Becoming a Slum: From Municipal Colony to Illegal Settlement in Liberalization-Era Mumbai

LISA BJÖRKMAN

Abstract

This article argues that the transformation of a Mumbai neighborhood from municipal housing colony into illegal slum has been facilitated by the politically mediated deterioration and criminalization of its water infrastructure in the context of liberalization-era policy shifts. These policy shifts hinge upon a conceptual binary that posits the unplanned, illegal and informal 'slum' as the self-evident conceptual counterpoint to a planned, formal, 'world-class' city. The story of Shivajinagar-Bainganwadi problematizes this assumption by evidencing the deeply political and highly unstable nature of this binary — and thus insists upon an account of the shifting political and economic stakes imbued in these categories. The case of Shivajinagar-Bainganwadi reveals that the neighborhood's emergence as an illegal slum has been mediated by the liberalization-era politics that have come to infuse the neighborhood's water pipes — dynamics that have produced the illegality/informality of the neighborhood as a discursive effect.

Introduction: 'the wrong ward to study'

When the engineers of Mumbai's water department talk about the city's water problems, reference is almost invariably made to the city's slums, where over half of the city's estimated 12 million people are said to reside. More specifically, mention is often made of a neighborhood known as Shivajinagar-Bainganwadi in Mumbai's M-East ward, which the city's water engineers often describe as the embodiment of the challenges they face in supplying water to the city. 'M-East ward is not representative of our work in Mumbai', one senior engineer named Sharma explained to me. 'The problem', he continued, 'is Shivajinagar. It's a slum area, an illegal area; it's not in the development plan — it's not planned! Legal structures are only those for which a plan has been submitted. But they've occupied illegally; they just keep on constructing illegally and then they steal water with illegal water connections'. I had, Sharma insisted, picked 'the wrong ward to study' (interview, 2009).[1] The hydrologically challenged neighborhood of Shivajinagar-Bainganwadi in M-East ward is thus described as a counterpoint to the legal, planned spaces of the city, spaces said to reflect the rational designs of planners and experts rather than the haphazard, hazy legalities of the slum.

Sharma's identification of Mumbai's slums as the cause and embodiment of the city's water problems reflects a newly emergent and highly mobile discursive trend, a trend not confined to India but prevalent across the international aid and development community

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1   This article is based on 18 months of ethnographic research in Mumbai. All interviews were transcribed and translated by the author.

globally. Recent years have witnessed unprecedented attention (and donor funding) directed towards fixing slums and the problems they are held to embody: overcrowding, poverty, lack of sanitation or clean water and the various illnesses that thrive in such conditions. The oft-cited United Nations (2003) report *Challenge of the Slums* predicts that, in the coming years, the vast majority of the world's population growth will take place in the global South's cities, where it will be absorbed by — and have its water needs met in — the varied terrain of habitation, employment, legality and sociality of the urban 'slum'. Development industry experts have converged on a theory that posits slums as the product of population growth that outstrips cities' abilities to plan for city dwellers' housing and infrastructural needs. The United Nations (2009: 13) *Report on Human Settlements* proclaims that 'The failure of governments to do this in the past . . . has resulted in close to 1 billion slum dwellers worldwide'. Planning, the report asserts, 'will have to play a significant role in providing alternatives to the formation of new slums, given the anticipated doubling of the urban population over the next generation' (*ibid*.). The notion that slums arise from lack of planning, and must therefore be prevented and upgraded using planning-related tools, has become a veritable battle-cry as lending institutions, consultant experts, politicians, activists and businesspeople from across the political spectrum seek to facilitate, ameliorate and/or profit from the trials and transformations of the global South's burgeoning cities.

In the wake of the liberalizing reforms of the 1990s, Mumbai in its role as India's financial and cultural capital has received a significant proportion of such attention. A recent report by global consultancy McKinsey predicts that, by 2030, India's largest cities will generate 70% of the country's new jobs and account for nearly three-quarters of its gross domestic product; Mumbai's GDP alone is expected to exceed that of Thailand and Hong Kong combined by 2030 (Goyal, 2010). Yet in terms of providing the infrastructure to accommodate and facilitate this population and economic growth, Indian cities such as Mumbai score dismally. Business interests in the city have been particularly troubled by this mismatch between the potential for growth and the available infrastructure to accommodate it, and in 2003 concerned Mumbai business coalition Bombay First privately commissioned McKinsey to produce a report entitled *Vision Mumbai: Transforming Mumbai into a World-Class City* (McKinsey & Company, 2003). The study — which was promptly embraced by the state government of Maharashtra — proposed a two-pronged strategy for Mumbai's transformation into a 'world-class city': infrastructural upgrading (to plan for the future) and slum redevelopment (to fix the spatial and infrastructural problems that have arisen from past failures to plan). The report's discussion of the city's water problems reflects this dual strategy, emphasizing the need for augmented supply, prevention of contamination and reduction of 'leakages', while recommending the planned redevelopment of the city 'block by block' with the installation of 'correct infrastructure'. Indeed, up to 60% of the land said to be occupied by 'slums' is described as needing to be cleared for commercial development, with residents to be 'rehabilitated' in peripheral areas of the city (*ibid*.). Since the state government's approval of the *Vision Mumbai* report — which has become the roadmap for a US \$60 billion project dubbed 'Mumbai Makeover' — displacement and rehousing have become regular occurrences in Mumbai, with slums periodically bulldozed to make way for office blocks and mega-infrastructure projects. Displaced families who can prove that they and their houses meet a 1995 'cutoff date' for eligibility find themselves rehoused in densely packed clusters of tenement-style apartment blocks that are sprouting up in the marshlands on the city's periphery; those unable to meet the criteria find themselves homeless. In partnership with the international development community, the city's promoters are thus engaged in a fully fledged effort to plan, bulldoze and build their way to a 'world-class' slum-free Mumbai.

The set of theoretical oppositions upon which the so-called 'Mumbai Makeover' project hinges — planned versus unplanned; legal versus illegal; world class versus slum — is, however, perhaps not as sound as it seems. Indeed, the policy framework that would fix the city's infrastructural woes by supplanting slums with planned housing

Figure 1 Gridded layout of Shivajinagar-Bainganwadi (*source*: © 2013 Google Earth © 2013 DigitalGlobe)

blocks hinges upon an under-theorized notion of the 'slum' (as the counterpoint to a planned formal city) always as an already existing place — one that is plagued by infrastructural problems (unavailability of water, for instance) due to the slum's status as unplanned or informal/illegal. This article seeks to probe this crucial assumption through a case study of water access in the slum neighborhood of Shivajinagar-Bainganwadi. The notion that the water problems of this hydrologically dystopic neighborhood stem from its slummy, unplanned and illegal character is complicated by historical reality: the neighborhood was planned. Indeed, a cursory glance at satellite imagery reveals the grid pattern of Shivajinagar-Bainganwadi, which was laid out in the 1970s as a municipal housing colony (see Figure 1). The neighborhood thus complicates conventional dichotomizations of urban terrain — as planned and unplanned, non-slum and slum, formal and informal — and presents a puzzle: why is this municipal housing colony considered a slum? And how did the municipal water supply to a government colony become illegal? Focusing attention on the political hydrology of Shivajinagar-Bainganwadi, the article demonstrates that the neighborhood's transformation from planned municipal colony to illegal slum was facilitated by the politically mediated deterioration and criminalization of its water infrastructure in the context of liberalization-era policy shifts — shifts that I argue have produced Shivajinagar-Bainganwadi's 'informality/illegality' as a discursive effect. Shivajiangar-Bainganwadi's water problems, I will demonstrate, do not stem from the neighborhood's ontologically prior status as a slum; rather, I suggest, the neighborhood's re-imagining as a slum has been mediated by the liberalization-era politics that have come to infuse the neighborhood's water pipes.

Beyond 'splintering urbanism' (and its critics)

The crisis-scenario projections of the United Nations' (2003) *Challenge of the Slums* are disturbing and perplexing: cities like Mumbai are leading the global South on a march to

modernity, while the postcolonial world's impoverished masses flock to increasingly squalid urban slums where they die needlessly from antiquated-sounding water-related diseases like cholera. In other words, the proliferation of urban slums is disconcerting because it reveals the cracks in modernity's discourse of progress — a discourse whereby capitalist development is supposed to be accompanied by improved standards of living, the spread of democratic values and the legal enshrining of citizenship rights. Social scientists have thus rushed to meet the intellectual 'challenge of the slums' by theorizing this breakdown — the fragmenting and fracturing of the project of modernity — that is evidenced by the proliferating form of the urban slum.

Attempts to theorize the dramatic shifts taking place in cities of the global South tend to pursue two broad lines of inquiry. A first set of ideas emerges from within the 'global cities' framework, which posits that the technological, societal and economic transformations comprising 'globalization' have produced a spatially articulated set of urban forms and fragmentations in outwardly oriented cities worldwide, whose infrastructures and built spaces are more responsive and attuned to the needs of global capital and business than those of resident citizenry (Sassen, 1991; 2002; Graham and Marvin, 2002; Nair, 2005). The imperatives of the new economy — led by the extraordinarily profitable financial-services and information-technology industries — it is argued, have thus undermined the legitimacy and integrity of an older industrial-city ideal, both as a planning model and an empirical reality. Recent years have witnessed the emergence in globalizing cities, Sassen (2000: 84) writes, of 'a critical mass of firms with extremely high profit making capabilities [that] bid up the prices of commercial space, industrial services and other business needs, and thereby make survival for firms with moderate profit making capabilities increasingly precarious'. These shifts become inscribed in the fabric of the city itself, as Gandy (2004: 369) explains: 'Processes of industrial restructuring, mass rural–urban migration in the developing world, and the gathering impetus of economic globalization since the early 1970s' have destroyed the ideological basis of what Graham and Marvin (2002: 91) have called a 'modern infrastructural ideal' by straining the ability of public utilities to serve their citizenry, and then accounting for these shortcomings with neoliberal explanations that point to the inherent inefficiency of government-run enterprises. The political economy of globalization, it is thus argued, has unbundled the co-determining relationship between citizens and the city. Infrastructure in the global city provides connectivity among spaces that are relevant to the new economy — the IT parks, gated communities, airports and call centers — while cutting off urban forms that globalization has rendered economically obsolete: the defunct factories, working-class housing, and the hazy world of urban informality and illegality commonly known as the slum.

The global city framework has been critiqued by scholars — particularly postcolonial theorists — who note that cities like Mumbai cannot be described as 'splintering' (*ibid.*) since they never approximated any modern planning ideal in the first place. Moreover, to characterize a city like Mumbai as simply an incidence of 'incomplete modernity' incorrectly assumes the territorially coherent industrial–capitalist city as some sort of empty category or inevitable stage in development through which all cities must pass. Contemporary infrastructural and spatial disjunctures are better explained, it is argued, by looking at how various patterns of rule and relations of governance with roots in a colonial past continue to inform contemporary patterns of citizenship. This effort can be characterized as a 'de-centering' project — an attempt to uncover and complicate the 'Northern' lens of analysis employed by global city theorists. Postcolonial theorizations have thus described how colonial administrative divisions of populations into 'citizens' and 'subjects' have contemporary manifestations in the ways that postcolonial societies have been governed since independence (Mamdani, 1996; Chatterjee, 2006). In the Indian city of Calcutta, Chatterjee (2006: 36) details how 'population groups' constituting the urban poor are not treated on a par with 'proper' (*ibid.*: 67) citizens, whose claims to infrastructure and urban amenities are made in a language of democratic citizenship rights. Chatterjee suggests that because the lives and livelihoods of the urban poor hinge upon

'illegal' (*ibid*.: 40) occupations of land and 'informal' (*ibid*.: 63) commercial and productive activities, the preservation of a formal legal structure has precluded the extension of formal rights to the slum-dwelling poor, who negotiate for substantive goods and entitlements from the state through 'political' rather than 'civil' society (*ibid*.: 38). The planning ideal of the industrial city is thus revealed as a value-laden formulation, whose claims to moral and empirical superiority hinge upon a Eurocentric conception of the 'good' that is centered on the rights-bearing individual and his relation to a sovereign state — a conception that more often than not, it is suggested, functions as a platform for the consolidation of state power and imperial domination.

Understandings of 'infrastructure' that consider only large-scale state-directed technical and engineering feats — pipes, concrete, wires and bulldozers — are thus criticized by postcolonial theorists as both limited and misleading. Rather, infrastructure might be understood to comprise the multitude of practices and elements that facilitate access to what Simone (2008: 407–8) calls 'spaces of economic and cultural operation' and that function as 'a platform providing for and reproducing life in the city'. Formal state-led efforts to extend or upgrade service provision are said to undermine already existing informal arrangements, disrupting socially and culturally embedded frameworks of access and belonging. So rather than interpreting the slum as a sign of modernity's failure to fulfill its promises, scholars have proposed the disorderly form of slum not as dystopic, but as a possible alternative to the totalizing politics of planned state-led modernity. The informalities of the slum, it is suggested, might be understood as forms of urban sociality and economy borne of traditional communitarian modes of life and livelihood with roots in non-Western cultural and social forms. In the words of architect Rem Koolhaus (cited in Gandy, 2005: 41), soaring above the slums of Lagos in a helicopter: 'From the air, the apparently burning garbage heap turned out to be, in fact, a village'. In other words, these alternative forms of habitation and conviviality should not be read as spaces of oppression, but as urban instantiations of modes of life rooted in indigenous cultural practice — what Koolhaus (*ibid*.) calls 'ingenious, alternative systems' of 'very elaborate organizational networks' — native to the global South; it may simply be the case that the apparent disorder of Lagos or Mumbai is simply what urban modernity looks like in the non-Western postcolonial world.

Postmodern theorizations have thus destabilized a narrative that depicts the forces of globalization as unbundling the relationships between the economies and infrastructures of 'global cities', and the territorially based citizenries and hinterlands to which they physically and juridically belong. Yet at the same time, these formulations tend to leave undisturbed a theoretical juxtaposition of the 'formal' (legal) city with other 'informal' networks of sociality that are said to characterize lives and livelihoods in the 'unplanned' spaces of the city. Indeed, Chatterjee's (2006) formulation hinges on the reification of this formal–informal binary: the urban poor are said to produce their lives and livelihoods through negotiations that take place not in civil society — the elite domain of 'popular sovereignty and granting of equal rights to citizens' (*ibid*.: 37) from which 'most of the world' is excluded — but rather through various 'paralegal arrangements' of political society that 'deliver civic services and welfare benefits to population groups whose very habitation or livelihood lies on the other side of legality' (*ibid*.: 56). This formulation thus takes 'illegal' as a point of departure for theorizing infrastructural and political configurations. The case of Shivajinagar-Bainganwadi — a neighborhood with legal and planned origins that has become a slum with illegal water infrastructure — probes these taken-for-granted categories, focusing analytical attention not only onto infrastructural and political variations across urban space, but also across historical time in a particular space.

Of plans and slums

Notwithstanding Shivajinagar-Bainganwadi's reputation as (in the words of our engineer) 'a slum area, an illegal area', formally speaking the neighborhood is

neither a slum nor are its residents living there illegally. Accounting for Shivajinagar-Bainganwadi's reputation thus necessitates a brief exploration of the conceptual and legal history of Mumbai slums. Notably, there is nothing in any legal definition of 'slum' that associates this category of settlement in contemporary Mumbai either with informality, planning or lack thereof. Another legal category — 'encroachment' (relating to unauthorized occupation of land or violation of zoning laws) — comes closer to this notion. But as is commonly known in Mumbai, many five-star hotels and luxury housing complexes in the city are technically encroachments, and no one confuses these structures with slums. Slums, it seems, are something else — something not to be conflated with informality, illegality or lack of planning. Legally speaking, the 1971 Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act (hereafter the Slum Act) allows to be 'declared' a slum 'any area [that] is or may be a source of danger to the health, safety or convenience of the public of that area or of its neighborhood, by reason of the area having inadequate or no basic amenities, or being insanitary, squalid, overcrowded or otherwise' (Government of Maharashtra, 1971). Yet despite the formal definition, the word 'slum' is commonly used in contemporary Mumbai somewhat interchangeably with terms like 'encroachment' and 'illegal area'.

While plans and slums are legally unrelated in a formal sense, the history of planning in Mumbai is intimately related to that of slums — or more specifically with slum clearance. The completion in 1967 of the city's first Development Plan brought into being a set of macro-level planning tools (land-use zoning and development rules) to be used in controlling population densities. While the new zoning regulations permitted light industry (e.g. textile mills) largely to remain in the Island City district, newly implemented density regulations meant that the industrial labor force would have to be moved. The municipality carried out resettlement efforts with little success in the years following the release of the 1967 Development Plan. For the most part, the ensuing decade saw little in the way of large-scale demolition, with most attempts to relocate working-class populations to the suburbs defeated by the inhabitants' persistence, perseverance and political savvy; after any demolition, people simply rebuilt their homes, while overwhelmed and outnumbered municipal officials were often inclined and politically pressured to accept cash in exchange for turning a blind eye. In addition, the 1966 Maharashtra Land Revenue Code (Government of Maharashtra, 1966) established the means by which plan-violating 'encroachments' could be legalized through a process termed 'regularization'.[2] Finally, with the passing of the 1971 Slum Act, criteria were specified according to which a neighborhood could be 'declared' a slum and thus become eligible for various 'improvement' schemes. The declaration of a neighborhood as a 'slum', it must be noted, did not function to adjudicate 'legal' from 'illegal' land uses, but rather to facilitate the provision of services — water, roads, sewerage, etc. — to under-serviced neighborhoods. The years following the release of the 1967 Development Plan are thus remembered somewhat fondly by present-day Mumbai's housing activists and historians as a time when

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2   According to section 51 of the Maharashtra Land Revenue Code, 'If the person making the encroachment so desires, [the collector may] charge the said person a sum not exceeding five times the value of the land so encroached upon and to fix an assessment not exceeding five times the ordinary annual land revenue thereon and to grant the land to the encroacher on such terms and conditions as the collector may impose subject to rules made in this behalf, and then to cause the said land to be entered in land records in the name of the said person'. Probably on account of both the financial outlay involved in regularization, and the fact that regularization was less known (buried as it is in the Land Revenue Code), it remained a less utilized policy tool than slum declaration. During my research I encountered widespread misunderstanding – both among city officials and residents – about the meanings of these two legal terms as well as the differences between them.

incrementally built popular neighborhoods were treated as something of a housing solution, with official efforts focused primarily on upgrading and service provision, facilitated by political processes of negotiation, compromise and stealth.

Emergency: The birth of Shivajinagar-Bainganwadi

When Indira Gandhi famously suspended the Indian Constitution by declaring a national state of emergency in 1975, the Government of Maharashtra and what was then called the Bombay Municipal Corporation — both controlled by Mrs Gandhi's Indian National Congress Party — launched a two-pronged effort to modernize the city and render it more governable. On the one hand the newly constituted Maharashtra Housing and Area Development Authority (MHADA) carried out the mammoth task of surveying and enumerating 1,680 neighborhoods deemed by authorities to violate the zoning or density norms laid down in the 1967 Development Plan and Control Rules. Meanwhile, on 4 January 1976, residents of those areas (an estimated 2.8 million people — 47% of Mumbai's population at the time) were photographed in front of their homes and issued 'photopass' documents that associated particular families with particular structures; photopass-holding families were thus afforded 'some kind of security of tenure' (Government of Maharashtra, 1976) as well as a guarantee of compensation in the event of demolition. And indeed, concurrent with the survey and issuing of photopasses, the city's emergency-empowered municipal authorities — in a move considered by contemporary observers to have been largely opportunistic — unleashed a series of 'extremely brutal' demolition sprees in areas that stood in the way of infrastructural development and upgrading projects: roads, bridges, a tidier downtown, a fancier financial district (Mahadevia and Narayanan, 1999). It was these emergency-era demolitions that resulted in the creation of the enormous municipal housing colony of Shivajinagar-Bainganwadi on the swampy edge of the Deonar dumping ground in 1976.

My inquiry into the historical geography of Shivajinagar-Bainganwadi was inspired by a curious disjuncture between the neighborhood's reputation (as a largely illegal, haphazardly constructed, unplanned area) and its physical form (a grid of roughly equally spaced and sized plots of land — a layout clearly suggesting the hand of state planners). While municipal officials readily conceded that, yes, the area was a 'planned' municipal colony, any visual representation or written report on the planning of the neighborhood has proven elusive. By way of explanation, an engineer in the municipal corporation's survey department suggested to me that perhaps Shivajinagar-Bainganwadi 'didn't happen according to any plan; it just filled in, slowly slowly, over time' (interview, 2009). I responded that, yes, he must be right, it must have filled in, slowly slowly, over time, but certainly that could not have been the plan! Shrugging apologetically he suggested that, in those days, not such good plans were made for resettlement colonies; there may not have been a plan. I pleaded that there must have been one, because the neighborhood is clearly so well planned — after all it's a grid. Someone must have drawn it out on paper first, at least so that the water department could put in all the pipes. A laborer standing nearby, clearly familiar with the neighborhood in question, nodded his agreement with my assessment: 'yes', he said, 'there must be a plan, it was clearly planned'. This sentiment was echoed by a senior engineer from the water department who remembered the planning and laying of the municipal pipelines for Shivajinagar-Bainganwadi in the late 1970s. After I had recounted my hunt for the plan, the engineer firmly responded that: 'The maintenance department has it — they must have it! But they won't give it to you, you have to understand. They want to say now that "it was like that from the beginning". If you have the plan, you can fix the date when it came up; they don't want you to be able to do that' (interview, 2009). The engineer's insistence that the planned history of Shivajinagar-Bainganwadi has been deliberately obscured is compelling, less for its plausibility than for the insight that the planned

history of Shivajinagar-Bainganwadi is inconveniently at odds with the way that the neighborhood is now popularly and legally treated: as an illegal slum.[3]

Notwithstanding present-day understandings of Shivajinagar-Bainganwadi as a slum, the emergency-era resettlement policy through which the colony was established articulates quite a different idea. A slim pamphlet published by the Government of Maharashtra shortly after the 1976 photopass survey clarifies that, should tracts of land be needed urgently 'for some other public purpose', the state government would relocate photopass-holding families to 'some other places where they will be provided with playgrounds and other amenities *in order to ensure that a new slum is not created*' (Government of Maharashtra, 1976: 12–13, emphasis added). And indeed, Shivajinagar-Bainganwadi — far from being a slum — was born with significant infrastructural investments. The area was laid out in two phases — Shivajinagar 1 and Shivajinagar 2 (now known as Shivajiangar and Bainganwadi) — with 14 roads and at least 94 blocks (or plots), each with 8 lanes (or *chawls*). *Chawls* were designed to be allotted to 16 families (8 on either side of the lane), each with a toilet block and four shared water taps (or standpipes) — two at either end of the toilet block. The municipal corporation provided the land, water lines and toilets, but homes were to be built by each family itself, 'as per their means', as one NGO put it (interview, 2008): either *pucca* — out of concrete and brick — or *katcha* — out of cloth and bamboo poles and whatever materials were readily available.[4] The municipal corporation declined to formally lease the land to allotment recipients; instead, residents of each 10 x 15 foot space pay a small amount monthly to the corporation as 'compensation' for occupying the land (originally 25 rupees, these days 100 rupees).[5]

While the neighborhood was settled in waves over three decades, a significant portion of Shivajinagar was settled during the emergency era. Among the first arrivals were the lower-caste Maharashtrian residents of a long-established neighborhood in the downtown area of Churchgate, adjacent to Mantralaya (the Government of Maharashtra's administrative headquarters), where many of them worked. Additionally, a large number of families came from neighborhoods that were demolished in a series of urban development and infrastructure projects, including several in the gentrified areas on the western seafront, and in the city's present-day financial district of Nariman Point. The second phase of Shivajinagar — now known as Bainganwadi ('eggplant field'), an echo of the vegetable plots displaced to make way for the neighborhood — was similarly settled during the late 1970s through a process of demolition, resettlement and migration. For example, the shifting of the city's slaughterhouse from the western suburb of Bandra into M-East ward (as zoned in the 1967 Development Plan) brought with it a large contingent of the slaughterhouse's butchers, who were given allotments in 'Bandra Plot' on eastern side of Bainganwadi; similarly, when a municipal bus depot was constructed at the southeast corner of Bainganwadi, the municipal employees staffing the depot were given housing allotments in the nearby 'BEST Plot'.[6]

For the families concerned, the path from eviction to resettlement was rarely straightforward, with demolitions setting off a domino effect of relocation and reshuffling as displaced people figured out how and where to live. Indeed, a great number of the

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3 I am fairly confident that the absence of any original plan for Shivajinagar-Bainganwadi – if indeed one ever existed – was not a manufactured absence for my benefit. On reflection, the best explanation I can offer for the apparent nonexistence of the plan is that Shivajinagar-Bainganwadi was built during the emergency era; any plan for the resettlement colony would thus not have needed approval from the municipal corporation's standing committee of elected councillors, which may explain why it has escaped the otherwise meticulous filing systems of the corporation's record keepers.

4 The Hindi word *pucca* translates as 'cooked' while *katcha* translates as 'raw'.

5 Compensation charges are paid to the municipal corporation as payment for the supposed provision of civic amenities.

6 BEST stands for Bombay Electric Supply and Transport Company – a public service operated by the municipal corporation.

families who were allotted plots in Shivajinagar-Bainganwadi never actually settled in their neighborhoods. Their reasons were relatively straightforward: first, many of the displaced families had longstanding social and business networks elsewhere in the city to which they simply returned; second, living next to the city's dumping ground was (unsurprisingly) not a pleasant experience. Accounts of the neighborhood's early days are vivid: the smell from the dump was horrific, and the neighborhood was nothing more than a swampy jungle full of garbage where mosquitoes swarmed. Not surprisingly, many of those who did come left relatively quickly, selling, renting or simply abandoning their plots of land and going to live with relatives in more salubrious parts of the city, or returning to areas of the city where they had lived for generations, where they had access to jobs, relatives, schools and hospitals. Finally, despite the presence of legal water pipes, getting water to come out of the taps soon proved to be something of a challenge.

The neighborhood's earliest settlers — in the southernmost plots closest to the feeder main — report that once upon a time (in the late 1970s) there was water in the pipes. In the early years, each plot's four standpipes were fully pressurized for up to six hours every morning. But this abundance was fleeting; the duration of supply became shorter, and within a few years many standpipes — particularly those further away from the feeder main on the highway — started to go dry. By the early 1980s, residents report, many of the municipally supplied standpipes had been completely abandoned. As a woman named Usha recalled, 'that's when we started running around with pots to find water' (interview, 2009). As women balancing vessels on their heads roamed Shivajinagar-Bainganwadi's lanes, their sons, husbands and brothers ventured beyond the neighborhood. Waking at dawn to hang large plastic cans off sturdy bicycle frames, they set off sleepily into the vast industrial landscape, competing for road space with fertilizer trucks and oil tankers while keeping an eye out for water.

The drying up of the housing colony's pipes in the 1980s can be attributed to at least three factors: firstly, according to the water supply planners, Shivajinagar-Bainganwadi posed challenges from the outset. After the municipal corporation approved the 1967 Development Plan, the water department drew up its own master plan for water supply — a 20-year plan that used the Development Plan's projected population estimates to calculate present and future spatially distributed water demand. Based on these predictions, water supply planners drew up plans for augmentation of aggregate storage and collection capacity, and for a network of service reservoirs across the city, from which local areas would be supplied. With the 'emergency' planning in 1976 of Shivajinagar-Bainganwadi, however, the water department scrambled to ration its supplies (the area that would become Shivajinagar-Bainganwadi was not actually zoned for residential use in the 1967 Development Plan), laying additional lines from the service reservoir that had just been constructed to provide water to the slaughterhouse and other industries zoned in the 1967 Development Plan for M-ward. The running dry of the pipes in the 1980s thus resulted not from any lack of planning, but from the heavy-handed efforts to implement the Development Plan itself — efforts that, somewhat ironically, disregarded in the industrially zoned plot where Shivajinagar-Bainganwadi was created the very plan it had served up to justify neighborhood clearances in the city center. It would not be until the commissioning of an additional local reservoir in 1984 that the water department would be able to provide sufficient supply for the colony. By then, however, another factor had already intervened.

While Shivajinagar-Bainganwadi residents took to their bikes in quest of water and wandered the neighborhood burdened by cans and buckets, rural–urban migrants plus displaced families from other parts of the city had by the late 1970s begun to settle in the vast marshy terrain beyond the gridded area. While large-scale abandonment of allotted plots meant that there was of course plenty of available space in the 'planned' areas of Shivajinagar-Bainganwadi, there was little incentive for people to move there — there was little water, no housing and, because the plots were registered in the names of allotted families, no more security from eviction than there would be in an unplanned neighborhood. One of the area's earliest and most populous settlements is Kamla Raman

Nagar, situated on the swampy area to the southeast of the Bainganwadi plots, which was settled in the late 1970s (before most Bainganwadi plots were allocated). A quick survey reveals the appeal of this neighborhood, conveniently located close to the main road and bus stop; until the early 1990s there was a large freshwater pond here, providing a free and convenient source of water for bathing and washing clothes. And Kamla Raman Nagar had another, less visible, advantage: the neighborhood lies between two large water mains, one along the highway just to the south of Kamla Raman Nagar (supplying a number of fertilizer manufacturers in the area) and another along the main road at the south edge of Shivajinagar-Bainganwadi (where the distribution mains for Bainganwadi are laid).

While Kamla Raman Nagar had clear advantages over Bainganwadi, it had the disadvantage of being unauthorized; despite the proximity to large water mains (the whereabouts of which were never much of a secret), there were no municipal water connections. Neighborhood leaders thus arranged for a handful of municipal water connections from the pipes feeding Shivajinagar-Bainganwadi in order to provide water to the growing numbers of residents. A neighborhood leader recalled: 'I led a protest march and we went to the ward office. The engineer backed down and agreed to give us seven connections . . . Once we had a few then it was easy to arrange for more' (interview, 2009). Needless to say, all of the water that was going to Kamla Raman Nagar was not going to Bainganwadi. Thirsty Shivajinagar-Bainganwadi residents sought to turn the tables in their losing water battle (they were downstream on the water main from Kamla Raman Nagar) by installing handpumps on their connections, which were experiencing decreasing pressures and shortening hours of supply; connections without handpumps simply went dry. Soon, in a tit-for-tat escalation of the water pressure wars, everyone began to install increasingly powerful motors on their failing pipes, attempting to suck, with ever-increasing strength, a little more of the water their way. Since water taps in Shivajinagar-Bainganwadi produced water at lower and lower pressures for a shorter and shorter time, a steadily decreasing number of families could fill their vessels from a single tap. This inspired some residents in the still-wet southernmost plots to approach the ward office of the water department to apply for individual water taps. The steadily increasing number of individual connections may have provided short periods of relief, but the proliferation of taps ultimately exacerbated the problem by further reducing the already-low water pressure.

Throughout the 1980s, neighborhoods like Kamla Raman Nagar appeared all along the northern and eastern edges of Shivajinagar-Bainganwadi, through a variety of processes and arrangements indicative of the lively politics of housing possibility and infrastructural provisioning during those years.[7] By the late 1980s, for instance, in line with the improvement-oriented conception of 'slum' that prevailed in the pre-liberalization years, the water department laid a new water main to Kamla Raman Nagar directly from the feeder main on the highway, thereby providing a municipal water supply while relieving demand on the distribution mains in Shivajinagar-Bainganwadi.[8] Indeed, while Shivajinagar-Bainganwadi and the surrounding areas presented significant

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7 Mumbai was not unique in this respect; Benjamin (2007: 550) lists 15 separate ways that land has been claimed in Bangalore.
8 While neighborhood leaders recall insistently that Kamla Raman Nagar was officially declared a slum in the early 1980s, municipal and state-level officials have not been able to provide records of officially declared slums. Officials from the office of the district collector express doubt that Kamla Raman Nagar is officially declared a slum. Since Kamla Raman Nagar is located on government land (given on long-term lease to the municipal corporation), one official reasoned, there was simply 'no objection' to infrastructure provisioning in the area. Slum 'declaration', he explained, has been used as a policy tool primarily for facilitating government intervention into infrastructurally deprived neighborhoods on private land, where landowners might have objected; it was simply not necessary, he insisted, to use the policy tool of 'declaration' in order to move the municipal authorities to make infrastructural investments on government land. Whether or not Kamla Raman Nagar was formally

challenges for the water department, these challenges were treated as hydraulic rather than legal problems in the pre-liberalization years.

Liberalization: slum redevelopment and the birth of the 'illegal' water connection

In 1988, India's national government formulated a new national housing policy, which aimed to meet the country's rising shelter needs through dramatically expanded involvement of the private sector, financial markets and NGOs. India's era of economic liberalization officially dawned a few years later, in 1991, when the newly elected Congress administration in Delhi famously announced India's new national economic policy, a set of liberalizing reforms designed by finance minister Manmohan Singh. First articulated in Maharashtra by its Congress government's chief minister Sharad Pawar, 'slum redevelopment' was placed at the center of a broader plan to transform Mumbai into India's financial capital and global service center. Pawar's plans for the city involved dramatic changes in land-use zoning to facilitate the anticipated shifts in the city's economy: any remaining industries were to be moved outside the city, with the cleared areas earmarked for service-sector infrastructure and commercial real estate development. Slums, meanwhile, were to be either removed to the urban periphery or redeveloped vertically (to open up land for commercial development) under the newly announced Slum Redevelopment Scheme (SRD). This approach to slums thus presented a sharp contrast with that of the previous decades (although eerily reminiscent of the emergency-era demolitions that created Shivajinagar-Bainganwadi), that had centered on upgrading service provision through regularization and declaration.[9] These changes have severely constrained the water department's ability to carry out water supply planning activities, as evidenced by the case of Shivajinagar-Bainganwadi.

Indeed, the advent of slum redevelopment in 1991 sidelined policies based on the formal definition of 'slum' as an under-served neighborhood eligible for infrastructural upgrading. This presented an increasingly acute problem throughout the 1990s for the growing neighborhoods on the periphery of Shivajinagar-Bainganwadi which were not fitted with underground water mains. Until the early 1990s, residents of these far-flung neighborhoods regularly pooled their resources and applied for municipal water connections to be linked to the nearest pressurized main inside Shivajinagar-Bainganwadi. As populations grew, however, distribution mains in Shivajinagar-Bainganwadi dried up, and residents have been left with little choice but to get on their bikes and buy water by the can — which in 2011 cost anywhere from 3 rupees for 40 liters to 5 rupees for 40 liters, around 75 times the municipal rate. Every morning sees a mobilization of astounding dimensions in Shivajinagar-Bainganwadi and surrounding neighborhoods, with people often eschewing the long queues in their own neighborhoods to venture further and further afield looking for water. In order to provide water to the hordes of roaming cyclists, entrepreneurs in well-positioned (i.e. high-pressure) spots in Shivajinagar-Bainganwadi have arranged for many connections. As of 2012, even the best-placed connections cannot hope for water in the absence of strong suction pumps. Needless to say, these pumps are

'declared' a slum, any absence of formal 'declaration' clearly did not hinder Kamla Raman Nagar from becoming a recipient of slum-upgrading initiatives in the pre-liberalization (interview, 2012).

9 Authority to 'declare' slums remained with the district collector until the early 1990s, when the Government of Maharashtra passed legislation reassigning this responsibility to the state government's department of urban development. Accusing the collector's office of indulging vested interests, the Government of Maharashtra centralized slum declaration powers. The (perhaps unintended) consequence of this centralization move, however, was that every slum in Mumbai had to be registered by a single (already overburdened) office. Needless to say, slum declaration – while still a legally practicable policy – is largely a thing of the past.

illegal, effectively criminalizing the entire neighborhood (including the Shivajinagar police station, which has a pump on its own water connection).

Meanwhile, those whose connections have dried up have continued to receive regular water bills (meters are nowhere to be seen: while the newer ones are quickly stolen — and are thus infrequently installed — many of the older ones have sunk underground, beneath layers of paving and repaving, as the neighborhood struggles to keep from sinking into the marsh). When these people eventually go to the water department to inquire about getting a new connection, they are told that they must first pay thousands of rupees in outstanding water bills (for water they never received of course; in the absence of functioning meters, bills are simply drawn up according to estimates calculated according to supply norms) before such a request can be considered. These families then have a few options: some have pooled their resources and paid exorbitant fees to have connections 'transferred' further upstream on the distribution main, paying for the steel piping and fitting themselves, and then offsetting the costs by letting their neighbors use water on the connections for a fee. The transfer can happen in one of two ways: 'legally' or 'illegally'. The transfer can be done 'legally' by paying a fee to a broker who then arranges for the new connection to be officially documented and thus followed by regular (and legitimizing) bills. But the fickleness and unpredictability of the water supply (even if a transfer happens 'legally' there is no guarantee that the new connection will produce water, either now or in the future) are such that many families minimize their financial risk by opting for the cheaper 'illegal' transfer. The broker-negotiated payments are less, but the family does not receive documentation in the form of a regular bill; there is thus a risk that a connection transferred without documentation could be cut off in a municipal raid.

Indeed, about once per week, M-East ward water department staff engage in a ritual cutting of 'illegal' connections in Shivajinagar-Bainganwadi — a task that involves randomly selecting a pipe or responding to a (frequently politically motivated) 'complaint', following the pipe to its home, and then asking the homeowner to produce documentation of the pipe's authenticity: a water bill for the pipe in question (one that bears an address sufficiently in the vicinity of the particular pipe to be plausibly related to it) combined with identity documents (usually a photopass or ration card) bearing the same name and address. While the fate of 'illegally transferred' connections is generally bleak, in practice even most of the above-described 'legal' connections are vulnerable to being proclaimed 'illegal', since there is frequently insufficient correlation between the names on water bills and the identity documents of those living in the homes to which the bills are sent. This can be largely explained by a government circular — issued in March 1996 by the newly elected Shiv Sena-controlled Government of Maharashtra — according to which residents of 'unauthorized structures' that do not pre-date a 1995 cutoff date cannot be supplied with municipal water connections. In order to unpack the means by which cutoff-date politics infuse the landscape of water access in Shivajinagar-Bainganwadi, it is necessary to briefly review the shifts in slum and housing policy and ideology that have characterized liberalization-era Mumbai.

The cutoff date: mediating profit and populism

To incentivize private sector involvement in the new Slum Redevelopment Scheme (SRD), in March 1991 the Government of Maharashtra launched a new set of Development Control Rules that granted private sector developers of tenement-style slum redevelopment housing extra development rights (increasing the allowed 'floor space index' or FSI) as a kind of housing cross-subsidy. Compensating builders with development rights, it was reasoned, would make tenements available at little or no cost to the state government. When Shiv Sena won the Maharashtra state elections in 1995 on a promise to provide free houses to Mumbai's then-estimated four million slum dwellers,

the party's leadership was thus simply elaborating a pre-existing housing policy shift that had been advanced in conjunction with (and in the spirit of) the national-level liberalizing reforms. The 1991 SRD, however, had led to the construction of only a tiny fraction of the hoped-for number of tenements. While the SRD's widely discussed failure has been attributed to a number of factors, the incoming Shiv Sena administration focused its attention on two in particular: the profit cap of 25% that curtailed the incentive mechanism, and the 1985 cutoff date that excluded many neighborhoods from eligibility — and profitability.[10] When the Shiv Sena launched their new Slum Rehabilitation Scheme (SRS) in 1995, the removal of the profit ceiling allowed for potentially unlimited profitability in the business of demolishing and rebuilding slum neighborhoods, while changing the cutoff date to include all slums in existence as of 1 January 1995 dramatically increased the number of potentially eligible neighborhoods. The basic idea was to demolish and rebuild all of the city's slums as mid-rise tenements using market incentives.

Shiv Sena's rise to power in Mumbai must be understood in light of broader political dynamics characterizing liberalization-era India. Scholars of Indian politics have noted a curious paradox in India's political landscape: while political discourse continues to be articulated in a populist idiom, largely through local and regional caste identities (as it has since the 1960s),[11] the increased presence of lower-caste elected officials and government employees has, curiously, not led to the implementation of macro-level policies to further a pro-poor agenda, nor translated into significant concrete gains for socially and economically marginalized people. Indeed, while a populist discourse of 'social justice' infuses the language of contemporary Indian politics, scholars have noted that the implementation of liberalizing reforms in the early 1990s essentially removed macro-level economic issues from the political agenda altogether (Yadav, 1999). Historians such as Corbridge and Harriss (2000) have argued that this marrying of populist identity politics with economic liberalization formed the backdrop to the rise of India's Hindu nationalist BJP party in the 1980s and 1990s.[12] Indeed, scholars of the movement's rise have detailed how the BJP leadership consolidated a base of support among the middle and lower classes by mobilizing a unifying concept of Indian national identity based on Hindu-ness (or *Hindutva*), playing upon widespread anxieties produced by increasing political and social fragmentation while dodging the intractable conflicts over liberalization that had contributed to the electoral defeats of the previous administration (see Hansen, 1999: 5).

The city of Mumbai has a particularly interesting place in this story, as the epicenter of India's encounter with the global has been presided over by the exclusionary, ethno-nationalist, Shiv Sena party. Founded in 1966 as a 'sons-of-the-soil' movement, Shiv Sena's leaders decried the fact that the city, despite becoming Maharashtra's capital in the 1960s, continued to be economically and politically dominated by non-Maharashtrians, as it had been since the mid-nineteenth century. Shiv Sena leaders found enemies among the successive waves of migrants to the city: in the 1960s, incomers from southern India were held responsible for unemployment among Maharahstrian youth, a problem later blamed on the political left (and specifically textile trade unionists) during the 1980s. When Shiv Sena formed an alliance with the Hindu nationalist BJP in the 1980s, Muslims from northern India became the target, accused of harboring pro-Pakistan sympathies and posing a security threat. In the 1990s, Shiv Sena won control of both the Government of Maharashtra and the newly renamed city of Mumbai, riding to power on an ideology fusing chauvinistic populist celebration of the Marathi-speaking 'common man' with a flashy consumption-oriented ethic of urban 'actionism' (Hansen, 2001: 53) that

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10 For other explanations for the project's failure, see Singh and Das (1995).
11 For discussions of the rise of caste, class and regional politics in India, see Hasan (2000) and Jaffrelot (2000).
12 Corbridge and Harriss (2000) have described liberalization-era Hindu nationalism as an 'elite revolt' against the rising political and economic power of regional caste-based parties.

summoned disaffected young Marathi-speakers of the lower-middle class to reclaim India's premier city and increase their share in the spoils of capitalist urban modernity. The slum policy innovations of 1995 (the removal of the profit cap on slum redevelopment and the extension of the cutoff date to bring all existing slums under the ambit of redevelopment) permitted the state authorities to capitalize both on the populist political climate and the aspirational fantasies of the urban poor, promising free housing for the masses while also unlocking possibilities for property developers (whose campaign-financing role is an open secret in Mumbai)[13] to realize fabulous real estate surpluses. The SRS was thus greeted enthusiastically not just by builders, for whom it promised boundless profits, but also by the city's slum-dwelling masses, for whom new flats in high-rise buildings promised not only improved standards of living, but suggested a possibility that they too could capitalize on the city's real estate boom.

The somewhat contradictory marriage of private accumulation with populist justice that infuses contemporary Mumbai's policy approach to slums is mediated by the cutoff date, which functions both as the currency of inclusion in the fantasy of fortune that has captivated contemporary Mumbai, and as the medium through which the everyday violence and dispossessions (Harvey, 2003) characterizing actually existing 'world-class city-making' are legitimated. Indeed, in order to legitimize a policy that detractors were quick to note might encourage migration to the city, party leaders promised to prevent any new 'encroachments' by not only excluding post-1995 neighborhoods from the SRS, but by disallowing the provision of civic amenities to areas that did not meet the 1995 cutoff date. It was in this spirit that, in 1996, the Government of Maharashtra issued the already mentioned circular prohibiting water supply to 'illegal' (i.e. post-1995) structures; by refusing water connections, the Shiv Sena administration sought to stem the flow of migrants to the city — the rallying cry upon which the party's electoral success had hinged. The cutoff date, as the next section demonstrates, thus enables — through the mechanism of slum redevelopment — an enormously lucrative real estate industry, while simultaneously producing the very conditions that are served up to justify slum redevelopment interventions in the first place: illegality and dysfunctional infrastructure. The legal–illegal binary on which the legitimacy of world-class city-making is premised, I suggest, is produced through the everyday performances of enforcing the cutoff date.

Conflating 'slum' and 'encroachment': the vagaries of proof and becoming illegal

Beginning with the 1991 Slum Redevelopment Scheme (SRD), slum policy in Mumbai has become effectively synonymous with demolition, with eligibility for rehousing in high-rise tenement buildings enmeshed with the legality-mediating vagaries of the cutoff date and its attendant catalog of 'proofs': photopasses, ration cards and electoral lists. One effect of this shift has been the conceptual conflation of the previously distinct concepts of 'slum' and 'encroachment'.[14] As already noted, the legal categories of 'slum' and 'encroachment' are formally distinct in Mumbai — the former defined (rather hazily) by poor quality of housing or civic amenities, and the latter by lack of conformity to various land-use and zoning laws. According to earlier slum upgrading policies,

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13 Maharashtra's chief minister Prithviraj Chavan, who has made a point of refusing to meet real estate developers, has been sharply criticized by politicians as 'naïve and impractical', One exasperated Congress Party MP was overheard by a reporter from an English-language weekly complaining to his colleagues: 'Which builder will give you money during elections if his work is not done?' (Khetan, 2011).

14 This conflation of slum and encroachment has been noted by observers in other large Indian cities − notably in Delhi. See Ghertner (2008) and Ramanathan (2005; 2006).

identifying a neighborhood as a 'slum'[15] served as a way of identifying it as deprived of civic amenities, and therefore eligible for programs to redress this lack through civic infrastructure and upgrading schemes.

In order to be eligible for the Slum Rehabilitation Scheme (SRS), each household must provide 'proof' that it meets the 1995 cutoff date. The Slum Act, however, is unclear as to whether the eligibility requirements for rehousing in the event of demolition apply to families or structures — an ambiguity that in pre-liberalization years may have allowed for a measure of flexibility in the administration of slum policies, the subjects of which were whole neighborhoods rather than individual residences.[16] While the photopass is the clearest and most secure form of documentation, a great many households in Shivajinagar-Bainganwadi and the surrounding areas — including many whose homes pre-date the 1995 cutoff date — do not have photopasses. Some of the families included in the 1976 slum survey did not receive photopasses until decades later (if at all); since 1976 there have been only two (half-hearted and largely ineffectual) efforts to issue photopasses — once in 1985 and again in 1990. Without photopasses, families whose neighborhoods are earmarked for demolition under a redevelopment project have been compelled to produce other kinds of 'proof' that they meet the eligibility requirements of the cutoff date: first, they must prove residence in Mumbai since 1995 (evidenced by having one's name included in the 1995 electoral list); second, they must demonstrate that they are the current official residents of the structure in question (i.e. with ration cards, utility bills and birth certificates). Since the housing market in Mumbai's popular neighborhoods is extremely liquid, it is quite common for pre-1995 structures to have changed hands in the interim years. There has thus come into being an unofficial practice of having lawyers draw up sale documents supported by court affidavits.[17] Whether or not such documents — or any particular combination of those just described — are accepted as adequate 'proof' seems to be determined largely by politically mediated negotiations.

When the Government of Maharashtra issued the already mentioned circular in 1996 requiring that anyone applying for a water connection from the municipal corporation must provide proof of meeting the 1995 cutoff date, they sucked water-access issues deep into the heart of the city's most volatile, complex and high-stakes political vortex. Previously, the water department did not often concern itself with adjudicating between 'legal' and 'illegal' connections.[18] As one senior retired engineer explained to me, since the 1888 Municipal Corporation Act (section 92a) gives the municipal corporation the right to

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15 Both formally through 'declaration' or operationally through the activities of the Slum Improvement Board.

16 The Slum Act refers not to individual slum residences, but 'slum areas'. I am grateful to Simpreet Singh for this observation.

17 In an effort to clarify the eligibility requirements of the Slum Act, the Government of Maharashtra passed an amendment in 2002 stating that, in order to be eligible for compensation in the event of demolition, householders must prove that they have been in 'undisturbed occupation' of a slum house since before the cutoff date; householders who had engaged in any form of transfer were thus rendered ineligible for rehousing (Bhide, 2002). More recently, a January 2012 government resolution has sought to legalize transfers, allowing recently arrived owners of pre-1995 structures to become eligible for redevelopment schemes by paying a 'transfer fee' and then providing two kinds of proof. Firstly, the owner must prove that the structure has been in existence since before 1 January 1995. This proof could take the form, for example, of a property sale agreement shored up by a court affidavit, accompanied by the pre-1995 residency proofs of the former owners. Secondly, the new owner would need to provide proof of residency of the structure for at least one year. However, until section 33.10 (governing 'eligibility for redevelopment schemes') of the Development Control Rules is amended, the 2012 government resolution states that 'any transfer will be considered "conditionally eligible" '. At the time of writing, it is unclear when or whether the Development Control Rules will be amended to allow for transfers.

18 In those days, I am told, people desiring billed water connections could generally secure them without too much difficulty; the real struggle was convincing the taps to produce water.

sell piped water as 'moveable property', the water department is entitled to provide a water supply to whomever agrees to pay for it. Sometime in the 1960s, the engineer recalled, the water department decided that the 1888 Municipal Corporation Act gave the water department the right to sell water even to residents of unauthorized structures (encroachments). Reflecting this practice, Appendix E of the municipal corporation's pre-liberalization 'Water Charges Rules' includes conditions governing the supply of water through standpipes to unauthorized hutments and structures.[19] The conceptual shift in the meaning of 'slum' that has taken place over the past two decades — the conflation of 'slum' with lack of authorization or planning — is reflected in a barely noticed but important change in the municipal corporation's rules. Notably, the earlier versions of Appendix E made no mention of water supply to 'slums', presumably since — prior to 1991 — the whole business of declaring 'slums' was wrapped up with a host of national- and state-level initiatives defining the concept in the first place, largely in order to provide civic amenities to under-served urban areas (furthermore, as one retired senior engineer explained to me, since the 1888 Municipal Corporation Act did not recognize the category 'slum', there was no need — or grounds — for special rules governing water supply to them). In 1994, however, the heading of Appendix E was altered to read 'Conditions governing water supply to slum areas', with the old title — 'Conditions governing the supply of water through standpost connection to unauthorized hutments and structures' — now acting as a subheading. This new wording suggests that 'unauthorized hutment or structure' might simply be a clarification of the meaning of 'slum'. And indeed, this kind of understanding is reflected in the description of Shivajinagar-Bainganwadi articulated by the engineer cited earlier: 'a slum area, an illegal area; it's not in the development plan — it's not planned!'. I asked another senior water engineer — who had worked in the department at the time of the change to Appendix E in the early 1990s — to explain this curious linguistic shift. His reply: 'You are right; "slum" and "unauthorized structure" are not the same. The department has used these words without bothering to go into the details . . . I too never read my rule book so meticulously' (interview, 2009). Indeed, the discursive shift in the meaning of slum has been accomplished so completely that the distinction from 'unauthorized' structure is dismissed as 'details'.

Since both the gridded areas of Shivajinagar-Bainganwadi and most of the settlements that sprang up around it clearly pre-date any 1995 cutoff date, there should be no grounds for denying a legal water supply to the area, which in any case one would assume to have water connections already (and thus not need to apply for new connections). But the unpredictability of the water supply (for reasons already described) has given rise to an increasing demand for both additional connections and the already mentioned transfers of older dried-up connections to points upstream on the water mains. In applying for a new connection or for a connection transfer, however, applicants come up against the vagaries of the cutoff-date rule. This presents a problem for a vast number of Shivajinagar-Bainganwadi residents who are (as already discussed) often not the original allotted persons; most have either purchased the homes from someone claiming to be the rightful owner, or are renting from someone who may or may not be the registered owner.[20]

19 Appendix E is present from the first version of the 'Water Charges Rules' that came into effect in April 1981. While the earlier versions of Appendix E notably do have a stipulation requiring that 'unauthorized structures' must be shown to exist prior to 1974 to be provided with water, this did not prevent the water department from regularly providing water to newer areas — as in the case of Kamla Raman Nagar — under the provisions of the Slum Act. Indeed, the Slum Act provision for 'improvement works' such as the laying of water mains and provision of taps in under-served areas (i.e. slums) is not governed by any cutoff date.
20 That Shivajinagar and Bainganwadi homes are infrequently registered in the names of the occupants can be accounted for both by the difficulty in procuring identity documents and by the ambiguities residing in the cutoff date. Both of these challenges can be overcome, I am told, via broker-mediated and cash-lubricated (or 'paper weighted') negotiations with the municipal corporation's bureaucracy.

While for residents of Shivajinagar-Baingainwadi it is at least formally possible (if practically both expensive and extremely time-consuming) for newer homeowners (although not for renting tenants) to have their homes registered in their names, this is not the case for older (pre-1995) declared slums like Kamla Raman Nagar. The Slum Act does not recognize any sale or transfer of a structure among residents at all, meaning that even if a structure is 30 years old and its residents have lived in the city since independence (1947), the residents are often unable to acquire documentary proof of address.[21] Thus, even 'legal' broker-negotiated water connection transfers are often arranged using spurious documents. The water department's official list of connections thus might contain a relatively accurate picture of the locations of billed connections but, when a municipal raid occurs, if the name on the bill does not match the identity proof of a structure's resident (as is often the case), even these 'legal' connections are dubbed unauthorized and summarily cut.

Further complicating the situation, the homes and shops in the neighborhoods on the periphery of Shivajinagar-Bainganwadi do not have precise addresses; the ration cards and photopasses held by some longtime residents of these neighborhoods simply give the names of the members of a given household alongside the name of the neighborhood — 'Rafiq Nagar' or 'Kamla Raman Nagar'. This lack of precision makes it harder for the water department to 'prove' that a particular ration card is associated with a particular pipe in a particular location (which may or may not be adjacent to the actual residence of a ration card holder), while simultaneously rendering it impossible for card holders to assert that it is. Ultimately, the ability to prove that a water connection is authorized or unauthorized has more to do with networks of power and politics than with hydraulics or legality. Indeed, the municipal 'actions' that I observed during my time in Mumbai — during which department staff used a handsaw to slice through insufficiently proven connections and plugged the open ends with wooden stoppers — revealed that the sorting of legal from illegal pipes is a deeply political process. Pipes that have been declared illegal, for example, can — by leveraging various kinds of networks and resources — be re-established as legal later on. As one engineer explained to me, 'you've seen how we do it — we just go out and cut. Then we reconnect the ones that can prove they are legal. So maybe we disconnect 20 illegal connections and then five people come back and apply for reconnection' (interview, 2010). Whether and whose connections are cut is thus underpinned not by any distinction between 'legal' and 'illegal' connections, but rather by local networks of power, knowledge, authority and 'complaint', of which the ritual connection-cutting is simply one expression.

From illegal water connections to criminal slum

Families in Shivajinagar-Bainganwadi and the surrounding neighborhoods that are not prepared to pay for a transfer (legal or illegal) generally access water in one of two ways: if fortunate enough to live close to someone with a well-placed connection and a powerful pump, they can buy access by the minute to a connection — payable monthly in advance. In 2010, 10 minutes (enough time to obtain about 200 liters of water) per day cost around 300 rupees per month, equating to approximately 20 times the municipal water rate (for slum areas) of 2.5 rupees for 1,000 liters. Less conveniently located residents are obliged to walk or cycle off with their cans in order to purchase water by the same means from further afield.

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21 As discussed in footnote 16, the legal status of transfers may soon change, pending amendment to the Development Control Rules (section 33.10). However, as the 1996 circular prohibiting water supply to 'unauthorized structures' does not concern itself with the legal status of residents but rather with that of structures, what change the new transfer rule might effect regarding the implementation of the 1996 cutoff-date rule remains to be seen.

On top of the expense of buying water by the can (which is both costly and time-consuming), the practice is criminalized, with M-East ward's water department staff conducting periodic raids not only to hunt for illegal connections, but also to confiscate suction pumps, bicycles and even water vessels. The water department staff are well versed in the somewhat slippery hydro-politics underpinning issues of legality, lending such raids something of a ritualistic quality. One day in 2010, for instance, I overheard a local engineer advising a resident in a far-flung neighborhood who was complaining that her pipe had no water pressure. The engineer responded by asking whether she had a booster pump on the pipe, to which she responded that yes she did. The engineer explained: 'living as far away as you do from the main, you will need at least two motors to produce water'. He suggested a location for the second pump. The woman, nodding suspiciously, responded 'if you say so sir'. The engineer then added with a good-natured chuckle: 'then of course, I'll have to come some day and take your motors' — a line which prompted laughter all round.

A final option, and one that is increasingly exercised as frustrations grow, is for residents to sell or rent out their houses and move to a place where getting water is less challenging. Indeed, the daily struggles for water and resulting deteriorating quality of life have driven many longstanding residents out of the neighborhood, which is increasingly populated by recently arrived renters, mostly Muslims from the northern states of Bihar and Uttar Pradesh, but also some from West Bengal, whose native language (Bengali) has provoked widespread rumors (now a generally held belief) that the neighborhood is a hideout for Bangladeshi terrorists. The assumption that all who speak Bengali are Bangladeshi nationals is puzzling, since Bengali is formally recognized as an Indian language and the official language of the Indian state of West Bengal. I sought explanation for the rumor from a local NGO active in the neighborhood for nearly 30 years. The director of the organization (which specializes in helping families apply for identity documents like ration cards and photopasses) explained to me that, during the mid-1980s, Bangladeshi refugees arrived in Mumbai and a handful settled in the area since it was, as she described it, 'a thriving Muslim settlement'. She estimates that there are perhaps only a few hundred such families living in the neighborhood today, with most of their number Indian-born. 'People say it's a Bangladeshi area', she told me, but it's not'.[22] Moreover, she explained, 'India has signed the UN convention stating that Indian-born children of refugees will be citizens, but because of political reasons the officials will not give them the papers' (interview, 2008). Without identity papers, of course, Bengali-speaking residents cannot prove that they meet the 1995 cutoff date for legal water connections — not that legal connections would be very helpful anyway, given the lack of pressure in the pipes. The bizarre notion that Shivajinagar-Bainganwadi is populated by foreigners and terrorists permeates popular understandings of, and political approaches to, the neighborhood.[23] One senior water engineer described to me how, in 2003, after hearing water shortage complaints from local politicians, the additional municipal commissioner (a senior bureaucrat)

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22 A housing activist who applied for an official estimate of the number of Bangladeshi refugees in the city under the Right to Information Act was told that there were 626 Bangladeshis in the whole of Mumbai (National Alliance of People's Movements, 2005).

23 The notion would be almost humorous (if disturbing) in its absurdity − reducible perhaps to the quirkiness and theatrical tendencies of the city's political life − but for the idea's discursive similarity to popular debates in international policy circles. For example, the United Nations Human Settlement Program (2006: 144) report *State of the World's Cities*, warns that 'Poverty, underdevelopment and fragile states have created fertile conditions for the emergence of new threats, such as transnational crime and international terrorism, which are being played out in the world's cities'. This sentiment was echoed by the president of the UK's Town and Planning Institute during the UN's 2006 World Urban Forum, who cautioned that 'cities not only suffer the effects of terrorism, but if their unplanned growth leads to marginalized people, that can lead to terrorism itself' (Agence France-Presse, 2006).

threatened: 'Don't give them a single extra drop of water or I'll have you transferred to a bad post. I've been [to Shivajinagar], they're all Bangladeshis'.

The infrastructural deficiencies of this neighborhood (as well as its proximity to the noxious Deonar dump, which now towers an astounding nine storeys over the neighborhood) make Shivajinagar-Bainganwadi one of the cheapest residential rental markets in the inner suburbs. In a city where low-cost rental housing has been decimated by rent control laws that have frozen rents since the 1940s, Shivajinagar-Bainganwadi's rental stock is very much in demand. Yet the deleterious environment, the constant police presence (criminalization of the neighborhood has led to increased presence of police, who reportedly collect regular payoffs from the neighborhood's water vendors) and the regular water department raids (which sometimes result in violent skirmishes) have made Shivajinagar-Bainganwadi one of the most notorious neighborhoods in Mumbai: sensationalist media reports highlight the shadowy activities of residents, sometimes said to have connections to international terrorist groups, as well as of the area's so-called 'water mafia' that is said to 'steal' water from the neighborhood pipes and held somehow responsible for periodic water shortages across the city.[24] It is no surprise, therefore, that longstanding Shivajinagar-Bainganwadi residents are fleeing the neighborhood, which is described as an increasingly uninhabitable 'slum'.

'Shivajinagar is not a slum . . . but it shall be treated as a slum'[25]

While the municipal housing colony of Shivajinagar-Bainganwadi has been referred to as a 'slum' for years, the performative force of this utterance is only now coming to fruition: in the spring of 2010, the neighborhood of Shivajinagar-Bainganwadi — as well as its surrounding areas such as Kamla Raman Nagar — was surveyed for a slum rehabilitation project; the neighborhood is to come under the bulldozer in anticipation of 'planned development'. Given the account presented above, how might Shivajinagar-Bainganwadi's re-imagining as a slum be understood?

Shivajinagar-Bainganwadi's reputation as an illegal slum slated for redevelopment is paradoxical, since 'illegal' (i.e. post-1995) households are actually ineligible for redevelopment. This contradiction is reflected, as already discussed, in the popular conflation of the notions of 'slum' and 'illegal area' or 'encroachment' in contemporary Mumbai (evidenced, for instance, in the changes made to Appendix E of the 'Water Charges Rules'). Given this paradox, what does it mean when Shivajinagar-Bainganwadi is referred to — by the media, politicians, water engineers, as well as residents themselves — as a 'slum'? And what, moreover, does Shivajinagar-Bainganwadi's reputation as an illegal slum suggest about the project of world-class city building in Mumbai? To answer these questions, it is perhaps helpful to think of the dual nature of the verb 'to mean' — which is a synonym not only for words like 'indicate' or 'represent' that posit a relation of equivalence between a word and a phenomenon that it is used to signify — but that is also used in a way that connotes intention, i.e. with an orientation towards the future.[26] It is this latter, future-oriented, usage of 'to mean' that might be helpful in thinking about the meaning of 'slum' in contemporary Mumbai.

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24 This is a rumor that water department engineers unintentionally help to spread when responding to middle-class complaints of low pressure by carrying out raids on the 'water mafia' and cutting 'illegal' connections in neighborhoods like Shivajinagar-Bainganwadi. This was apparent during the winter of 2010, when a failed monsoon impelled the water department to cut supply hours to some middle-class neighborhoods. In response to angry cries for an explanation, the department scaled up their 'anti-mafia actions' in M-East ward. This was admittedly a 'cosmetic action', I was told, but one that pleased the middle classes.
25 Interview with colony officer, M-East ward, 2012.
26 As in: 'What do you mean to do with that saw and wooden stopper?' 'Well, I mean to cut your illegal water connection'.

Indeed, in liberalization-era Mumbai, the concept of 'slum' is used in popular parlance to refer to almost anything that looks like it might offer scope for redevelopment — anything that does not have 'world-class' appearance. From a market perspective, in other words, 'slum' is used to describe built forms that are thought to economically underutilize the land they occupy. Indeed, Rao (2006) has noted that 'verticalization' of the city has served to reposition a huge variety of older urban forms (fishing and agricultural villages that have been annexed by the city, municipal colonies like Shivajinagar-Bainganwadi, both legal and illegal residential structures on public or private land, older industrial housing, as well as declared slums) as 'inefficient' and 'obsolete', thereby rendering them potentially eligible for slum redevelopment. Indeed, the haziness of the concept has given rise to political and legal battles between builders and residents over the 'slum' label: while the increased FSI allowed by the 1991 amendments to the Development Control Rules has led to the redevelopment of both slum and non-slum residences, developers have a strong interest in rebuilding any particular neighborhood as a slum, since slum redevelopment generates highly profitable additional development rights. Journalists thus regularly report on incidents in which older housing societies opting for redevelopment (to avail themselves of higher FSIs) have been notified by the Slum Rehabilitation Authority that, unbeknownst to them, their homes are slums. Angry residents are challenging such declarations in the courts, since redevelopment of their homes under slum redevelopment schemes would dramatically reduce both the value and square footage of their new homes (see e.g. Bharucha, 2009; Masurkar, 2009).

The vagueness of the 'slum' concept in contemporary Mumbai reflects a similar ambiguity in how the term is used by the international development sector. The United Nations' (2003) *Challenge of the Slums*, for instance, acknowledges an incongruity between identifying a 'slum' and operationalizing the concept for policy purposes. Indeed, if general understandings of 'slum' abound, measurable and useable definitions remain elusive.[27] In an effort to forge a more quantifiable understanding of 'slum', the United Nations (adherence to whose recommendations lends an air of international legitimacy and aid-worthiness to development projects worldwide) has come up with various indicators to assess whether a neighborhood can, for survey and redevelopment purposes, be counted as a slum: availability of water, access to sanitation, overcrowding, quality of construction materials and security of tenure (United Nations, 2000: 7d).[28] In practice, defining the meaning of 'slum' in contemporary Mumbai is inseparable from the actions involved in surveying potential slums for the purpose of redevelopment. Indeed, in response to my request for a clarification of Shivajinagar-Bainganwadi's formal 'slum' status, the colony officer explained that 'Shivajinagar is not a slum . . . but it will be treated as a slum'. Officials at the Office of the District Collector elaborated that while Shivajinagar-Bainganwadi is in fact a municipal colony, it is considered to be a slum because it was surveyed in the 1999 'slum census',[29] which was carried out by the Congress administration in conjunction with an electoral promise to shift the cutoff date for SRS eligibility to 2000. When I asked how the surveyors had decided which neighborhoods to include in the slum census, he responded: 'we surveyed illegal

27 Cities Alliance — one of UN-Habitat's non-governmental partners that has been involved in Mumbai's makeover project — admits to identifying 'slums' simply by looking for highly subjective 'miserable living conditions' (United Nations, 2003: 10).

28 These indicators define 'minimum criteria', the absence of which is used to identify 'slums' for UN-Habitat's measurement and cross-country comparative purposes. As one senior UN-Habitat officer explained, 'if you're missing just one of these criteria, then you're a slum and must be counted as such for the statistics' (interview, 2012).

29 The Office of the District Collector carried out similar censuses in 1976, 1980 and 1985. The senior official I spoke to did not know whether Shivajinagar-Bainganwadi had been included in those earlier censuses, nor what the criteria had been for inclusion in these earlier surveys.

areas'[30] (interview, 2012). While Shivajinagar-Bainganwadi is not an illegal area, he reasoned it was probably included in the survey because, well, it seems like a slum.

Conclusion

This article has argued that the shifts in policy discourse and practice that have characterized liberalization-era Mumbai have had a twofold effect on water: first, the conceptual conflation of the formally distinct concepts of 'slum' and 'encroachment'— a blurring that mirrors (and is probably borrowed from) the policy expertise of the global development industry — has in recent years obscured political and infrastructural possibilities inhering in earlier meanings of 'slum' in Mumbai. This has meant that whereas in earlier years the water distribution network could be systematically extended to provide water to areas like Kamla Raman Nagar, the eclipsing of this earlier meaning by the new politics of 'slum' has largely precluded such possibilities. The hydraulic effects of this shift have been dramatic: the proliferation of suction pumps, the ongoing innovation in micro-technologies of access (like the 'vertical piece' and now the rubber hose attachment) and the constant transferring of connections upstream on the distribution mains have produced geographies of water pressure that defy any possible logic of hydrology. By increasing the velocity at which water flows through the mains, the proliferation of suction pumps actually decreases pressures in the pipes and curtails the distance into the neighborhood to which water reaches. Department engineers are thus constantly redrawing distribution zones (and changing water timings in shrinking zones) by adjusting and readjusting valve openings and timings, implementing shorter (and often inconvenient) water timings in an attempt to compensate for (or at least keep up with) the changes produced by ongoing interventions in the network.

In a second (and related) consequence of liberalization-era policy shifts, the deterioration of Shivajinagar-Bainganwadi's water infrastructure has recast the municipal housing colony as an informal and illegal neighborhood. Since households that cannot produce proof that they (and their properties) meet the 1995 cutoff date are labeled as 'illegal encroachers on the city', the local water department largely occupies itself not with fixing and improving the distribution system, but instead with public ritualistic performances of the legal–illegal divide. Meanwhile, regular media reports on water department raids against the so-called 'water mafia' said to operate in Shivajinagar-Bainganwadi function as spectacular public affirmations of the neighborhood's illegality. By pulling issues of water access into the murky politics of cutoff date, I argue, the populist profiteering politics of slum rehabilitation wreak havoc on the water infrastructure in Shivajinagar-Baingnawadi, criminalizing water access and recasting the neighborhood as an illegal slum.

To what extent can Shivajinagar-Bainganwadi's hydrologically mediated transformation into an illegal slum slated for redevelopment be accounted for by 'global city' formulations — in which the imperatives of mobile capital are theorized to reconfigure infrastructure for the benefit of globally connected sectors of the city while cutting off 'obsolete' industries and workers and the spaces they inhabit? The notion that contemporary urban disjunctures (configurations that depart from the planning ideal of the industrial city) evidence the 'splintering' of the social and infrastructural fabric of global(izing) cities, whereby normal planning trajectories are theorized to be disrupted by the rescaling of power and authority in the era of globalization (Graham and Marvin,

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30 Catching himself, the officer elaborated that of course they only surveyed illegal single-storey structures, not illegal multi-storey buildings. While many high-rise buildings are constructed without proper authorizations, he explained, illegal buildings cannot be counted as slums because how can you bring a building under slum redevelopment?

2001; Sassen, 1991; 2002; Brenner, 2004; Davis, 2004; 2006; Nair, 2005), take for granted a conceptual binary that posits the unplanned, illegal and informal as the self-evident counterpoint to the planned, formal, 'world-class' city. The story of Shivajinagar-Bainganwadi problematizes this account by evidencing the deeply political and highly unstable nature of these categories, and insists upon an account of the shifting political and economic stakes imbued therein.

Shivajinagar-Bainganwadi's reimagining as an illegal slum thus suggests a critique not only of global city theorizations, but of postcolonial formulations such as that of Chatterjee (2006), in which the distinction between the claims-making practices of 'proper' citizens who operate in the sovereign domain of 'civil society' are described as a counterpoint to the activities of 'political society' in which claims are theorized to be premised on a 'collective violation of property laws and civic violations'. In troubling the legal–illegal binary, the case of Shivajinagar-Bainganwadi raises important questions about the kind of legally ambiguous, broker-mediated, 'political society' negotiations that Chatterjee has characterized as the province of the poor. Perhaps allegations of 'illegality' (and, by extension, of 'corruption') might be theorized not as references to particular legally exceptional activities, but rather as articulations of a relation between action and law other than that envisioned by a liberal–democratic bourgeois political imaginary.

As Mumbai launches headlong into large-scale urban renewal and infrastructure upgrading megaprojects, it is important to keep in mind that the categories in which these interventions are organized — legal and illegal, planned and unplanned, world class and slum — do not reflect some outside reality that is always already out there; rather the terms themselves become the stakes around which political processes congeal. Indeed, the notion that Mumbai's water infrastructure will be improved if 'slums' can be removed and 'correct infrastructure' installed block by block is belied by Shivajinagar-Bainganwadi, where contentious hydropolitical dynamics are tied up with this very same idea. By taking seriously the historical and political geographies of water access, it is revealed that Mumbai's liquid landscape is not simply a case of plan-imposed order encountering the chaotic, informal, unplanned space of the slum. Shivajinagar-Bainganwadi's story reveals instead that dynamics of liberalization-era slum redevelopment have produced 'informality/illegality' as a discursive effect — an effect that has occluded the neighborhood's history and formal legal status, making it seem as though (to recall the words of the water engineer quoted earlier) 'it was like that from the beginning'.

Lisa Björkman (lbjorkman6@gmail.com), Max Planck Institute for the Study of Religious and Ethnic Diversity, Hermann-Föge-Weg 11, 37073 Göttingen, Germany.

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