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MASTER PLANS AND PATTERNS OF SEGREGATION AMONG MUSLIMS IN DELHI¹

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In recent years, there has been a rapid increase in the rate of riots and tensions resulting from religion- and caste-related hate crimes in the national capital territory of Delhi, India, and its surrounding towns (See Muzaffarnagar Riots, 2013; Dadri Lynching, 2015; Hindustan Times, 2013). These hate crimes, however, are merely a symptom of a broader pattern of otherization that is deeply rooted in Islamophobia,² casteism,³ and xenophobia, which are reflected in housing discrimination and are becoming prominent in Indian cities. Although some newspapers, such as *The Hindu*,

1. Editor's note: An earlier version of this paper was present at the international congress From CONTESTED_CITIES to Global Urban Justice—Critical Dialogues on July 5, 2016, in Madrid, Spain, under the title "Not in My Neighborhood: Masterplans and Patterns of Residential Segregation of Muslims in Delhi."

2. Dislike of or prejudice against Islam or Muslims, especially as a political force.

3. Prejudice or antagonism directed against someone of a different caste.

and other media sources do report this “flourishing housing apartheid” (Ashok & Ali, 2012), both public debates and official policies fail to consider the processes that fuel the existence of ethnoreligious enclaves, conveniently acknowledged as Muslim mohallas (Muslim neighborhoods), Harijan bastis (Dalit neighborhoods) or as “areas of minority concentration” (Sachar Committee Report, 2006).

Simultaneously, there has been some media and academic discussion about the socioeconomic “backwardness” of Muslims and Dalits in India (Mandal Commission Report, 1980; Sachar Committee Report, 2006; Post Sachar Evaluation Committee, 2014). However, the connection of this so-called socioeconomic backwardness to systemic racism and discrimination is rarely acknowledged. The most prominent example of this was seen when Prime Minister Manmohan Singh’s office appointed a high-level committee in 2005 to investigate and compile a report highlighting “the social, economic and educational status of the Muslim community in India” in a report popularly referred to as the Sachar Committee Report (2006).⁴ This report stressed several of the poor economic and educational outcomes of Muslims and Dalits but failed to adequately discuss their deeply rooted connection to the issue of housing and, more broadly, systemic discrimination that plague these citizens. The Sachar Committee found the Muslim community to be performing poorly, as compared with national averages, regarding literacy, high school dropout rates, and access to schools. The committee also highlighted low graduation rates, low graduate-employment rates, difficulty accessing the job markets of major Indian cities, and low representation in government employment. Other findings included a lack of access to credit, bathrooms and sanitation services, and high-quality infrastructure.

When the committee acknowledged the existence of discriminatory practices like redlining, the language around the subject minimized the implications of this finding by citing the legal acceptance of the practice in United States (Sachar Committee Report, 2006, p. 137).

The committee was given to understand that some banks use the practice of identifying negative geographical zones on the basis of certain criteria where bank credit and other facilities are not easily provided. Such a practice is referred to as “redlining” in the United States and negative zones by some bankers in India. It is possible that in some of these areas the share of Muslim population is high and yet

4. The need for this was established as a result of the lack of credible information and data on the issue, which impeded the planning around the development of the community.

the community is not able to benefit fully from the banking facilities. (Sachar Committee report, 2006, p. 136)

This was again seen when Rakesh Basant, a member of the Sachar panel, stated on record to Livemint (the website version of The Mint newspaper), “redlining literature in the US shows that it was region-specific rather than color-specific” (Roy and Banerjee, 2008), which is, in fact, disputable if one reads most of the currently accepted literature on the subject.

Nevertheless, it marks the official acknowledgment of poor educational, health, and economic outcomes of the Muslim population in India and identifies discrimination as one of the reasons for such outcomes. Notably, the report also remains one of the few sources of information and data available on the subject.

The preliminary Sachar Committee Report was submitted by the Indian government for review in November 2006 and consisted of summaries of various presentations and reports submitted to the committee members by academics, local politicians, nongovernmental organizations, individuals, and intellectuals from 13 states that have significant Muslim populations. In May 2007, the final report summarized the findings of these efforts and included 72 approved recommendations to induce reform. All but two of the recommendations were “accepted” by the government. The first recommendation that was rejected was the enumeration of castes or groups as a part of the decennial census exercise; the second was to have alternative admission criteria to facilitate admissions to Scheduled Castes⁵ in regular universities and autonomous colleges.

In October 2014, the post-Sachar evaluation (commissioned in 2013) was submitted by Professor Amitabh Kundu to the Ministry of Minority Affairs. The evaluation (as summarized by Kundu on the website TwoCircles) stressed that “the scale of government interventions have not been big enough to make a dent due to the large number of the marginalized, the depth of their economic, social and educational deprivations” (Summary and Recommendations of the Kundu Committee: TwoCircles.net, 2016). Kundu added that “Not much attention was given for strengthening community institutions, particularly of women, youth, working for poor minority communities, to enable them to reach out to government programmes and for

5. Scheduled Caste is the official name given in India to the members of lower castes (who self-identify as Dalits), considered “untouchables” in orthodox Hindu scriptures and practice; they are officially regarded as socially disadvantaged.

promoting the vision of inclusive India with the ideals of diversity and equal opportunity for all” (Kundu, 2014). He also pointed out that the “inside the box” recommendations and the subsequent decisions regarding implementation were left at the mercy of existing policies, thereby preventing them from making any real impact. Very few efforts were made to implement suggested solutions in the community. The design and implementation structures of the programs were often unclear and were never operationalized (The Hindu, 2013; Sharif, 2013). In short, the committee failed, as a result of a combination of weak recommendations and a lack of government action—or initiative—to effect radical change, if any change at all, in the status of the community.

Conceptual Framework

Housing, because of its spatial nature and discernable connection to other socioeconomic indicators—and viewed from the perspective of the right to adequate housing rooted in the international human rights law—serves as an entry point to examining the connection of city planning to discrimination, segregation, and injustice.⁶

The Housing issue in India, as in the United States and South Africa, cannot be investigated completely without acknowledging its intersectionality (see

The important thing about a house is what it does in the life of the dwellers rather than what it physically is.

—John Turner, 1977

Crenshaw, 1989; 1991) with deeper issues of identity, racism, religion, caste, and so on. Yet there is little initiative in India to research the intersectionality of housing with systemic injustice and social inequity, nor is there much understanding of the issues. In fact, a large body of city planning literature and research, particularly that produced by city planners themselves, focuses on the housing issue solely through the lenses of architecture and construction. Many authors and reports (see Sivam, Evans, King, & Young, 2001; Pugh, 1991; Maitra, 1991; Sivam, 2003; Ahmad, Choi, & Ko, 2013) note that there are shortages of housing and that a mismatch exists between what is being provided by public and private actors and what people can afford, but very few talk about the identity-based barriers faced by individuals, even when they can afford to buy a house.

6. This critique doesn't suggest that city planning only has the singular goal of producing discrimination, segregation, and injustice, but such is the result in Delhi, accomplished behind a facade of neutrality and secular universalism derived from the Indian constitution.

Claiming Postcolonial Modernity

Postcolonial city planning activity in Delhi has been a search for order (spatial and aesthetic order), a “world class city,” and modernity. Delhi’s pursuit of such order began in the early 1950s with the city’s mission to obtain efficiency and control at a time when the city suffered massive epidemics of jaundice and cholera. The movement to “modernize” was supported by scientists, politicians, and municipal officials. Since then, discourse among the postcolonial elite, which later included the middle class (Ghertner, 2012), envisioned a city that would intervene and control the rapid, unregulated building and leave behind its reputation for being a city of tombs and slums. The common discourse focused on the blighted spaces and squalor that were holding “everyone” back (Sundaram, 2009, p. 28). These blighted spaces and slums were the dead roots of the city that would have to be chopped in order to progress.

Under the direction of India’s first prime minister, Jawaharlal Nehru, a new administrative makeup with a modernist master plan was deemed necessary to achieve spatial and aesthetic order. As a result, in 1956 the Delhi Development Authority (DDA) was founded. The DDA was envisioned as a vital instrument in combating rampant land speculation and the blight of slums and unauthorized settlements and began that process by identifying existing land uses as of 1958. Notably, most planners, architects, and politicians were highly influenced by Nehru and driven by his vision of modern India. Ravi Sundaram’s (2009) wrote a vivid account of the influence of Nehru’s modernist gestures and Delhi’s master plan of 1962; in particular, he described Nehru’s particular dislike of the “ghost-like” buildings of earlier periods. He maintained that Nehru’s statement, “the past was good when it was the present” is symbolic of his aspiration for India to embrace modernity that was consequently reflected in the master plan of Delhi (Sundaram, 2009, p. 30; Nehru 1946, p. 7).

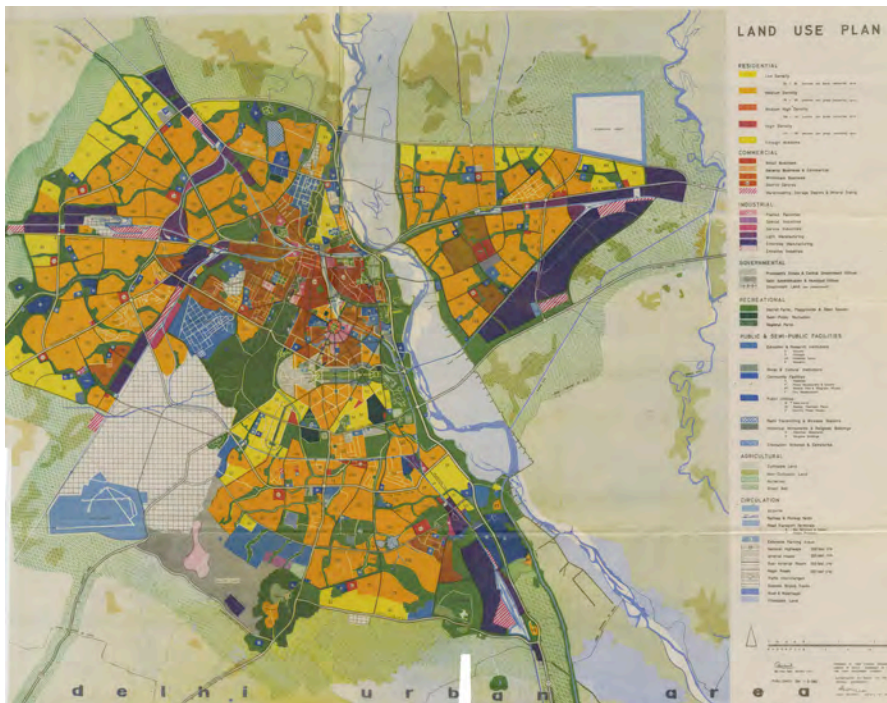


Figure 1: Land use in Delhi, 1958. (Source: Master Plan of Delhi 1962—Delhi Development Authority)

Analytical Model

This paper takes James C. Scott’s “four elements,” commonly seen in centrally planned utopian schemes, as its analytical model (Scott, 1999, pp. 4–8). Scott argues that when combined, these elements have produced “the most tragic episodes of state-initiated social engineering.” I use it as an analytical model because it aids in highlighting the link between modernist urban planning and discriminatory practices predicated on religion, caste, race, class, and so on. In particular, Scott’s observations on centrally planned modernist schemes highlight how planning processes of Delhi, aimed at “organizing” and “beautifying,” have played a role in the creation of segregated residential patterns of Muslims in postcolonial Delhi.

To elaborate, Scott’s seminal work, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, discusses various grand utopian schemes of the 20th century that were meant to improve the human condition but inadvertently brought misery and suffering. He focuses on the conditions that led to the failure of these schemes, most of which were large-scale, centrally planned, authoritarian schemes influenced by modernist

ideals. Scott derives the aforementioned four elements, all of which “are necessary for a full-fledged disaster” (Scott 1999, p. 4).

The first element Scott (1994) identifies “is the administrative ordering of nature and society,” which suggests that centrally managed social plans misfire when schematic visions are imposed upon a complex social order that is not, or cannot be, completely understood. Scott emphasizes that the success of designs for a social organization depends upon the recognition of local and practical knowledge as being as important as epistemic or technical knowledge. The second element a “high-modernist ideology,” which places complete confidence in the ability of science to improve every aspect of human life. The third element is a willingness to use authoritarian state power to implement large-scale interventions meant for the “greater good.” The fourth element is the inability of a prostrate civil society (recently recovering from war, revolution, or economic collapse) to resist (or receptivity to) such plans.

The High-Modernist Ideology

Scott’s describes his second element, the “high-modernist ideology,” as

a strong, one might even say muscle-bound, version of the self-confidence about scientific and technical progress, the expansion of production, the growing satisfaction of human needs, the mastery of nature (including human nature), and, above all, the rational design of social order commensurate with the scientific understanding of natural laws. (Scott, 1999)

Contemporary Western planning experts, including Albert Mayer and other American associates, were employed as consultants through Nehru’s connection with the Ford Foundation. Zoning, a planning tool favored by these experts, was used to accomplish this pursuit. It was supplemented by building codes that were both prescriptive and proscriptive of Delhi’s vision of the future (Sundaram, 2009). The master plan, and the zoning plan in particular, are tools typical of “statecraft” and town planning. They distill the primary functions of space and land, allotting an order both to nature (the green spaces and water) and society. This aftermath of this distillation begs the questions Whose order is it? Who was ignored in achieving this order? Who was pushed out or sidelined, and Who would have to be eradicated along the way?

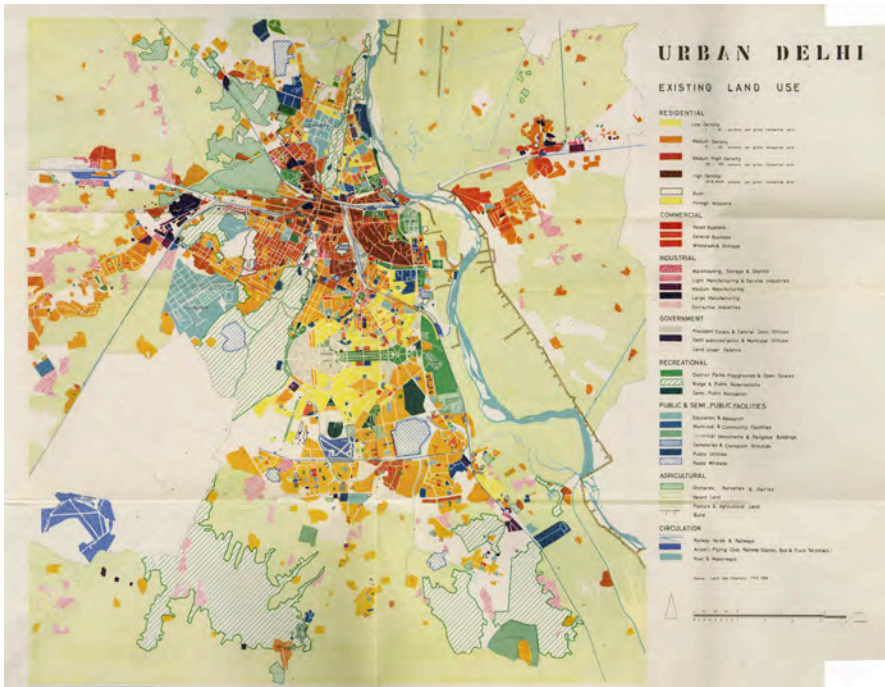


Figure 2 The proposed land-use plan for Delhi in 1962. (Source: Master Plan of Delhi 1962—Delhi Development Authority)

In addition to zoning and master plans, the DDA was granted one of the most powerful tools in the modernist planner's arsenal at its inception—that is, the ability to acquire large tracts of land with little resistance for the purpose of development under the Land Acquisition Act of 1894. It also established its monopolist role as Delhi's sole developer, with authority over land allocation, housing development, and land trading. With this came the Slum Areas (Improvement and Clearance) Act of 1956, through which slums were identified, making them eligible for improvement, and promised that there would be no eviction without resettlement. In practice, however, these rights have been bypassed repeatedly for the sake of efficiency in the clearance process.

Ostensibly, these legislative powers were granted for the greater good of the citizens of Delhi. They were meant to harness the practice of speculative buying and uncontrolled growth and were intended to be the proposed final solutions. This philosophy is reflected in 1959 by the DDA statement, "The pressure of demand can also be relieved by the acquisition of all vacant land within urbanizable limits by the government. . . . Thus, there will be no land speculation." These solutions, which typically were schematic, ignored the influence of any real and functioning social order and ultimately failed.

Admitting the failure of the Master Plan for Delhi in 1962, the DDA identified several causes, ranging from the greater-than-expected population growth (almost 1.5 million) to an inability to enforce land-use restrictions: “despite land-use controls, mixed land use in residential areas continued” (Master Plan of Delhi 1962: Experiences and Lessons, 2016). The DDA added that “the plan did not propose the integration of the informal sector leading to their exponential growth which outstripped infrastructural facilities” (Master Plan of Delhi 1962: Experiences and Lessons, 2016).

The rhetoric among the urban elite continued to focus on cleaning up Delhi. This was largely the result of fear and insecurity and played an instrumental role in creating the concentrated residential patterns of Muslims in the city. Thus, after the exodus of Muslims to Pakistan from Delhi after the partition of India in 1947, the population of Muslims dropped from 302,919 people in 1941 to 99,501 in 1951 people—in other words, from 33.3% to 5.71% of the total population (“Census of India, 1941” 1941, pt. 16; “Census of India, 1951.” 1952, pt. 16). (In September 1947, an estimated 10,000 to 20,000 Muslims were killed by Hindu mobs with the support of the Hindu nationalist organization Rashtriya Swayamsevak Sangh.) In the aftermath of the partition, approximately 44,000 houses formerly occupied by Muslims were occupied by non-Muslims (Kudaisya and Tan 2005; Zamindar 2010; Gayer and Jaffrelot 2012). The small surviving Muslim population was now concentrated within Old Delhi. The tension and anger amongst incoming Sikh and Hindu refugees from Punjab and Sindh incurred as a result of the losses (both financial and of human life) created by the partition manifested in Delhi when scores of Muslim shrines, tombs, and graveyards were demolished and defaced by mobs of desperate refugees and Hindu nationalists (Lahiri 2017a, 2017b). This vandalism was supported by local businessmen and government officials of the DDA and the Public Works Department, which was in charge of the demolitions (Kidwai, 2011; Gayer and Jaffrelot, 2012; Kaul, 2001). The official rationale for the partition was illegal encroachment of the Muslim settlement.

According to Kidwai’s (2011) documentation of the partition, official talks in favor of relocating Muslims who chose not to go to Pakistan were held as the government contemplated the idea of “Muslim zones” in Delhi. This never materialized because of the pressure of non-Muslim refugees. Localities earmarked for Muslims were eventually occupied by the scores of non-Muslim refugees that had just arrived from Pakistan (Kidwai, 2011).

DELHI GROWING TOO FAST: LACK OF COHESION
Suggs, J J
The Times of India (1861-current): Jan 29, 1968; ProQuest Historical Newspapers: The Times of India
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DELHI GROWING TOO FAST

Lack of cohesion

DELHI has been growing too fast in recent years and today it has a population of 3.8 million. This has brought in its wake a variety of problems which made town planners sit up and take notice some ten years ago. They discussed the problems thoroughly and made many suggestions for improvement, which were embodied in Delhi's Master Plan.

Some of the assumptions in the monumental plan have already been proved wrong. It was estimated, for instance, that Delhi's population would be 4.5 million by 1981—the target date for the completion of the plan. But the rate of growth and influx has been faster — double the estimated 100,000 a year — and the figure in 1981 is more likely to be six million.

The planners had also assumed that adjoining Haryana and U.P. would co operate in implementing the plan. The plan envisaged the development of a chain of ring and satellite towns around Delhi to house the spillover of the capital's population. But Haryana and U.P. appear to be in no mood to co-operate.

These two hurdles are formidable enough. But the situation is made worse by the slow progress on projects undertaken by the Delhi Development Authority and by the fact that the expansion of essential services has been unsatisfactory,

Disparities

The city continues to grow in a haphazard manner

Consider the disparities between New Delhi and the walled city. Old Delhi and New Delhi, says the plan appropriately, are not only two cities, each with a different historical background, but two communities divided in outlook and customs.

The disparities between the two cities are getting wider. Before independence it suited the British to keep aloof from the native quarter that was the walled city. Development of New Delhi as a distinct entity was the logical outcome of their desire to maintain the great divide between the rulers and the ruled. But why should the disparities be perpetuated today?

The planners felt that the redevelopment of the old city by way of large-scale clearance and reconstruction was not immediately practicable. After assessing the requirements of schools, dispensaries, parks, etc. they suggested that the sites of dilapidated houses or houses demolished by the Municipal Corporation should be acquired for location of community facilities.

The squatters in bustis were to be relocated in various parts of the urban area so that they could be integrated with the neighbourhood. But the slum clearance work has made little progress. Until recently the Delhi Administration appeared to be shy of removing the slums. Only lately has it started taking firm action.

Figure 3: Times of India Article (January 1968). A typical example of the criticism of the Master Plan at the time. The discourse has not changed much since then. As Vasudevan (2013) pointed out, "it is as if urban planning has stood still since then." (Image source: ProQuest Times of India Database)

The fear and insecurity brought on by communal⁷ riots and mob violence kept Muslims confined within the boundaries of Old Delhi. Some of the elite Muslim class, consisting mostly of scholars, started moving out close to Jamia Millia Islamia (a minority-concentrated university in South Delhi) because of heavy congestion in Old Delhi, but most did retain their shops and properties (Gayer and Jaffrelot, 2012).

The Emergency of Evictions

The third element Scott describes is an “authoritarian state that is willing and able to use the full weight of its coercive power to bring these high-modernist designs into being.” He adds that this is most likely to happen in periods of “war, revolution, depression, and struggle for national liberation,” that such a period is accompanied by a “rise to elites who repudiate the past and who have revolutionary designs for their people” (Scott 1999, p. 5).

In India, the period of “emergency” refers to the 21-month period between June 1975 and March 1977, when Prime Minister Indira Gandhi unilaterally declared a state of emergency because of “internal disturbance” across the country under Article 352(1) of the constitution. The order allowed her the authority to rule by decree, curbing civil liberties and suspending elections. Characterized by press censorship, propaganda, forced sterilization of minorities, demolition of slums, several arrests, and instances of torture, this period is generally considered a dark spot in the history of Democratic India. PM Gandhi, like Nehru, who was her father, supported the tenets of high modernism, which Emma Tarlo describes best: “By controlling population growth, increasing production, boosting agriculture, encouraging industry, abolishing socially backward customs, clearing slums, and rooting out corruption, India could achieve greatness. Modernity was the goal and the Emergency was the means to attain it” (2003, p. 29).

Several accounts that surfaced during the postemergency investigations (“Full Text of ‘Shah Commission Of Inquiry Interim Report II’” n.d., 81–82) revealed that Muslim settlements of old Delhi were targeted for “slum clearance” under the directions of Jagmohan Malhotra (vice-chairman of the DDA during that period). These slum clearance drives came with bulldozers and police officers and were meant to “cleanse the informal” settlements of Old Delhi. Those that were not among the estimated 1,200 dead after the shooting and demolition drive of Turkman Gate were rounded up in trucks and driven off for “resettlement” in a colony ironically named “Welcome.” Over

7. Interreligious riots between Muslims, Hindus, and Sikhs

a twenty-one month period, an estimated 700,000 people were displaced in Delhi (Dayal and Bose, 1977). However, Malhotra worried that because the displaced Muslims were concentrated in particular locations, they might build strength. The idea of a “mini Pakistan” developing in Delhi is known to have bothered him immensely (Tarlo, 2003, p. 39). It was described in the Shah Commission Final Report:

(The) removal of Slums, unlawful encroachments and beautification of cities, roads and other areas is a problem which had been attracting the attention of Government for some time. The entire concept in this regard suffered a drastic change after the emergency was imposed and demolitions by bulldozers of slums and the encroachments came to acquire the blessings of the Governments concerned. The speed and the scale of work in this direction surpassed all precedents and dwelling houses, shops, temples, and places of worship and homes of the poor were destroyed. There was a phenomenal increase in the number of demolitions during the period of emergency compared with the number of demolitions in the years preceding it. (1978)

Mammoth plan to settle Delhi's slum dwellers

NEW DELHI, May 2: Some 350,000 residents of 27 clusters of jhuggi-jhopris in greater Delhi, comprising 85,000 families, mainly construction labour, have been resettled in new colonies in the trans-Yamuna area and in the outskirts of west and south Delhi.

In all, 600,000 people from 50 jhuggi-jhopri clusters are planned to be resettled under a project, considered to be the world's largest resettlement scheme.

The project will be completed in another six months. Union minister for works and housing, Mr. H. K. L. Bhagat, told newsmen.

The new townships, which are employment-oriented, will have all basic amenities. The Delhi development authority (DDA) has provided jobs to residents of these colonies at its construction sites and in its horticulture projects within the townships and in the neighbouring areas.

All those resettled have been provided a piece of land measuring 25 square yards and the Delhi administration has extended a loan facility to the extent of Rs. 2,000 a unit. Financial assistance is also being extended to them by nationalised banks. Some local agencies have come forward to give basic amenities to the residents.

The Delhi administration has taken up the task of constructing schools. For the time being temporary schools run by the DMC have started functioning in the area. Special bus routes are being operated from these localities.

The DDA has also displayed model houses in the areas so that people could take up construction on the same pattern without getting building plans approved.

Shopping centres, community centres, parks, play grounds, health centres, family planning centres and welfare centres have been provided in these localities.

As a result of the resettlement of these families and dairy farms, 22 slums and jhuggi-jhopri colonies have so far been cleared and the DDA has already initiated moves to develop these areas.—Samachar.

Figure 4: Times of India (May 1976), an article from the emergency period. (Source: ProQuest Times of India Database)

The Continuing Discourse on the “Unauthorized”

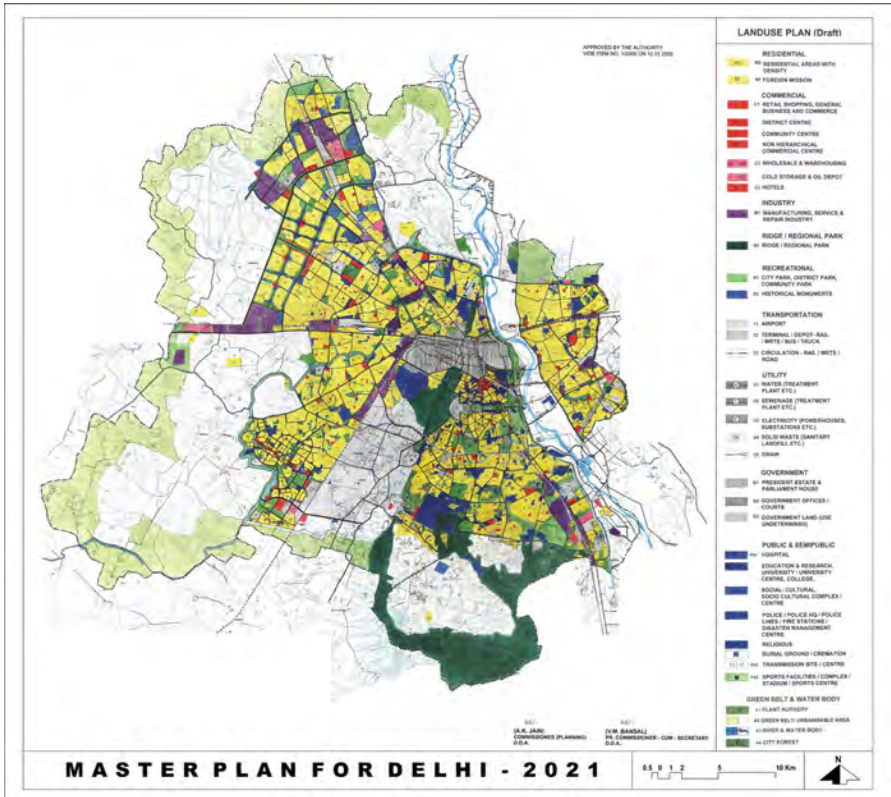


Figure 5: The proposed land-use plan for Delhi 2021 (Master Plan for Delhi—2021, 2009)

Although the events of the emergency period would eventually lead to Gandhi's downfall, the same was not true of the discourse around slums and unauthorized colonies of Delhi. In fact, the middle-class urban elite have repeatedly used this rhetoric at almost a bi-decadal frequency to rationalize massive slum clearances and displacement. Unauthorized colonies were immediately treated as a threat because it undermines the master plan and modernity itself. It is “undisciplined,” as it was described by the Master Plan for Delhi in 1990, as well as a “serious human problem,” according to the Master Plan for Delhi in 2020. These are the “bad neighborhoods” of Delhi—blighted and criminalized. Many of them also happen to accommodate most of the minority populations in the city. Although the Master Plan for Delhi of 1990 called for a “regularization” (the process of survey and creation of a cadaster to levy property taxes, apply building codes and environmental regulations etc. and in return, provide basic amenities like water, electricity,

public schools – however, in many cases, these services may exist prior to actual regularization) of the informal settlements—ostensibly to bring them into the sphere of the regularized—the next master plan (slated for 2020) deems this approach a failure. This is because that so-called regularization has not brought in any tangible improvement and the process has only produced de facto tenure rights to the land and access to services. Although that is partially correct, in that regularization has brought about very little tangible change, the document—simply on the basis of the tenants’ being in the sphere of the “informal or illegal”—disregards their right to receive tenure rights and services. In practice, most of the associated charges of informality or illegality are simply zoning violations, in which a residential building is in an area zoned for agriculture or recreation. Many of these zoning violations can be attributed to the fact that the urban growth had spread much further than planners had estimated. As it stands, through the process of informality, Delhi’s rural hinterlands and inner city villages have become part of the metropolis.

Delhi has also seen rapid growth in the numbers of “internally displaced persons” and migrants as a result of instability and conflict in different regions of India. Examples include people of escaping Punjab because of the Sikh Pogrom of 1987, people fleeing the Mumbai riots of 1992, Gujarat in 2002, Jammu and Kashmir, Northeast India (mainly Manipur and Tripura), and Central India (Bihar, Chhattisgarh, and Jharkhand). Because of their family and other connections, many of these people would end up being sorted into ethnically or religiously homogeneous neighborhoods that may be unauthorized slum settlements, regardless of their rarely being in a position to settle outside their community or offered an opportunity to do otherwise. Following this process, many are displaced yet again to resettlement colonies after purges conducted by authorities.

The carriers of high modernism tended to see rational order in remarkably visual aesthetic terms. For them, an efficient, rationally organized city, village, or farm was a city that looked regimented and orderly in a geometrical sense.”

—James C. Scott, 1999

The Yamuna Pushta Case

In 2004 civic authorities again used the rhetoric of redevelopment and beautification to justify the removal of Muslim populations. In the case of the Yamuna Pushta evictions, an estimated 300,000 people were displaced

a month before the monsoon rains. The displacements were discussed extensively in newspapers and by eminent scholars. In most of the coverage, however, the fact that the population of the settlement consisted overwhelmingly of migrant Muslims (approximately 70%) was downplayed (Wood, 2007). Although no evidence is available that clearly shows that the evictions were motivated by the presence of Muslims, the active role of Malhotra⁸ (at this time the union minister of tourism and culture)⁹ in ordering these evictions under the pretext of “cleansing” Delhi for the Commonwealth Games of 2010 suggests that religious discrimination was at play. The official rationale behind these evictions was that these settlements had occupied land zoned for a greenbelt with open spaces for recreation (Gopalakrishnan, 2016; Gonsalves, 2011). In the end, those who could afford to pay RS 5000 to RS 7000¹⁰ were given 12.5 m² (135 sq. ft.) to 18 m² (193 sq. ft.) of land in a resettlement colony in Bawana, approximately 40 km, or 24 m., from their original homes.

That this was done three days before the general elections and that it was well known by most that these particular settlements usually voted for the opposing Indian National Congress party, suggests that the people of this settlement were disenfranchised as well. Also, because it was not clear where they would vote, many no longer had valid voting IDs. Ultimately, as a result of confusion and exhaustion caused by the eviction process, the majority of the former residents ended up not being able to vote at all.¹¹

The Eviction Process in Yamuna Pushta

The stage was set for the evictions, and armed policemen accompanied the bulldozers. Here is the sequence of some of the more important events” up to the demolitions, according to a report (“India Shining—A Report on Demolition and Resettlement of Yamuna Pushta Bastis,” 2004) from the People’s Union for Democratic Rights.¹²

- February 5: Single bench of the High Court halts the demolitions in Pushta;
- February 7: a woman commits suicide in the Pushta after demolitions.
- February 12: Division bench of the High Court reverses the halt on

8. A key actor in the evictions of the emergency period discussed earlier in the chapter.

9. This time under the Bharatiya Janata Party–led National Democratic Alliance.

10. Amounts to almost an entire month’s income of these settlers.

11. In person conversation with former resident of Yamuna Pushta, May 2015.

12. The Peoples Union for Democratic Rights, Delhi, is an organization that was active in the defense of these settlements; it reported several incidents of recurrent fires a couple of weeks before the evictions, as well as unchecked police brutality.

demolitions.

- February 13: 1,000 houses in Gautampuri II in Pushta are demolished.
- February 21: Election Commission (EC) orders a halt on demolitions until the elections are over.
- March 8: EC changes its stance and approved the removal of more than 18,000 jhuggis¹³ from Pushta.
- March 17: 1,000 houses are demolished in Gautampuri I in Pushta.
- March 24: 3,000 jhuggis are destroyed in Kanchanpuri; nine protestors are arrested.

Events in Indira and Sanjay Amar colonies:

- April 3: A selected list of people are told to break their own houses. (Demolition of these finally occurs on April 7.)
- April 6: Pradhans¹⁴ are called to the police station and threatened into breaking their own homes. (Twenty bulldozers arrive the next morning; later, two suspicious fires break out and cause massive destruction of homes. A child and an elderly man died as a result.)
- April 16: Policemen cut off water supply and pipes from their source.
- April 18: Another huge fire breaks out, and efforts to put it out are hindered by the lack of piped water.

These events highlight the extent of state-sanctioned destruction and the violence that accompanied the process.

The Resettlement of Yamuna Pushta

The process of resettlement was no less problematic; the demand for bribes, physical threats, lack of alternatives, and extortion became standard procedure. To elaborate, the households entitled by policy to resettlement exceeded the capacity of available land. Thus, bribes were demanded by acting officers in exchange for being moved up the waiting list or even to be considered eligible. Moreover, RS 500 was charged for loading a family into a truck and relocating each them to the resettlement colony. In addition, Below Poverty Line Cards¹⁵ and Ration Cards¹⁶ were confiscated by policemen, leaving many of the settlers undocumented and unable to benefit from government

13. Makeshift houses.

14. Usually refers to village leaders and representatives, but the terminology has been adapted to urban settlements as well.

15. Below Poverty Line cards are a recognition of extremely low wages and are necessary to obtain government-subsidized items and services.

16. Ration Cards are necessary to obtain government-subsidized food rations and are frequently the only form of official identification available to the poor.

subsidized food, goods, and services. In the resettlement colony, which was miles away from the city center, only substandard essential services were available. This included an overcrowded public toilet facility where RS 1 was charged to use the toilet, RS 2 to bathe, and RS 5 to wash clothes, which wound up costing the families living there as much as 10% or even 15% of their monthly income.¹⁷

DELHI

Delhi govt. failed to keep promises, say resettlement colonies' residents

Smriti Kak Ramachandran

NEW DELHI, SEPTEMBER 17, 2012 10:19 IST
UPDATED: JUNE 28, 2016 20:28 IST

SHARE ARTICLE f 1



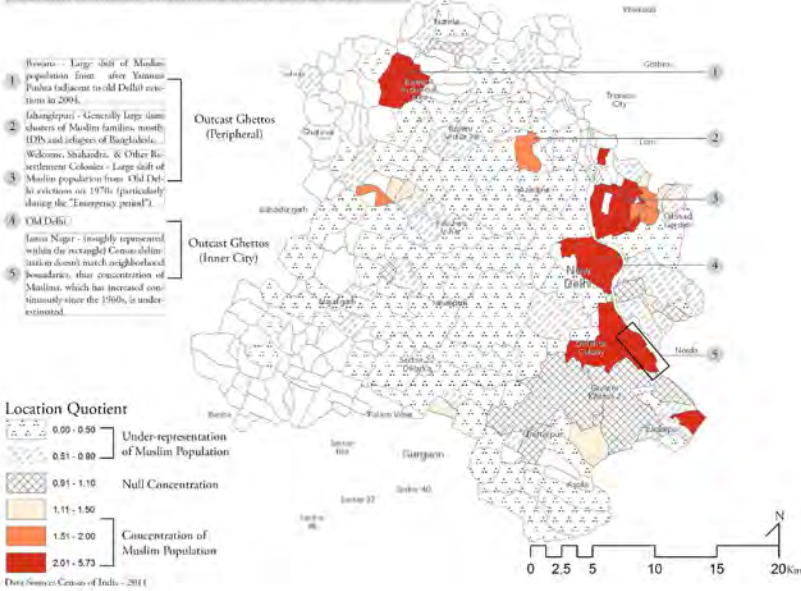
ALL IN A DAY'S WORK: A view of Bawana resettlement colony. Photo: Sushil Kumar Verma

"People in resettlement colonies must learn to control their bladders. Yes, there are toilet blocks, but you cannot use them at all hours. So we must train ourselves to control our needs," said Kamlesh of Bawana Resettlement Colony referring to the limited access to amenities including toilets. "And if you have to go at night, then there's plenty of open space for that," she is quick to add.

Figure 6: Article from The Hindu (a daily newspaper) on the Bawana Resettlement Colony, September 2012. (The Hindu, 2012)

17. From conversation with a resident.

Location Quotients of Muslim Population in NCT of Delhi, India at Census Town Level (2011)



In the map, the location quotients compare the relative concentration of Muslims in a small geographic area (a Census Town, or CT) to the relative concentration of that same group in a much larger area (here the National Capital Territory, or NCT, of Delhi). The quotient is a ratio: the group’s representation as a percentage of a CT’s population to its representation as a percentage of the metropolitan area population. Location quotients reveal the degree to which a group’s representation in a CT departs from that in the overall the metropolitan area.

A Failure of Planning: Trajectories and Smart Cities

Based on interviews and personal conversations with city planning professionals working in Delhi (both in private- and public-sector agencies), I conclude that the profession has neglected religion- and caste-based social conflict, deeming it irrelevant to the modernist “secular”¹⁸ state. Similarly, the arguments for and against evictions has only identified class and income as the main subjects of analysis. The fact that the majority of the evictions in Delhi since the 1960s have disproportionately targeted Dalit and Muslim settlements is seldom questioned. But in failing to do so, the issue of the magnitude of what is both felt and perceived by those populations today

18. Denoting attitudes, activities, or other things that have no religious or spiritual basis.

has only been exacerbated. Of course, I only rely on my field observation of resettlement colonies to make this supposition, given that census data are not sufficiently detailed and other figures are not accurate enough to enable cross-tabulation.

City planning has been successful in unmapping, erasing the “unimportant” from the maps, as in the case of the area around Jamia Nagar that now comprises the Muslim neighborhoods of Abul Fazal Enclave, Zakir Nagar, and Batla House. These were zoned for recreational purposes in the original Master Plan for Delhi of 1962, but since the Master Plan for Delhi of 1991 was released, the zoning for these areas remains undefined in the land-use plan, and they are considered to be *lal dora*, or unauthorized. In addition, the owners of the houses on the unauthorized land do not possess land titles; rather, land sales are only documented through a registered Power of Attorney agreement, which, based on past trajectories, could become another excuse for mass evictions. The Supreme Court of India in 2011 declared that “a power of attorney is not an instrument of transfer in regard to any right, title or interest in an immovable property.” No attempt has been made to map the boundaries of the various categories of unauthorized settlements in the land-use plans of Delhi, although one can imagine that this too may become a tool to further marginalize the religion and caste underclass. Bhan (2009, 2013) and Ghertner (2008, 2011a; 2011b; 2012) have discussed, through the discourse of the middle-class and urban elite, the key phrases used to express the desire for reform in Delhi: “world class city,” “global city,” and “slum-free city.” This has been stated repeatedly, irrespective of the political party in power. This narrative has created a questionable association of illegality with informality, resulting in a resurgence of cases of slum clearance and displacement. The lack of options is further worsened as minorities like Muslims and Dalits are rejected as tenants by landlords. They also face discrimination because of their religion or caste in the presumably open real estate market as potential buyers of property, as real estate agents either refuse to show them properties outside “their” respective minority-concentrated neighborhoods.

In fact, the real estate market continues to exploit these differences (Jamil, 2014a; Thorat et al., 2016). Cooperative housing programs meant to facilitate housing delivery in the country subsidize segregation through several religion-specific housing cooperatives that restrict individuals of other religions or castes from buying or renting there.

Markedly, the phrase “making Delhi like Paris” is usually credited to Malhotra during his days as the vice-chairperson of the DDA (Jervis-Read,

2010). This slogan is not far from being realized if one compares the product to the original city; the scale of evictions is comparable to Haussmann's "cleanup" of Paris itself. Now, more than a decade after the Yamuna Pushta evictions, most of the current literature on urbanism, housing, and city planning in Delhi is still dominated by discourse on the readily visible class disparities, underproduction of housing, and the failure of housing authorities to provide housing for the unhoused in Delhi. It continues to ignore the intersections of religion and caste with these issues—in other words, how minorities suffer disproportionately more from these problems than do the privileged majority. City planners still seek a technical "Band-Aid" or fix for India's woes.

The focus is on sustainable, and inclusive development and the idea is to look at compact areas, create a replicable model which will act like a lighthouse to other aspiring cities.

— Smart Cities Guidelines, 2015

As Scott's four-element theory predicts of the carriers of high modernism, "once their plans miscarried or were thwarted, [they] tended to retreat to what I call miniaturization; the creation of a more easily controlled micro-order in model cities, model villages, and model farms" (Scott 1999, p. 4) This miniaturization can be seen in all the hype around the newly declared "Smart Cities Mission," which is going to be the next one-stop solution (Schleeter, 2014; Kumar and Sen, 2015). Yet what these so-called smart cities really are remains to be defined accurately by the government itself, which has only identified replicability as one of its prime criteria. I end this application of Scott's four elements to Delhi's history by simply quoting from Scott's (1999) description of the last element:

A fourth element is closely linked to the third: a prostrate civil society that lacks the capacity to resist these plans. War, revolution, and economic collapse often radically weaken civil society as well as make the populace more receptive to a new dispensation. Late colonial rule, with its social engineering aspirations and ability to run roughshod over popular opposition, occasionally met this last condition. In sum, the legibility of a society provides the capacity for large-scale social engineering, high-modernist ideology provides the desire, the authoritarian state provides the determination to act on that desire, and an incapacitated civil society provides the leveled social terrain on which to build. (p. 5)

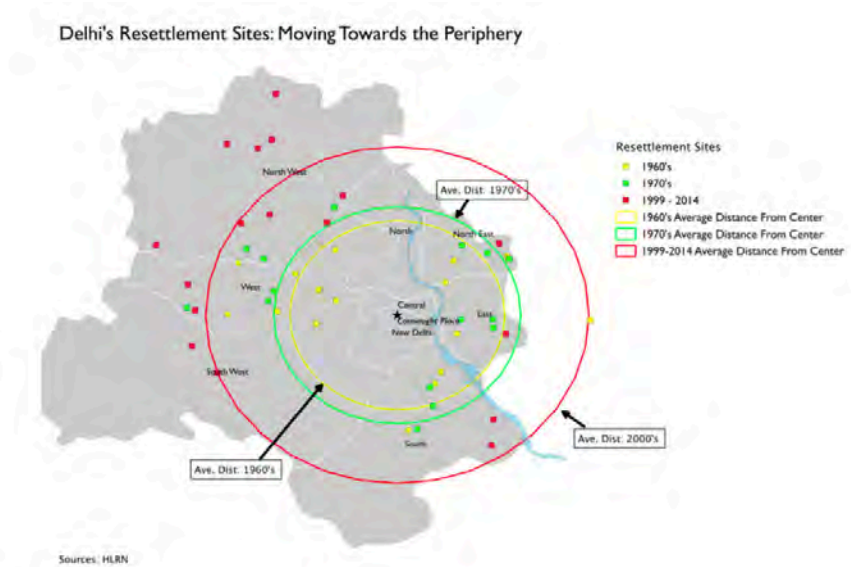


Figure 9: Map created by Department of Urban Studies and Planning students at the Massachusetts Institute of Technology showing the average distance of resettlement colonies from city center by time period of evictions. Data source: Housing and Land Rights Network. (Data source: <http://mitdisplacement.org/new-page-86>)

Conclusion and the Role of City Planning

International human rights law recognizes everyone's right to adequate housing. This includes security of tenure, equal and nondiscriminatory access, habitability, availability of services, and cultural adequacy (Fact Sheet No. 21, *The Human Right to Adequate Housing*, 2009). It also makes clear that the enjoyment of social and economic rights, including the right to housing, cannot be considered in isolation from the fundamental principles of equal protection and nondiscrimination.

Yet this research and numerous other sources (see Farha, 2016; Thorat et al., 2016; Bhowmick et al., 2014) indicate that minority groups in Delhi and most other metropolitan cities in India are vulnerable to constant infringement on these rights. Although individual prejudice and a desire for homogenous religion, race, and class environments have contributed to segregation and discrimination, these explanations are too incomplete and cannot conveniently excuse public policy from responsibility.

Nevertheless, the words "segregation" and "discrimination" do not even

exist in most (if any) city planning documents released by the government of India (either State or Central). However, according to the Sachar Committee (Sachar Committee Report, 2006), Dalits and Muslims are concentrated in high-poverty areas throughout the entire country, and these neighborhoods tend to have inferior schools; diminished access to employment opportunities; inadequate access to essential infrastructure, banking, and credit services; and significantly poorer health outcomes.

Why does it matter if people of different religions like to live separately? How is this [segregated living and housing discrimination] a city planning issue? And what can a city planner even do about it?
 — City Planner/Policy maker, Delhi Development Authority

Furthermore, the system of reservations, or affirmative action, has not led to any significant progress toward eliminating these inequities or lifting up these communities because the discrimination has deep historic roots. On the contrary, numerous acts of violence against Dalits are the direct result of retaliation and anger of the majority against reservations and affirmative action (CERD Shadow Report Housing Segregation, 2014). Thus, the state's obligation to provide equal protection under all laws requires more than merely ending the of practices of overt discrimination described in the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act of 1989. Additionally, the ambiguous (or complete lack of) fair housing and equal opportunity laws have reduced the number of avenues available for pursuing legal aid for matters of housing discrimination. Similarly, the lack of easily available and comprehensive disaggregated data for researchers and concerned institutions poses a hurdle in the process, hindering decision-making and policy-evaluation processes. It has been seen repeatedly, as with the 2011 census, that the Indian government fails to provide sufficient information promptly and accurately.

India, a signatory of the Convention Against Racial Discrimination, is mandated by the convention to adopt measures to address past discrimination and combat discrimination wherever it exists. Therefore, the government's failure to report this information, which is crucial to minority empowerment, is in itself suggestive of a lack of attention to the issue of discrimination. Through decades of discriminatory practices like religion- and caste-specific housing societies and redlining, India has perpetuated a system of segregated housing. Any discussion of the right to adequate housing in the country

must take into account the implications of these past and present practices of discrimination. By declining to dismantle a system of housing that concentrates religious and caste minorities in segregated communities with substandard quality of life, India has failed (and continues to fail) to meet its own constitutional obligations to provide equality, as well as its obligations under international law to provide adequate housing.

In summation, this paper asserts that prohibition against discrimination—whether based on the constitution of India or the Universal Declaration of Human Rights—is a fundamental principle that permeates many Indian laws and much of its public policy. Specifically, because housing discrimination substantially affects access to numerous other essential services and institutions (such as education, health care, employment), protection against discrimination in the context of housing is vital. Also, whether through the private or public sector, city planning has historically had a direct impact (both negative and positive) on segregation and discrimination, as seen in the cases of South Africa, the United States, and Singapore, for example. Thus, a proactive role of city planning, because of its positionality and role in the provision of services and allocation of housing, is crucial to the process of fulfilling the fundamental promise of equality and freedom.

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