left out portions and also to extend cut ofredate from 50th June, 1977 to 1st January, 1901. Your assurances that there will be no demolition of those nouses which have come up prior to 1st January, 1901 has given immense relief to the poor residents of the area.

we pray for your lond and properity and hope that under your asie guidance and ynamic leadership all the problems faced by the Nation will be solved at the earliest. We extend our full co-operation as had been extending to our beloved leader late but. Indira candhi, and feet that policies and programme implemented by your honour will erradicate the poverty and the country will become more stronger and prosperqus. Thanking you.

idurs faithfully,

(Virod Kumar Sinha), Secretary General

for Paderation of all satpargenj Extension colonic

APPENDIX 15

Delhi-My Delhi, Songs of Truth.

(Source: Illustrated Weekly of India, in Jagmohan, 1978, pg. 188-190)

Delhi-My Delhi*

(Songs of Truth)

In your green lawns of my vision
I walked erect
The buoyant air lifted my curly head
Young flowers smiled with sweet majesty
And I laughed
But time has blurred the vision of my youth
And faded the freshness of my mind
Pale leaves fall off one by one
Rub against the chillness of my feet
And murmur the loss of innocent hope.

Your crowded halls
Your busy streets
I leave alone
And move
Along the shadows of your dreadful walls
Into the darkness of your slums
The slums of human shape
The slums of human faith
There I cross my weary legs and stop
Set the broken hair on my ageing head
Lean on the mirror of my cruel thoughts
And talk forbidden things to myself.

Your real soul is in stinking drains Your real mind is in dirty lanes The ancient rubbish lies all around

Its wanton breeze

Feeds the empty brains of oldish rogues
Saps God's freshness in Mother's womb
Corrupts the incorruptible
From the corners of your smoky dens
The dirty rags of your existence
Are thrown naked one by one
Rolling their yellow faces
In the dusty bosom of your burning sun
In these soulless domes of humanity
In these cemeteries of our living men
Ghosts of future progress walk
While we indulge in our fashionable talk
Of doing this and that.

cont.

On the other side in your lighted kingdom Your youthful pride Your new-born babe Caesared out of the aged womb Of ignorance and shame Heaves the scented air of freedom Leaps around with vacant mind And grows-His eyes are stony And do not blink At the sullen faces that lean And the empty hands That raise the dirty plates In luxurious grooves Of air-conditioned rooms The doors of which sometimes creak And bring in hawking boys' shriek To disturb only the rustling music Of spoons and plates And perhaps the little smoke That curls around some listless pipes Lifts its ears and then dies.

Why then look around and pride In foreign mansions of foreign times?

Why tread on soft shining grass
Or boom our cars on fleshy paths
And breathe the air of progress?
Why jump in crowded streets
And clap with joy
The few mighty minds of our times?
Why ignore the voice of History
And live in the world of make-belief?

Why not sing the songs of truth And say In your slums of human faiths Mighty minds come and go But your dirty lanes remain And your stinking drains flow.

JAGMOHAN

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