



WHOSE CITY IS IT ANYWAY?

KRISHNA RAJ FELLOWSHIP PROJECT

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1. INTRODUCTION

Under the First Master Plan for Delhi (1961-1981), the Delhi Development Authority (DDA) was to develop 27,487 hectares of land for low income housing in 20 years; only 15,540 hectares were acquired. The plan proposed to add 14,479 hectares of urban residential land to the existing stock of 4,694 hectares, but only developed 7316 hectares. Under the next Delhi Master Plan (1981-2001), the DDA fell short of its target of building 1,619,000 dwellings for the Economically Weaker Sections (EWS) by 66 per cent.

Public spending per capita for Delhi is one of the highest in the country. However, planning initiatives in recent times have increasingly shifted focus towards providing a clean environment for the growing bourgeois, a goal that appears to take precedence over protecting the rights of the urban poor. The steady rise in the prices of land and construction materials has made housing unaffordable for them.

The Economic Survey of Delhi, 2007-08 estimated that 47 per cent of the city's population lives in Jhuggi-Jhopri (JJ) clusters, slum designated areas and relocation colonies. In 2005, only 30 per cent of the population had formal rights over the land they lived on, while the unorganised sector accounted for 66.7 per cent of total employment in Delhi.¹ Despite such a large part of the city living in slums, the policy framework and public discourse reflect dual set of policies for the inhabitants of the city which are not consistent across different strata.

The two common policy responses to the issue of slums –up-gradation and relocation are not only different in their methodology but also in the manner in which the rights of the slum dwellers have been understood. Through our research – primary and secondary, we have tried to evaluate the quality of life at upgraded and relocated sites, and the differential treatment of slum dwellers and the urban elite in terms of rights and the implementation of law.

In section two we explain how slum policy has evolved over time in Delhi, and the policy framework for up-gradation and relocation. In section three we look at the rights of slum dwellers, the judiciary's attitude towards them and how they may have been violated under the existing policies. Section four covers the methodology we adopted for our primary research and section five summarises the results. Section six makes policy recommendations and section seven concludes.

¹ Khosla, Renu and G Jha (2005). **Economics of Resettling Low-income Settlements (Slums) in Urban Areas: A Case for On-site Upgrading**. Draft Final Report. *Centre for Urban and Regional Excellence*

2. POLICY FRAMEWORK

2.1. SLUM POLICY IN DELHI

The Slum Areas (Clearance and Improvement) Act was enacted in 1956. According to the Second Five Year Plan, which first recognised the problem of slums, slum clearance strategy must be based on two principles:

*“The first principle is that there should be the minimum dislocation of slum dwellers and the effort should be to **rehouse** them as far as possible **at or near the existing sites of slums**, so that they may not be uprooted from their fields of employment. The second principle is that in order to keep rents within the paying capacity of the slum dwellers, greater emphasis should be on the **provision of minimum standards of environmental hygiene and essential civic amenities** rather than on the construction of elaborate structures.”*

The DDA was constituted in 1957 under the Delhi Development Act “to check the haphazard and unplanned growth of Delhi.” It is Delhi’s largest land owner. The land banking scheme of 1961 allowed it to take control of all land designated for urban development. Land banking refers to the acquisition of land by the government in advance of needs, enabling it to purchase land at relatively low prices and influence the pattern of development. The land so acquired is disposed of by an auctioning process, which leads to very high prices and a lengthy administrative process, except in specified cases where other allocation procedures were employed, often favouring more influential population groups.² The DDA’s failure to protect the land placed under its control allowed the creation and expansion of slums and JJ clusters on such land. Legal safeguards, such as the right to appeal against eviction, do not apply for those who occupy land held by the government or government authorities.

Households relocated in the 1950s and the 1960s were eligible for 80 square metre plots with attached toilets on hire/purchase basis. The total subsidy for the purpose of slum clearance and improvement was raised from 50 per cent to 62 percent under the Third Five Year Plan, and the Central Government’s share in it rose from 25 to 37 per cent. The government allocated 5 per cent of the city’s land for housing the EWS, who constituted 4.4 per cent of the total population of Delhi.³

The first Master Plan for Delhi, published in 1962, envisaged a well-planned, prosperous city without making any provisions to house the migrant labour and working poor who would build it. The growth of slums, while unplanned, was necessary for achieving the goals set out in the Master Plan. Their

² Chahl, D.L.S. (1995). **Municipal Land Management in Asia: A Comparative Study**. *United Nations Social and Economic Commission for Asia and the Pacific*. ch.6. Retrieved from http://www.unescap.org/huset/m_land/chapter6.htm

³ Ibid. footnote 1

continued existence was made possible through regular bribes to municipal officials and interventions by local politicians to garner votes.⁴

By 1970, EWS constituted 25 per cent of the total population. The Fourth Five Year Plan focused on beautifying the city rather than improving slums. 750,000 people were relocated during this period, although unofficial estimates peg the number at 900,000. Much of the evicted population was relocated to industrial areas developed in the 1960s. The 1970s also saw massive slum eviction from the walled city – Jama Masjid and Turkman Gate. The Delhi government provided no structural or economic support to those evicted in the 1970s, marking a shift from the policies followed in the 1950s.

In the 1980s, the size of the plots in relocation colonies was reduced to 18 square metres. The Seventh Five Year Plan envisaged a greater role for the private sector in the process of urban development. Subsequent plans continued to focus on organising slum improvement at the community level.

In 1989, when V.P. Singh came to power, the first comprehensive survey of all the slum dwellers in Delhi was conducted, and each slum dweller was issued a 'V. P. Singh Token', in order to provide formal proof of residence.⁵ In the late 1980s and early 1990s, in-situ up-gradation was carried out for the first time in three urban slums of Delhi.

In the 1990s the terms of relocation became far less favourable due to space and financial constraints. Less than a third of the evicted households were relocated.⁶ Some of these relocation colonies were 30 kilometres from the original slum site, in contrast to the earlier practice of relocating slums to sites within a five kilometre radius.

In 2000, the cut-off date for resettlement was extended from January 1990 to December 1998. The Jawaharlal Nehru National Urban Renewal Mission (JNNURM) was launched in 2005-06 to encourage planned development of targeted cities, including Delhi. The objectives included improvement of slums, provision of housing for the poor and basic services such as drinking water, sanitation, drainage, approach roads and social infrastructure in slums and relocation colonies.

Between 2000 and 2010, Delhi saw massive slum clearances due to development work for the 19th Commonwealth Games (October 2010). In line with legal precedents, the city was 'sanitised' by clearing slums such as Yamuna Pushta. More than 100,000 families were evicted and a further 40,000 were to be evicted as on May, 2010.⁷

The Cabinet Committee on Economic Affairs approved the launch of Phase I of the Rajiv Awaas Yojana (RAY) in June 2011 to formalise existing slums, provide basic amenities and address the problems that lead to the creation of slums. In addition, RAY seeks to ensure convergence with

⁴ Baviskar, A. (2003). **Between violence and desire: space, power, and identity in the making of metropolitan Delhi.** *International Social Science Journal*, 55: pp. 89–98

⁵ Jaffrelot, C. (2003). **India's silent Revolution: The rise of the low castes in North Indian Politics.** *Delhi: Orient Longman*. Ch. 10

⁶ Ghertner, D. A. (2010). **Calculating Without Numbers: Aesthetic Governmentality in Delhi Slums.** *Economy and Society*. Vol. 39 No. 2 May 2010: 185–217

⁷ Morris, C. (2010, May 14). **India 'diverts funds for poor to pay for Delhi games'.** *BBC News*. Retrieved from http://news.bbc.co.uk/2/hi/south_asia/8683412.stm

health, education and social security schemes for the urban poor, and to provide affordable housing. The central government will bear 50 per cent of the cost of slum redevelopment under this scheme and is encouraging private sector participation.

In 2011, a Delhi Urban Shelter Improvement Board (DUSIB) survey revealed that only 38 per cent of 8384 applicants for relocation flats in Bawana and Narela under RAY met the eligibility criteria while more than 7200 shanty dwellers did not even apply for the scheme.⁸

2.2. SLUM REHABILITATION PROCESS

In 1990, the Delhi government adopted a “three-pronged strategy”, which was approved by the DDA in 1992, to address the problem of slums⁹:

1. In-situ up-gradation for clusters where the encroached land pockets are not required by the concerned land owning agencies for any project implementation in the next 15-20 years;
2. Relocation of JJ clusters located on land that is required for implementing projects in the larger public interest;
3. Environmental improvement of slums through the provision of basic amenities for community use in other clusters

2.2.1. IN-SITU UP-GRADATION

This approach envisages the re-planning of slum dwellings in modified layouts by redistributing the encroached land pockets amongst the squatter families. Each household is allotted a 12.5 square metre plot for constructing pucca shelters. In-situ up-gradation of land can be undertaken wherever the concerned land owning agency issues a no objection certificate.

The minimum civic amenities proposed under in-situ up-gradation are drinking water supplies through one water post for 30-35 persons, paved pathways and drainage facility, street lighting such that there is one pole for every 30 metres, one *dhalao* for every 15 households within 55 metres of the dwelling units, and pay and use *Jansuvidha* toilets with toilets and bathrooms for the community with one water closet (WC) seat for 20 to 25 persons and one bath for 20 to 50 persons. These households may obtain individual electricity connections after payment of charges to Delhi Vidyut Board. The dwellings are to be constructed by the beneficiaries themselves with the help of a loan provided by slum and JJ department.

Upto 1992-93, in-situ up-gradation was carried out within the cost ceiling of Rs 6,000 per JJ dwelling unit, which was increased to Rs 9,500 per JJ dwelling unit later.

2.2.2. RELOCATION

The Ministry of Urban Affairs and Employment (MOUAE) guidelines for slum clearance and relocation state that 18 square metres of built-up space each with a 7 square metre undivided share in open courtyards is to be allocated to pre-1990 squatters and 12.5 square metres to post-1990 but pre-1998 squatters. The date of arrival in Delhi is established on the basis of ration cards.

⁸ Pandit, A. (2011, June 23). **Slum-dwellers stumped by EWS flat criteria**. *The Times of India*. Retrieved from http://articles.timesofindia.indiatimes.com/2011-06-23/delhi/29693925_1_slum-dwellers-urban-shelter-improvement-board-cutoff-date

⁹ **Slums and JJ Rehabilitation**. *Delhi Development Authority*. Retrieved from http://dda.org.in/planning/slums_jj_rehabilitate.htm

Before 1997, relocation to “resettlement colonies” was done on a leasehold basis. Thereafter, relocations were carried out on a licence fee basis with the licensee having no right to transfer or part with possession of the plot. The licensee must pay a security amount of Rs 5,000 and advance licence fee of Rs 2,000 for 10 years. The licence is usually given in the joint name of the head of the family and his/her spouse. The primary licensee must be female.

Normally, sites measuring five hectares are to be utilised for the provision of 1,000 plots with a density of 200 units per hectare. In each layout, one hectare of land is to be earmarked for provision of community facilities such as primary schools, open spaces, shishu vaticas, basti vikas kendras, community facility complexes, garbage bins etc.

The slum and JJ department is responsible for the provision of infrastructure facilities within the relocation complexes, peripheral services are to be provided by the DDA and services under social sector inputs like transport, education, health, fair-price shop etc. are to be provided by the concerned departments of the Delhi government. Communities should have access shelter loans from Housing and Urban Development Corporation Limited (HUDCO) for provision of facilities in the plots, especially for constructing individual WCs, but such loans are yet to be made available.

3. RIGHTS AND CITIZENSHIP

3.1. RIGHT TO ADEQUATE HOUSING

Though the Indian Constitution does not provide right to housing as an inalienable right, the judiciary has often recognised it and interpreted the Right to Life to include the right to food and reasonable accommodation.

The Directive Principles of State Policy affirm that the state must provide adequate means of livelihood (Article 39), secure the right to work (Article 41) and ensure a decent standard of living (Article 43) to all citizens. The slum policy in general, and the relocation process in Delhi in particular, violate the spirit of these principles and go against the Constitutional objectives of building an egalitarian social order by relocating the slum dwellers to far-flung, under-developed areas where they are deprived of their means to livelihood.

India is also a signatory to a number of international covenants under which the government must provide adequate housing and shelter to its citizens. The Universal Declaration of Human Rights (UDHR) (1948) recognises the violation of the right to adequate housing as a violation of human rights. India voted in favour of adopting the UDHR. The International Covenant on Economic, Social and Cultural Rights (1966) incorporates the right to housing under the Right to an Adequate Living (Article 11). India is a signatory to the Convention of Child Rights (1989) as well. Under this convention, the state is committed to help parents ensure the provision of basic rights to children including the right to adequate housing. The state is obligated to provide assistance, material and otherwise, to parents or guardians to ensure housing for children. The United Nations Millennium Development Goals recognise the right to housing as a crucial tool to combat poverty. Target 11 under Goal 7 is to *“improve the lives of at least 100 million slum dwellers by 2020.”*

The inability of the Delhi government to provide adequate housing for the urban poor, and its failure to meet the targets set out in the Master Plan for EWS housing, is a violation of the human rights of those who are forced to live in inhuman conditions in slums.

3.2. SLUM DWELLERS AS SECONDARY CITIZENS

While it is the responsibility of the landowning agencies, i.e. the Municipal Corporation of Delhi (MCD), the New Delhi Municipal Corporation (NDMC) and the DDA to clear slums, in recent times the decision is increasingly prompted by Public Interest Litigation filed by citizen bodies. Over time there has been a change in the judiciary’s attitude towards slums.

Nuisance law or interpretations thereof are usually the basis for judicial orders for slum demolitions. In *Ratlam Municipal Council v/s Vadichan* (1980), the municipality was directed to build drains and reduce the nuisance caused by stagnant water. Thus, nuisance was removed in slum related cases by providing essential services to the slum dwellers.

In *Olga Tellis v/s Bombay Municipality Corporation* (1985), the court held that the Right to Life under Article 21 includes the right to livelihood, and that the eviction of pavement-dwellers by the Bombay Municipality Corporation in 1981 violated the citizens’ right to livelihood. In *K K Manchanda v/s the*

Union of India (1990), the petitioner, the Ashok Vihar Residents Welfare Association (RWA), claimed that slums had occupied land that was supposed to be a Community Park and usage of this land as a “public open lavatory” was the primary source of nuisance to the petitioner. Following the precedent set by the Ratlam judgment, the judiciary directed the authorities to build a public toilet near the slum. Similar orders were issued in *B. L. Wadehra v/s the Union of India* (1996), where the MCD was directed to increase the efficiency of garbage disposal.

However, in *Almitra Patel v/s the Union of India* (2000), the responsibility and *blame* was shifted from the authorities to the slum dwellers: the slum population, rather than the failure of the authorities to provide basic amenities, was seen as the source of nuisance.

“Instead of ‘slum clearance’ there is ‘slum creation’ in Delhi. This in turn gives rise to domestic waste being strewn on open land in and around the slums. This can best be controlled at least, in the first instance, by preventing the growth of slums”

The judgement divides the citizens in two categories – residents of formal colonies who own private property and slum dwellers who occupy public land, and puts the rights of the former above the rights of the latter.¹⁰ The court noted that the Right to Life of the people living in residential colonies, which are older than the slums, was violated by the presence of slums in the vicinity. This departure in the judiciary’s stance on slums, along with public discourse that fixated on their illegality, rendered this section of society powerless. In February 2000, the Supreme Court likened providing an encroacher on public land with a free alternative site to rewarding a pick-pocket.

The Okhla Factory Owner’s Association v/s Government of National Capital Territory of Delhi (2002) judgement was the basis for the removal of more than 150,000 people from the slums in Yamuna Pushta on grounds that the slums dwellers were polluting the river and were environmentally hazardous. A report by the Hazards Centre claims that the slum only contributed 0.33 per cent of Delhi’s pollution to the Yamuna.¹¹ These evictions coincided with the construction of the Commonwealth Games Village on the bank of the river. Akshardham temple, Delhi Metro headquarters and Delhi Secretariat are also on the flood-plain. The judiciary upheld the rights of “citizens who paid for land” over those who “have scant respect for the law and squat on public land.”¹² When purchasing power becomes the basis for determining rights over urban spaces, the poor are left incapacitated.

In the initial days of planned development, the focus of slum policy was to ensure that measures to address the issue minimised the loss of livelihood and security for slum dwellers, but current policy is more in line with the creation of a ‘slum free city’.

Any structure in Delhi is considered unauthorised if it is not under the Delhi Master Plan. The basis for eviction of a number of slums is that they are unauthorised settlements. However, affluent

¹⁰ Ghertner, D. A (2008). **Analysis of New Legal Discourse behind Delhi’s Slum Demolitions.** *Economic & Political Weekly*. vol. 43, no. 20 (May 17), pp. 57–66

¹¹ **Pollution, Pushta, and Prejudices** (2004). *Hazards Centre*. Retrieved from <http://www.hazardscentre.org/shelter.thlm>

¹² *Ibid.* footnote 10

residential colonies like Sainik Farms, Mahendru Enclave and Anant Ram Dairy, which have also been recognised as unauthorised colonies, continue to thrive.¹³

While slum dwellers are viewed as encroachers who illegally occupy public land, car parking in affluent colonies on public land that the owners have no legal claim to is not viewed the same way. Assuming that the land costs Rs 100,000 per square metre (an estimate that is well below the average cost of land in such areas), and that a car on average occupies 8 square metres, if we charge a rate of 1 per cent per month per square metre, then the cost of parking one car would be Rs 8,000 per month, or Rs 96,000 per annum. However this illegal appropriation of public land by the elite seldom sparks a debate.

These examples have been quoted to bring out the polarity in the implementation of law and policy for different economic strata of society: slum dwellers are treated as second class citizens. Nuisance litigation has labelled them as parasites. The vital role that they play in the economy, propelling the unaccounted services sector, has largely been ignored. In 1999-2000 informal sector accounted for 81 per cent of employment in Delhi, up from 76 per cent in 1993-94.¹⁴

¹³ **Mathur Committee Report** (2006). *Ministry of Urban Development, Government of India*

¹⁴ Jegathaseen, Velusamy. **Employment Trend in Informal Sector: A Case Study of Slum Relocation Colony in Delhi**

4. METHODOLOGY

With the objective of assessing the quality of life in rehabilitated slums, we visited six sites – three resettlement colonies: Bawana, Madanpur Khadar, Holambi Kalan, and three upgraded slum sites: Prayog Vihar, Ekta Vihar and Madrasi Basti. 30 households were surveyed at each site. We examined five aspects of rehabilitating slums:

- Physical infrastructure such as shelter, sanitation, water and transport
- Legal right to ownership and security of tenure
- Social aspects such as health, education and community ties
- Economic opportunities
- Gender specific issues

The households we surveyed in resettlement colonies were relocated between 2003 and 2005, one of the largest waves of relocation in Delhi. The time period was chosen to allow enough time for the state to provide public amenities in these areas, as well as to allow the people to settle into their new homes. The resettlement colonies chosen are spread across the city to ensure a diverse and representative sample. Madanpur Khadar is in south-east Delhi, Bawana and Holambi Kalan are in north-west Delhi. Bawana is a semi-urban industrial area and Holambi Kalan is an urban village. The households were chosen through random sampling based on allotment lists accessed from the DUSIB website.

In-situ up-gradation has only been completed at three sites in Delhi – all of them were upgraded in the late 80s and early 90s. Prayog Vihar is in West Delhi (Janakpuri); Ekta Vihar (R.K. Puram) and Madrasi Basti are in South Delhi. Madrasi Basti, which is in Moti Bagh, falls in an NDMC area while Ekta Vihar and Prayog Vihar fall in MCD areas. For these sites, stratified random sampling was used by choosing a fixed number of households in each lane of the colony randomly. This ensured that the sample was representative and included respondents from each social community, since members of the same community tended to live in the same lane.

The samples drawn from resettlement colonies and upgraded sites are not strictly comparable since up-gradation was carried out more than a decade before relocation. However, since our analysis is qualitative and focuses on the provision of public utilities, we expect six years to be adequate for the government to make these services available in resettlement colonies.

All monetary variables recorded through our primary research have been adjusted for inflation using the Consumer Price Index for Industrial Workers (CPIIW) for Delhi. Certain variables like income may have been under-reported so we chose to focus on absolute increase or decrease rather than averages, which could be misleading.

5. RESULTS

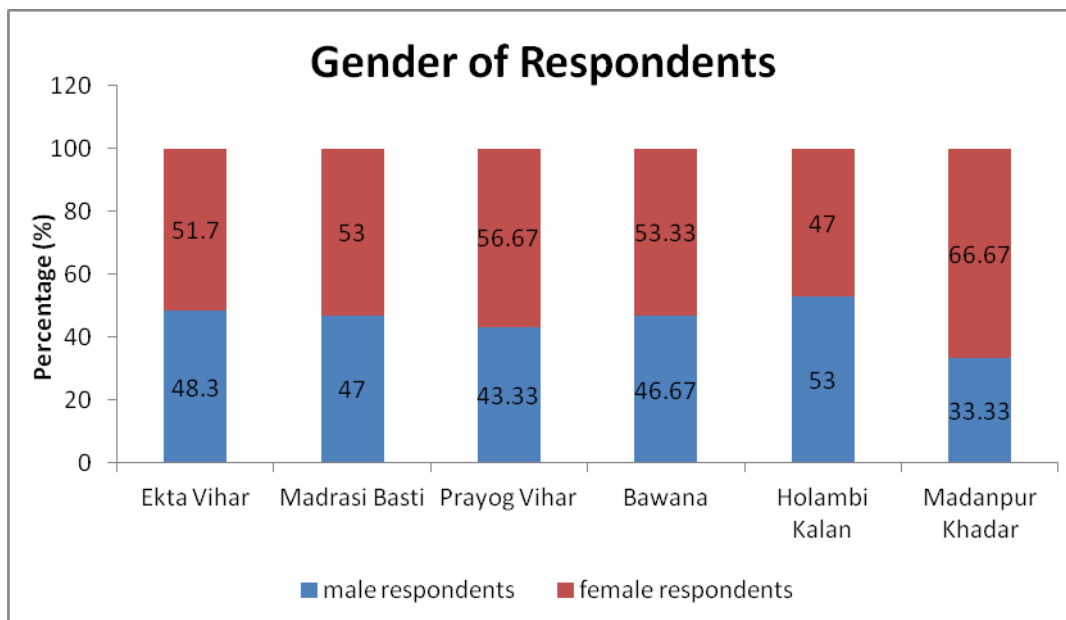
At the outset, we expected upgraded sites to have better access to basic facilities since they were rehabilitated over a decade before the households in our sample were relocated, and also because the surrounding areas are well-developed. We also surmised that the residents in upgraded sites would have access to more employment opportunities. We expected some amount of social tension in relocation sites, since different slums were relocated at different times, often in a very disjointed manner, i.e. the applicants from a single slum were not always allotted plots in the same block. However, we also expected the residents to feel more secure in relocation sites since their houses were legal and would not be demolished like their slums were.

5.1. COMMUNITY PROFILE

In-Situ Up-gradation

Ekta Vihar

Ekta Vihar is a notified slum with 414 households in R.K. Puram, Sector 6, very close to the main road. The residents of Ekta Vihar are mostly *dhol waalas* from Alwar, Rajasthan. Access roads are well-maintained and most of the respondents reported that the street lights are functional. Sanitation and safety are the two most pressing concerns for the residents. However, since the colony is located in one of the most well-connected parts of South Delhi, it has benefitted from the development of the surrounding areas, through access to private healthcare services, education, etc.



Madrasi Basti

Located in Moti Bagh, the colony is adjacent to a school, a primary health care centre and a park. The street lights are functional, the colony is clean and there are provision stores in almost every

lane. However, the nearest PDS store is in Netaji Nagar – 20 minutes by auto. The colony is primarily inhabited by people from Salem, Tamil Nadu; in fact most of them are related to each other. Most of the residents were very satisfied with the living conditions and the women were more outspoken and participative in the interviews compared to the other sites we visited. Most of them are employed: their financial contribution towards the family may be one of the reasons for their confidence.

Prayog Vihar

Rehabilitated in 1991, this colony is located in Hari Nagar in Janakpuri. All the dwellings are pucca houses, often extending to two or more floors. They are organised in clusters of four or seven. The colony is on the main road and is well-connected by buses. Street lights are far and few and not all of them work. Most of our respondents were employed in the nearby residential areas or in Mayapuri Industrial area and walked to work. About 46.67 per cent of the respondents here were from Uttar Pradesh. Some residents reported that their houses were sealed by the DDA in 1994 and they lived on rent nearby until the problem was resolved.

Distance (in minutes, by foot)	Ekta Vihar	Madrasi Basti	Prayog Vihar	Bawana	Holambi Kalan	Madanpur Khadar	Upgraded Sites	Relocation Sites
Main Road	0	5	0	0	30	20	1.67	16.67
Primary Healthcare Centre/Government Hospital	20	0	5	30	45	45	8.33	40
Police Station	10	10	15	5	45	0	11.67	16.67
Fair Price Shop	10	50	20	10	0	15	26.67	8.33
Government School	10	0	30	15	0	0	13.33	5

Relocation

Bawana

The resettlement colony at Bawana was commissioned in 2002-03. Most of the residents were resettled Yamuna Pushta. Others were relocated from smaller slum sites in south Delhi like Dhaura Kuan and R.K. Puram. Most of our respondents originally lived in Bihar. Bawana is on the outskirts of Delhi, about 32 kilometres from Rajghat, from where many of our respondents were relocated. It is well-connected to the main city by Delhi Transport Corporation (DTC) buses. The nearest government hospital is in Puth Khurd, which is about 5 kilometres away. Combined with poor access roads and no alternative means of transport, this makes the treatment of emergency cases nearly impossible.

Holambi Kalan

Holambi Kalan was originally a *Jat* village, and is about 30 kilometres from the city centre. The first wave of relocations commenced 12 years ago. Buses are far and few, and auto-rickshaws are not easy to find. For most buses, the residents are required to go to Metro Vihar, which is about 20

minutes away. Many of the residents commute via local trains from the Holambi Kalan railway station, a half hour walk from the colony. Most of the roads are closed or blocked and unfit for vehicle movement. There are hardly any street lights. None of the women in our sample were employed. Most of our respondents were from Uttar Pradesh.

Madanpur Khadar

Located near Sarita Vihar, Madanpur Khadar is a semi-urban village in south-east Delhi. Usually people take a minibus to go to the nearest bus stop, which takes about 15 minutes. Women, in particular, were very dissatisfied with the living conditions due to safety issues. Many residents reported that the incidence of crime was quite high. Other grievances of the residents include frequent power cuts and the lack of street lights. All the residents have electricity metres, which the government provided in 2004. The DDA and BSES Rajdhani Limited each spent Rs.5.5 crore on the electrification of the colony. 80 per cent of our respondents were from Bihar and Uttar Pradesh.

When the households were first relocated, the sites had very few basic services – the schools, health care centres and toilets were built much later. According to some of our respondents, during the first few months after they were relocated, there was no electricity, no water and no drainage at the sites. Many of them had to wait for up to three months to be allotted a plot at the relocation site.

Table 5.1.2 - Respondent Profile

Variables	Ekta Vihar	Madrasi Basti	Prayog Vihar	Bawana	Holambi Kalan	Madanpur Khadar	Upgraded Sites	Relocation Sites
% female respondents	51.7	53	56.67	53.33	47	66.67	53.79	55.67
% In Delhi for >20 years	84	97	93	64.28	80	65.52	91.33	69.93
Average Age	33	37	37	34	33	35.1	35.67	34.03

5.2. PHYSICAL INFRASTRUCTURE

In the upgraded sites, most of the households were constructed on a single plot, except for a few instances in Madrasi Basti where different members of the same household had been allotted adjacent plots, which they used to build larger houses and rent out some of the rooms. Only 6.67 per cent of the households surveyed used kerosene for cooking. In Ekta Vihar and Prayog Vihar, all households had legal electricity connections. In Madrasi Basti, all the households obtained electricity through illegal wire-tapping and claimed the complicity of local political powers. Water logging was a major problem in Ekta Vihar and in some parts of Prayog Vihar. There were two toilets and one bathroom for every six houses in Madrasi Basti. In Prayog Vihar, clusters of four houses shared one toilet and one bathroom and clusters of seven houses shared two toilets and one bathroom. Ekta Vihar had public toilets for which the women had to pay Re 1 per use and men had to pay Rs 2. Sanitation was better in Madrasi Basti and Prayog Vihar since the residents themselves were

responsible for the upkeep of the toilets. Water was supplied in Ekta Vihar through government taps located in each lane of the colony. Each day these taps provided nine hours of *khara* (brackish) water and two hours of potable water. Prayog Vihar and Madrasi Basti were the only colonies where sewer lines were provided. In Prayog Vihar taps were provided outside each house while in Madrasi Basti, the taps were provided inside the houses. There were no water metres in Prayog Vihar. Water supply was fairly adequate in these colonies.

Table 5.2.1 - Physical Infrastructure								
Variables	Ekta Vihar	Madrasi Basti	Prayog Vihar	Bawana	Holambi Kalan	Madanpur Khadar	Upgraded Sites	Relocation Sites
Average no. of rooms	2.04	1.5	1.6	1.3	1.63	1.76	1.71	1.56
Members per room	3.44	4.35	3.86	4.78	4.82	3.71	3.88	4.44
% legal gas usage	69	66	77	17	50	48	70.67	38.33
% hh with pucca houses	100	97	100	90	97	93	99	93.33
% hh that reported water-logging	90	19	43	67	87	83	50.67	79

% hh: percentage of households

Relocation sites are characteristically quite different from upgraded sites. Seven per cent of the houses in our sample were not pucca. Many of the households in these colonies reported that they did not use official gas cylinders. 47 per cent of our respondents in Bawana used kerosene, and only 16.67 per cent reported the use of legal gas, much lower than the figures for Madanpur Khadar and Holambi Kalan. Drainage was a problem in all three colonies. Most of the drains were blocked leading to unhygienic living conditions. 80 per cent of households reported water logging due to poor solid waste management. In Holambi Kalan, the gradient of the drains was such that the sludge water would backflow into houses during the rains. All the households at these sites had legal electricity connections. The public toilets were in an appalling state. In Holambi Kalan there were 23 toilets, but only 11 were still usable, two of which were closed. There were 16 seats and three bathrooms in each toilet. The toilets were rarely, if ever, cleaned and so many residents used the fields instead. In Bawana, government water is available for four hours every day through one public tap per 60 houses. Many residents have installed motors to draw water. Others took water (and in many cases purchased water for Rs.100 a month) from neighbours who had boring arrangements. In Holambi Kalan and Madanpur Khadar, although water lines were laid by the government, there was

no supply. Residents installed hand pumps and bought potable water if they could afford it. Tankers supplied potable water too but it was far from adequate, often leading to violence.

5.3. SOCIAL ASPECTS

On average, the respondents in upgraded sites had 5.97 years of education and one-third of them had more than 10 years of education. The corresponding figures for relocation colonies were 4.42 years and 22.22 per cent respectively. Almost all respondents in the six sites sent their children to school and we found no evidence of gender discrimination in education. Most of the children studied in government schools, except Madrasi Basti where the residents preferred Delhi Tamil Education Association (DTEA) School.

45 per cent of the households reported illness in their family in the past four months. In Ekta Vihar 33 per cent of such illnesses were caused by water borne diseases or infections. This is indicative of poor sanitation in the colony. Hospitalisation and medical expenses can cause a major financial setback. 97 per cent of the respondents in Madrasi Basti said that they use public health facilities. In contrast, many respondents in Prayog Vihar preferred over the counter medicines because they couldn't afford to buy the medicines government doctors prescribed. The proportion of households that accessed government health facilities was much lower for relocation sites, possibly due to the unavailability of public healthcare services in the vicinity. The residents generally went to local quacks for minor ailments and only went to government hospitals for serious diseases.

Variables	Ekta Vihar	Madrasi Basti	Prayog Vihar	Bawana	Holambi Kalan	Madanpur Khadar	Upgraded Sites	Relocation Sites
Average years of Education	6	7	6	4	5	5.03	6.33	4.68
% hh with education > 10 yrs	20	47	30	13	27	27	32	22
% children going to school in 3-18 yr group	100	100	96	91.3	100	100	98.66	97
% reported recent illness	44.83	43	46.66	41.40	50	53.33	45	48
% using govt health centres	96.55	86	78	50	66	41.38	86.85	35.96

A feeling of security and a sense of belonging in the community is crucial for well being, and has been regarded as an important capability and a resource for mental health.¹⁵ Familiarity with neighbours was high in Madrasi Basti and Prayog Vihar as they belonged to the same community. In Madrasi Basti, the residents formed a cooperative society, with each member household

¹⁵ Robeyns, Ingrid (2003). Sen's Capability Approach and Gender Inequality: Selecting Relevant Capabilities

contributing a fixed sum ranging from Rs 30 to Rs 300 each month. Through this society, they purchased construction material for building houses after up-gradation. In Prayog Vihar, the households registered for plots in groups of four, which ensured that community ties were maintained. In Ekta Vihar, up-gradation led to mixing of households from different communities, making certain social groups feel isolated.

At relocation sites, community ties were weak and the lack of safety was a serious deterrent for any social interaction among the families. Many respondents reported the incidence of illegal activities like the sale of liquor and drugs in the evenings. Respondents from Madanpur Khadar reported that thefts were common but the level of safety had improved after the setting up of a police station in the colony. We came across several instances of communal tension between Hindus and Muslims in Bawana, reflecting that uprooting a household from its social context and placing it in an alien environment affects its perception of safety and its place in the community. This is in stark contrast to Madrasi Basti and Prayog Vihar where a majority of the residents felt safe in the colony.

5.4. ECONOMIC ASPECTS

The average mean monthly income for respondents in upgraded sites was 28.38 per cent higher than that of respondents in relocation sites, even though the latter worked longer hours.

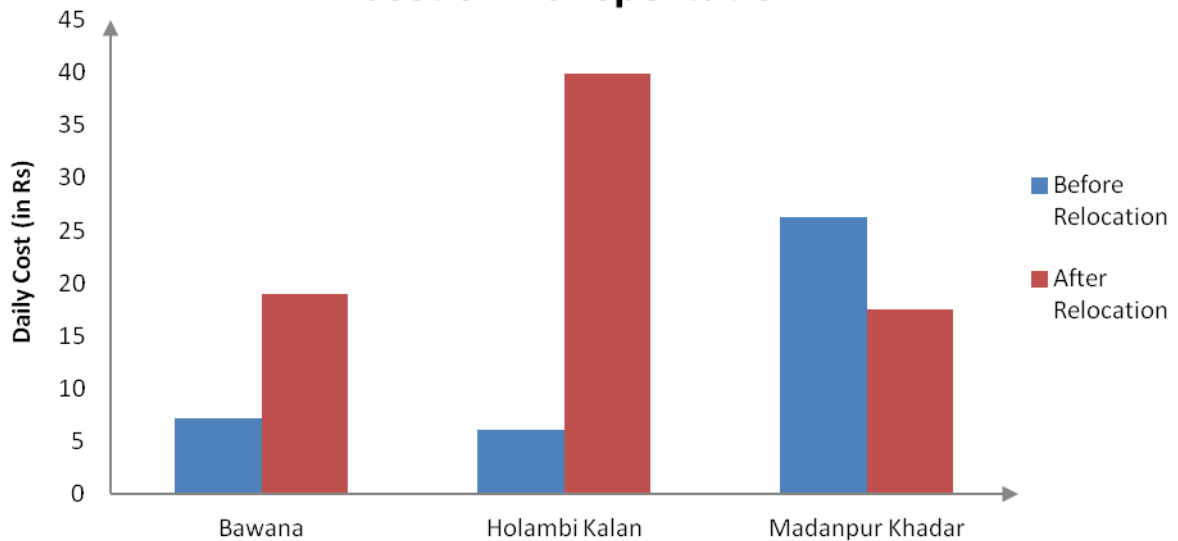
Table 5.4.1 - Economic Aspects

Variables	Ekta Vihar	Madrasi Basti	Prayog Vihar	Bawana	Holambi Kalan	Madanpur Khadar	Upgraded Sites	Relocation Sites
Median Income (in Rs)	4000	7000	3017.5	4000	4750	5000	4672.5	4583.3
Mean Income (in Rs)	6428.57	8956.897	3746.5	4097.3	8405	5162.9	6377	4967
Work hours per day	8.67	10	8	10	8.58	9.8	8.89	9.46
Earning members per household	1.67	2	2	1.17	1.6	1.33	1.89	1.37

In Ekta Vihar about 30 per cent of the respondents worked as *dhol waalas*, while most of the women did not work; this may be due to social customs. A few women worked as domestic helps in the nearby residential colonies. In Prayog Vihar a third of the respondents were employed either as factory workers or drivers. 20 per cent of the female respondents worked as domestic helps. In Madrasi Basti, our respondents were employed in many diverse occupations, from scrap dealers to government employees.

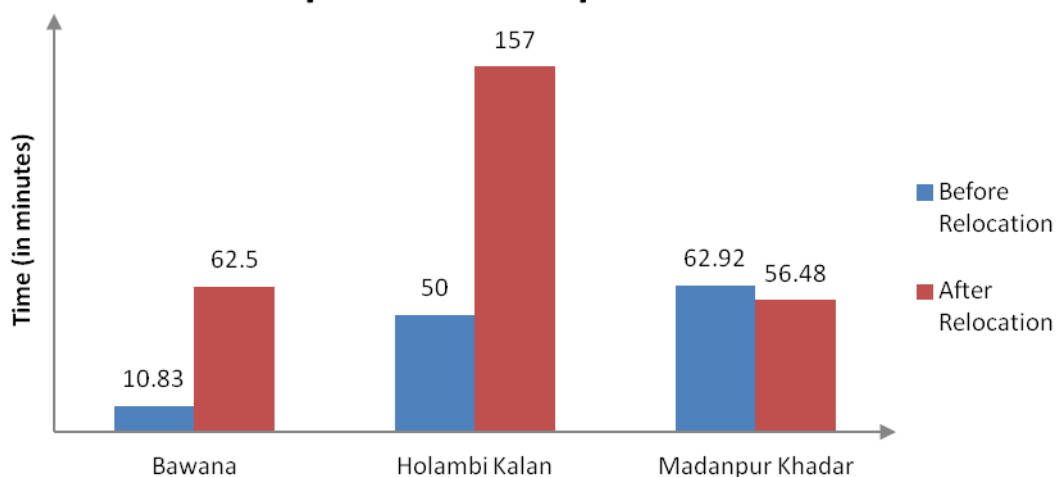
The number of earning members per household was lower for relocation sites. After relocation, 41.53 per cent of the respondents were forced to find employment in sectors other than the ones they were originally employed in. Many of them were skilled labourers and had higher incomes earlier. Relocation led to the casualisation of labour.

Cost of Transportation



Those who managed to retain their jobs after relocation had to commute up to five hours daily to reach their place of work. In Bawana, most of the respondents were unable to find gainful employment for up to a year after being relocated, and 60 per cent of them reported a decrease in income. The same was true for Holambi Kalan, where most respondents worked as casual labour, factory workers and painters. The percentage of respondents who reported a fall in income after relocation in Holambi Kalan and Madanpur Khadar were 75 per cent and 90.5 per cent respectively. There was no change in employment status for most women, although some of them had to change jobs or quit due to the increased travel time and cost. We were told that the only work that is in the vicinity of such colonies is manual labour, while in areas like Yamuna Pushta and Nizammudin it was possible for them to be employed more profitably in nearby government offices.

Time spent on Transportation



In Madanpur Khadar we observed an absolute decline in time and money spent on commuting to work. Time spent on commuting increased for Bawana and Holambi Kalan, with an increase of over 200 per cent for Holambi Kalan. Half of the respondents in Bawana and 67 per cent of the

respondents in Holambi Kalan reported an increase in transportation cost, which in turn raised their cost of living after relocation.

5.5. LEGAL ASPECTS

Plots of 12.5 square metres were allotted for a lease period of 20 years in upgraded sites for minimal or no payment. In Prayog Vihar, most respondents received the plot for free, on the basis of a ration card. They also received loans between Rs 500 and Rs 1500 for constructing houses. In Ekta Vihar, Rs 135 was charged to process the application for the plot and a loan of Rs 5,000 was offered. In both cases, after a few years, the balance loan amount was waived. In Madrasi Basti, allotments were made on the basis of ration cards or V.P. Singh tokens. The slum dwellers were offered loans up to Rs 10,000 from a cooperative bank for constructing houses, but many of them did not avail of it. Their allotment papers were held as collateral by the bank until the loan was fully repaid. The residents were unsure about the laws regarding the inheritance or sale of their plots.

In relocation colonies, the plots were allotted for Rs 7,000 each on the basis of ration cards. Voter ID cards were used to substantiate the claim. 18 square metre plots were allotted to those who had a V.P. Singh token. Others received 12 square metre plots. The plots were allotted for a period of 10 years on license basis. These plots are for residence of the owner and her family only. They cannot be rented, sold, or transferred in any manner. Illegal buyers often face harassment and are unable to avail of PDS.

As soon as the government formally notified slum dwellers in Yamuna Pushta that their colony would be demolished, 30 households registered for plots. These households were relocated to Madanpur Khadar, and reported no violence when they were shifted. These households also reported that they received, on an average, one month's notice before eviction. The others did not register at first, hoping that they would not be relocated. They were allotted plots in Holambi Kalan and Bawana, and some of them reported forcible evictions. Households in Holambi Kalan claimed to have received only nine days notice before eviction while those in Bawana reported zero to two days' notice.

No loan was made available for the construction of houses in any of the colonies, and we saw many empty plots and kutcha/semi-pucca structures. There were also cases of people living on rent since they were unable to gather the resources to construct a house.

5.6. GENDER SPECIFIC ASPECTS

Across all the sites, most of the respondents reported that they sent their daughters to school. Ekta Vihar had the highest number of respondents who said that the property was registered in the name of a woman. Asset holding by women is likely to have a positive impact on their position in the household. However, only 58.6 per cent women in this colony reported feeling safe going out after dark as liquor and drug abuse is prevalent. The corresponding figures were much higher for Prayog Vihar and Madrasi Basti: 94.4 per cent and 96 per cent respectively.

In relocation sites, fewer women reported plots registered in their name. The proportion of women who felt safe moving out at night even within the colony was lower compared to upgraded sites. They felt socially secluded because the colony was far away from the city centre and they could no longer visit their friends and family. Many of our female respondents recounted how they felt free to go out in the evening alone or with their friends at their earlier place of residence – a freedom they

no longer enjoy. They cannot venture out without a male family member, which curtails their autonomy.

Table 5.6- Gender Specific Aspects

Variables	Ekta Vihar	Madrasi Basti	Prayog Vihar	Bawana	Holambi Kalan	Madanpur Khadar	Upgraded Sites	Relocation Sites
% hh where girls go to school	100	96	94.7	100	91	90.91	94	97
% of houses in the name of the female head of the family	90.3	70.83	37.04	22.73	34.48	7.14	66.39	21.45
% of women who felt safe moving about after dark	58.62	96	94.4	24.14	7	20.69	83.14	17.27

Sulabh toilets are inaccessible at night. Furthermore, they are so dirty that some of our female respondents reported that they use the fields. Often, women face violence when they go out to relieve themselves, particularly at night. The problem is even more acute for adolescent girls. This is a violation of their dignity and privacy. In Bawana, many families have built a toilet within the limited 12 square metres of area so that the women can access them at night. However, in Madanpur Khadar, only 23 per cent of the houses had a toilet, and over 50 per cent of the women had no access to sanitary facilities at night.

Upgraded households fared better on almost all the variables we measured. The expected gain from security of tenure at relocated sites was offset by the high incidence of crime, loose social ties, and the lack of clarity about their ownership status.

6. POLICY IMPLICATIONS

The material and social costs of relocation for slum dwellers and the government are huge. For slum dwellers, it leads to financial strains such as shifting costs, loss of livelihood, depletion of savings due to loss of income and increased travel and health costs, and social costs such as the loss of security and social ties. The demolition of slums leads to the destruction of the investments made by the slum dwellers in building houses and improving their living conditions, which could discourage them from investing in housing at the resettlement colonies. Before relocation, slum dwellers had better access to public utilities like health care centres and schools due to the nature of the surrounding areas. The government has to invest huge sums to procure land for relocation and build basic amenities and social infrastructure which is, more often than not, grossly inadequate for the residents. The economic benefits to the government from relocation are the value of the land evacuated, and the revenue flows and employment generation from the development projects undertaken on such land. Hence, relocation is financially viable only if the evacuated land is used to generate considerable revenues for the government.¹⁶

A study by Dupont¹⁷ found that in a sample of 56 sites where the JJ clusters were demolished over three years prior to the study, 26 sites remained vacant. Policy documents state that JJ clusters should only be relocated when the land is required for development projects that will serve the larger public interest. That the land is vacant (for over a decade since the demolition, in some cases) may be the result of the landowning agencies' failure to develop it, or it may simply be a case of policy violation. Relocation to the outskirts of the city is a form of social segregation. Due to absence of adequate economic opportunity, the incidence of crime is very high, with too many people fighting for too few resources. It is essential that relocation sites be as close to the original sites as possible.

Our primary research indicated that 27 per cent of the respondents came to Delhi 10-20 years ago, while 70 per cent came to Delhi more than 20 years ago. None of the respondents claimed that they had lived in Delhi for many generations. According to the Lucas model¹⁸ people migrate to urban areas not only because of the expected wage differential across urban and rural areas, but also to acquire 'human capital' so that they, or their subsequent generations can be gainfully employed in the urban formal sector. Thus, cities do not remain stratified by skill differences and the migrant population is assimilated.

Relocation in recent times has placed the slum population at the peripheries of the city with little or no state support. The sites visited were, on an average, 40 minutes away from a government hospital. In Madanpur Khadar, we came across a few instances of children who left well-known private schools (where they had been admitted under the Right to Education Act on concessional basis) due to the sharp increase in the time and cost of commuting. The casualisation of the labour

¹⁶ Ibid. footnote 10

¹⁷ Dupont, V. (2008). **Slum Demolitions in Delhi since the Nineties: In whose interest?**. *Economic and Political Weekly*. vol. 43, No 28 (12 July), pp. 79-87

¹⁸ Lucas, R. E. Jr. (2004). **Life Earnings and Rural-Urban Migration**. *Journal of Political Economy*. vol. 112(1), pt.2, pp. S29-59

force was prominent, reflecting serious impediments to the acquisition of human capital, and hence the growth of formal economy in urban areas.

Peruvian economist Hernando de Soto argues that the poor carry out unreported, unrecorded economic activity without legal ownership of property: 'dead capital', which makes expansion of such businesses difficult. Not only are they unable to use legal recourse but the government, too, loses revenue since it can't tax them. This results in an elite minority enjoying the benefits of growth. He advocates the integration of real estate assets that are not titled into the legal market to enable dwellers to obtain credit.

Mike Davis argues that such individual land titling will incorporate wealthy squatters into the formal economy, leaving poorer squatters who can't afford such incorporation worse off.¹⁹ Empirical assessments of formalisation of property through documentation in sub-Saharan Africa showed that land users often lost property through illegal sale of title documents, distress sales or foreclosures.²⁰

While the direct application of de Soto's ideas of ownership and titling of land in the Indian context is unlikely to solve the problem, it is important to address the larger concern of building inclusive cities. While in-situ up-gradation addresses the problems that arise under relocation, it is not always feasible. Public-Private Partnerships for low cost housing could be explored. The model met partial success in Mumbai, where many building laws were amended to allow private developers to construct sky-scrapers to house the poor. The challenges with such a scheme are the creation of adequate incentives for private developers to participate, and ensuring that it is not just the relatively wealthy squatters who benefit from such policies. The reservation prices for slum dwellers will be well below the market price, and the unavailability of credit is an additional financial constraint. High prices for such accommodation will cause the poor to move to a new slum. An annuity payment scheme under which the households repay the cost of provision of the dwelling over a period of time could minimise the instances of resale.

Biometric identification systems or databases of slum dwellers should be maintained to prevent fraud and ensure that those who lose their ration cards in fires or floods (as was the case for some households we visited in Yamuna Pushta) are not left out.

At all the sites we visited, relocation was followed by provision of basic. It needs to be ensured that infrastructure is already in place before the slums are relocated. For provision of toilets, the Madras Basti/ Prayog Vihar model, under which a group of four to seven households share the public resource, can be employed. It minimises maintenance costs and ensures that the toilets are in fact kept clean through peer monitoring. Similar mechanisms can be explored for other basic amenities. Infrastructure provision programmes funded by international agencies often insist on beneficiary participation as a means to check corruption in the state machinery.

Preservation of community ties is essential for successful rehabilitation of slums. We came across many cases where the respondents argued that they had been relocated to a neighbourhood they did not relate to. A significant difference between upgraded and relocated sites was the willingness of the community to try to improve living conditions together, as was the case in Madras Basti.

¹⁹ Davis, M. (2004). **Planet of Slums**. *New Left Review* 26. pp. 5–34

²⁰ Okoth-Ogendo, H.W.O. (2006). **Formalising "Informal" Property Systems**

Social isolation and the lack of security rule out the possibility of community initiative in relocation colonies. The social organisation within a slum should be maintained by allowing the residents to choose their neighbours as was the case in Prayog Vihar, where the slum dwellers registered for plots in groups of five or six and were allotted adjacent plots.

Before commencing any rehabilitation work, the government authorities must give the slum dwellers adequate notice. Many of them don't fully understand whether they own the land or not. Many others don't receive plots because they were at work or out of town when the registration for allotment began. Since a significant part of the slum population is illiterate, and many of them are unsure about the credibility of such information, it is important that they be formally informed of the date of demolition, means of transport to the new location, the facilities that will be made available to them, the terms under which the allotment will be made and the dates for registration of plots.

7. CONCLUSION

A policy framework that criminalises the urban poor makes them even more vulnerable to harassment by the police, their employers and landowning agencies. While we acknowledge that the development of slums on public land is a cost to the government and the society, ignoring the contribution of slum dwellers towards the economy leads to a lopsided policy approach, and conveniently overlooks the government's failure to provide adequate low cost housing.

There is a need to reconsider the current relocation policy, not only because it is detrimental to the welfare of the people being relocated (which is an important end in itself), but also because it may have macro consequences for the city.

The basis for eviction of slums should be clearly spelt out in the policy documents. Allowing complete discretion to the government to choose the areas for eviction leads to much misappropriation of land. Transparency and consistency in the application of policy is essential, not just to address the problem of slums, but for the sake of planned development. Development projects must begin within a specified period of time after the slum is demolished to prevent unnecessary relocation and to ensure the economic viability of such schemes.

Laws must be implemented uniformly, in letter and in spirit, for all citizens. The right to life of each citizen is equally important, and giving precedence to the urban elite over the slum dwellers cannot be justified.

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