

# Bangladesh Sociological Studies

## An International Biannual Journal

Volume 3, Number 2

September 2007

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Theoretical Perspectives

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**Published by :** Chief Executive, Bangladesh Institute of Social Research (BISR)

**Printed at :** Aroma Printing Publication  
9 Nilkhet, Babupura (2nd Floor), Dhaka -1205  
Phone: 9675188

ISSN: 1815-2163

Printed in September 2011

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On the intended use of space and the right to use that space, it explained that:

For example, the intended purpose of a footpath is that pedestrians should walk on it, and the purpose of a carriageway is that vehicles should pass on it. The purpose of a parking lot is that vehicles should be parked there. The intended purpose of a demarcated market space - a bazaar - is the buying and selling of goods. If we as a society are unable to observe these lines of demarcation, there is something gravely wrong with us as a society. If there is something wrong with society, it must be set right, not merely tolerated and winked at in the name of political or social expediency. The first right of way on any road is of the pedestrian. Right of movement from point A to B in a public place is a birthright... it comes under Right to Life in the constitution. Right to movement of pedestrians on roads may be modified to make space for a "carriageway" on which vehicles may move without obstructing pedestrian movement. Thus, footpath is essentially the most important element of any road (including highways that go between cities), and carriageways are essentially a concession that we make to modern life. Thus, I define "road" as an obstacle-free pathway made to facilitate human movement from point A to point B, by whatever means of transport. I define "footpath" as the central component of the road, which facilitate movement of those to whom no means of transport is available, affordable, practical or desirable. Our main success has been putting pedestrians on the mental map of the civic authorities. Speaking of specific localities, we see great improvement on Irla Road, where our Satyagraha was staged 18 times in June, July and August. Dilapidated footpaths were actually rebuilt in July-August, and a lot of shop encroachments were removed. Hawkers were also regularly removed twice everyday in September and October. The local residents - mainly women whose grit and persistence led to this change on the ground - will attest to this.

Thus, fighting such groups whom they categorize as nuisance is top priority for such CSOs in Mumbai. The NGO Council submitted its general recommendations on the Scheme for Hawkers in Mumbai based on Supreme Court guidelines, and Reports of the three 3-member committee to the MCGM in 2006 where it maintained that hawking is not a fundamental right as per the Supreme Court, where it was held that the right to carry on trade or business was not covered by Article 21 of the Constitution of India and the hawkers could claim no right under Article 21.

### Conclusion

Civil society partnerships with the local government in Mumbai embody new forms of class conflict across megacities of India which "naturalize the processes of exclusion linked to a politics of spatial purification which centers on middle class claims over public spaces and a corresponding movement to cleanse such spaces of the poor and working

classes" (Fernandes 2004). In this endeavor, they sometimes receive support from the ULB and also the judiciary. An ALM officer thus pointed out that the ALM movement has definite benefits for the city, where citizens are made responsible for their solid waste management and are also empowered to demand their rights (Redkar 2008). It has also benefited the ULB, as the city is cleaner at the neighbourhood level now, waste recycling has increased, and the waste management burden on the MCGM has been reduced. Citizens groups and corporate companies taking on the maintenance of public spaces have further reduced the responsibility of MCGM to protect land from encroachments (Redkar 2008:219). In some of their recent judgments, the judiciary has also interpreted rights in favor of Resident Welfare Associations rather than slum communities.<sup>5</sup>

<sup>5</sup> In his study on Delhi, Gherster (2008) tracked the emergence of the 'nuisance discourse' in the early 2000s and how it has recalibrated the factors used to determine a settlement's legality and re-problematised slums as nuisance. Whereas the decision to raze a slum was previously the almost exclusive domain of Delhi's various land owing agencies, in particular the Delhi Development Authority, these have little say in determining the legal and political status of such settlements. Instead the primary avenue by which slums are demolished today begins when a RWA files a writ petition praying for the removal of a neighboring slum, proceeds through the court's granting of the RWA's prayer and ends when the land owing agency abides by the court's direction. Asher in particular refers to the Pitampura judgment issued by the High Court of Delhi in September 2002. It dealt with improving environment in a neighborhood based on petitions filed by city based RWAs. The judgment made no reference to Section 133 Code of Criminal procedure 1973, the key statute dealing with public nuisance and cleanliness. There is no mention (implicit or explicit) of any of the statutes governing displacement: not the Public Premises Act 1971 or the Land Acquisition Act 1894. The author noted that though the laws dealing with cleanliness of urban space are distinct from those for displacing a population, these were merged in this judgment. Rather the word cleanliness became a symbolic code of settled meaning within judicial discourse, agreed upon without explication of its origins or legal foundations. The author added that it was preposterous to say that any settlement was illegal because it was not clean enough. Further the judgment divided the public into normal residents of formal colonies owing private property and slum dwellers occupying public land. The Court made it clear that these two categories of settlement and the regulatory arrangements that supported them were at odds. Therefore the judgment stated that because the former category owned their property, came first and suffered from the 'nuisance' of the latter's presence, their Right to life under Article 21 of the Constitution should triumph the latter's. This decision reversed the previous interpretation of Article 21 regarding slum dwellers, established twenty years ago in the Olga Tellis and the Bombay Municipal Corporation that established the right of the working poor to occupy public land to fulfill their livelihood.

Such CSOs like those discussed in this paper largely ignore that growing number of slums communities and street vendors, in other words, growing normalization of housing and labor are connected to larger issues of economic restructuring. These need to be addressed rather than being swept inside the carpet. Mumbai's economy has witnessed a significant transition in the pattern of employment during the last four decades. Today a majority of the employment in Mumbai is in the tertiary sector (the growth of the financial sector fostered the growth of other sectors such as telecommunications, construction and real estate, which accounts for almost 81 per cent of the total employment (Parasuraman 2007). Employment in the informal (wage laborers, hawkers) has grown at a faster rate than that in the formal sector, resulting in its share of total employment increasing over time (Parasuraman 2007:39). The growth of formal sector employment in the services sector has not been adequate to fill the gap and thus former mill and other manufacturing workers were absorbed by the informal sector. (Parasuraman 2007:40)

As the service sector (software industry, film industry and media) expanded and started moving northwards and government intervention for the development of Central Business Districts assumed prominence, the search for new lands consequently gained priority. The hitherto uninhabitable "bad lands," occupied and subsequently made habitable by so called squatters or illegal citizens also came to be eyed upon. Vast tracts of land like the Bandra Kurla Complex metamorphosed into "prime" real estate that could house the growing needs for commercial and office space. This development went on simultaneously with the eviction of the people who came to occupy and develop this land in the first place. The latter began to be labeled as squatters and therefore "illegal" occupants (Kantha and Parthasarathy 2006). With government and companies shirking from providing social housing or housing to its employees and escalating rents, housing is almost unaffordable to even many sections of the middle income groups (ibid:36).

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## Civil Society Partnerships with Local Government in Mumbai: New Forms of Class Conflict

Binti Singh\*

*Partnerships between civil society organizations and the local government in the mega city of Mumbai were forged to address crucial urban problems like those of solid waste management, beautification, cleanliness, etc. The cases of the Advanced Locality Management Groups and the NGO Council in Mumbai are analyzed in this paper through primary fieldwork data, onsite observations and a series of interviews with key respondents- those included and also those excluded from such partnerships. This paper concludes that the rise of such civil society initiatives in recent years in Mumbai and other mega cities of India mark new forms of class conflict between the rich and poor groups of citizens. The struggle for urban space and consumption of municipal services reflects a unique and intense form of conflict tied to class interests in Mumbai.*

### Introduction

Before going into the analysis it makes sense to briefly discuss the understanding of "class" in this study and how it is located in the mega city context of Mumbai – a complex urban site of claims, alliances and counterclaims. Various agencies (local, national and international) and their attendants, often conflicting discourses, interact while addressing urban governance issues in the city. Struggles between various groups over urban governance issues-infrastructure development, urban space, open spaces, water, solid waste management - have intensified in the post 1990s and have become more visible through their respective civil society organizations (hereafter CSOs). The rise of government and civil society partnerships in Mumbai as well as other mega cities in India like Delhi (Rewal 2007), Hyderabad (Kennedy 2006) Chennai (Baud and Dhanalakshmi 2007), and Bangalore (Ghosh 2005) mean that CSOs have emerged as powerful actors in urban governance across urban India.

CSO partnerships with the local government like the cases of Advanced Locality Management (hereafter ALM) groups<sup>1</sup> and the non

government organization/NGO Council<sup>2</sup> in Mumbai articulate issues and priorities of urban governance in a manner suiting their particularistic class interests. The process of partnering - from inception to outcomes - is heavily informed by class. The conflict between classes for urban space and consumption of collective goods and services (solid waste management being an important one) is complex; responding to newly emerging needs like those of a clean habitat, livelihood, better services and infrastructure, including aesthetics and status.

This study understands class more in a Weberian sense. Weber writes, "We may speak of a "class" when (1) a number of people have in common a specific causal component of their life chances, in so far as (2) this component is represented exclusively by economic interests in the possession of goods and opportunities for income, and (3) is represented under the conditions of the commodity or labor markets. (These points refer to "class situation," which we may express more briefly as the typical chance for a supply of goods, external living conditions, and personal life experiences, in so far as this chance is determined by the amount and kind of power, or lack of such, to dispose of goods or skills for the sake of income in a given economic order. The term "class" refers to any group of people that is found in the same class situation)" (Weber in Bendix and Lipset 1966).

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was first experimented in 1996 through a pilot project of waste management in the residential colony of Joshi Lane, Ghatkopar East, a suburban area in Mumbai. But before a citizen group is recognized as an ALM, it must begin to segregate domestic garbage into wet and dry. Under Section 368 of the MCGM Act 1888, segregation of waste is compulsory and this section empowers the MCGM to impose a fine of Rs 1,000 on defaulters. This Act was amended in 2001. Henceforth, the MCGM launched a scheme of segregation wet and dry waste to achieve the target of zero garbage in phases all over Mumbai. To achieve this goal it sought the cooperation of citizens. It made segregation of waste compulsory for all housing societies. An ALM officer looks after solid waste management, roads and other issues pertaining to maintenance of the locality and coordinates with other officers of the MCGM. Some of the active and prominent ALMs are located in wards M East and M West, A, D, K East and West.

<sup>2</sup>The NGO Council was formed in August 22, 2005 single handedly by the NGO Karmayog's initiatives with the support of 70 large established NGOs, covering a wide spectrum of causes and issues in Mumbai, to function as a representative body of various non government, community based and neighborhood organizations. The NGO Council had taken upon itself to address myriad social issues ranging from public health, street children, disaster management, to civic and governance issues like solid waste management, transport and traffic, hawkers, stray dogs, pay and use toilets, cleanliness programs and locality management, and issues of youth, education, public health and corruption. The NGO Council believed in working with the government and not against the government. Following this it had adopted a partnership model with the MCGM and also with other NGOs and government bodies. In the Preamble to the Memorandum of Understanding signed between the NGO Council and the municipal corporation of Greater Mumbai on the 12th day of December, 2005, the usefulness that CSOs could play in the development process, first, by serving as a non-political link between the people and governmental institutions and, second, by bringing valuable intellectual, professional expertise to assist the governments' efforts, was spelt out (Source: www.karmayog.com).

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<sup>1</sup>An ALM is an identified composite area or locality, the residents and users of which have committed to improving the quality of life in close cooperation and collaboration with the ULB. An ALM covers a neighbourhood or street, normally about 1,000 citizens, and is registered at the local municipal Ward Office, which appoints a Nodal Officer to attend to citizen complaints. The concept

The urbanization process in India is not necessarily linked to processes of industrial capitalism. It is unclear whether the trends of economic restructuring observed in Western cities over the past three decades or so also occurred in cities such as Mumbai. Mumbai has lost large numbers of jobs in manufacturing since the 1970s, especially in the dominant textile industry (D'Monte 2002 in Nijman 2006), and it has gained jobs in finance, producer services and Information Technology (IT). But it would go too far to characterise Mumbai as a post-industrial city. It still has a large-scale manufacturing sector and even the pre-industrial era lives on in the ubiquitous use of human muscle-power among large portions of the low-income labor force (D'Mark 2002:761). Mumbai's economy is striking in its intricate mixtures of pre-industrial, industrial and post-industrial modes of production (D'Mark 2002:761). The process of deindustrialization ran parallel with the emergence of the service sector (especially financial services in Mumbai) servicing the global capitalist system. The post 1990s also saw the emergence of the new professional class servicing global capitalism who do not constitute the traditional "capitalist class."

Upadhyaya (2004) gives an example of this professional middle class in her study of the software industry in Bangalore. She notes that the software industry has produced a new kind of capitalist class in India; most of the founders of software firms have come from the middle class, building on their cultural capital of higher education (usually in engineering) and on the cultural and social capital (knowledge and networks) acquired through professional careers (Upadhyaya:5148). This class is also distinguished by its close integration into the global economy and its relative autonomy from the "old" Indian economy dominated by the public sector and a nationalist capitalist class. For this reason, the IT elite differ sharply in their ideological orientation from the established business class, many of whom (represented by the 'Bombay Club') oppose unbridled globalization. In contrast to the old bourgeoisie, the new business class not only embraces the ideologies of liberalization and globalization, but is also supposed to exemplify what can be accomplished through them. In public discourses, the success of the IT industry is linked to the liberalization agenda, which is supposed to have freed the natural entrepreneurial energies of Indian people so that they can create their own wealth (Upadhyaya 5148).

With this understanding of class and how it has unfolded in the mega city context of Mumbai, this paper attempts to analyze how this professional middle class is increasingly becoming visible and vocal in its demands for a cleaner and better city, increasingly invoking the term civil society and forging partnerships with the local government and thereby juxtaposing themselves with other groups of people, particularly slum communities and street vendors. The CSO partnerships with the

local government in Mumbai embody new forms of class conflict over consumption of collective goods, urban space and prioritization of issues that have more than one layer to it.

In order to get a holistic understanding of the process, this paper used multiple methods that included in-depth interviews, focus group discussions, and repeat interviews. The interviews were semi-structured focusing on themes used to extract information as well as reflections from the respondents-people included and excluded from the process of the CSO-ULB partnerships. A sample of some of the active and prominent ALMs (located in N ward, M West ward, K West ward, A ward and D ward in Mumbai) was selected for the purpose of this study. The active ALMs have made themselves visible over the years through articulate use of the media as good examples of community and local activism that local politicians and Municipal Corporation of Greater Mumbai (MCGM) present to dignitaries. Respondents included resource persons of the ALMs and also those excluded from them like shopkeepers, local politicians, slum dwellers, street vendors, fishermen's community, volunteers of the Dattak Basti Yojna (hereafter DBY), inhabiting the same locality as the concerned ALMs. The case study on the NGO Council discusses the stresses and strains the body has undergone since its inception in 2005, issues it addresses, its interface with various CSOs in Mumbai- those who opposed it and those that supported it and the reasons for the same, their dynamics with the MCGM. In order to understand the dynamics of the NGO Council I not only interviewed the organizations and people who were part of the body but also those who were excluded and those who joined earlier but dropped out later.

### Conflict over Consumption of Collective Goods and Services

The members of the ALMs and the NGO Council mostly belonged to urban, educated, higher middle-income groups and elite sections of the city. ALMs were usually formed by a few residents of the locality through self selection that got registered at the ward office.<sup>1</sup> They

<sup>1</sup> The administrative wing of the Municipal Corporation of Greater Mumbai is responsible for a wide range of services like solid waste management, water supply, drainage and sewerage systems, and public roads. It runs hospitals, health centers, primary schools and a local bus service. City planning also resides with the body; it implements development plans and sanctions building proposals (Das and Nainan 2008). The ULB departments decentralize their activities in the city through ward offices which bundle the activities for that administrative ward. The largest department in terms of employment is the conservancy department (dealing with solid waste management), whose staff are also strongly unionized. This situation resembles that in other large cities in India, with similar patterns of staffing and organization. Adding employees to this department is often undertaken reluctantly, as it strengthens an outspoken trade union. For this reason, and to cut down on expenditure and reduce deficits, a restrictive staffing policy has been in place since 1995; this has led

claimed to represent the general interests of the 'law abiding citizens,' (that implicitly excluded street vendors and hawkers, slum communities in the concerned area) (Singh and Parthasarathy 2010). Middle class, educated urban Indians claim to possess a repertoire of specialized knowledge pertaining to the issues like the need for a clean and green environment, specifically the need for open and green spaces, waste segregation and management and vermicomposting and making the urban local body (ULB) function more effectively. For instance the NGO Council in its letter to the new Municipal Commissioner pointed out:

Citizens are a storehouse of practical knowledge that can serve as extremely valuable inputs for useful specific and generic solutions to the myriad problems facing the city, which Municipal Corporation of Greater Mumbai (MCGM) has an obligatory duty to resolve. We would be very keen to be involved in the formulation of policies and procedures, and their implementation, monitoring and feedback in each of the issues envisaged under the MOU (Source: www.karmayog.org).

ALMs and the NGO Council were CSO partnerships representing the class interests of the elites and new middle classes. Street vendors and slum communities were perennial problems of all the ALMs in the study. Shopkeepers in the locality (only big shops) contributed to the ALM funds but this did not attend meetings and other activities. Small shop owners (garage shops, shop selling electronic parts, small beauty parlours, vegetable vendors) were neither included during the formation of ALMs or thereafter. Most of them interviewed in the study did not even know of their existence.

Also, partnerships between the ULB and CSOs were formed to prevent and counteract militant trade union tactics among conservancy workers of the MCGM. The objectives of the ALMs and its slum variant namely the *Dattak Basti Yojna* were similar (as initially proposed); however, their actual workings were ridden with mutually contradictory goals. The hostility between the two was evident during the course of the study. A respondent associated with the program noted in his interview:

Our main contention with the cleanliness activities of the Citizens Forum is that they have juxtaposed against us failing to emphasise with our problems. They aim for zero garbage and that is why they have with the help from the ULB removed all centralized dustbins (kundis). That works fine for them because the ULB trucks arrive by eleven in the morning and collect the garbage from each building and leaves. But our volunteers take time to clean (because of the sheer difficulty of the

to a shortage of staff and reduced services. The solid waste management department developed an alternative strategy to expand services, working directly with residents' groups in neighborhoods across the city called Advanced Locality Management (ALM) groups (Baud and Nainan 2008).

task in the slums compared to the number of volunteers); they also collect the garbage after lunch so by finish their work it is post two in the afternoon. We have requested the ULB ward office to send us trucks in the afternoon too when we collect more garbage after people have had their lunch but they did not. Add to it the number of our volunteers is small and nobody is interested to do this kind of dirty work for such a paltry sum. The grant that is given to the Dattak Basti Yojna is based on the population size calculated by the Health department of the MCGM. Now for our ward the grant we are getting is based on the population figures of the year 2000. At that time it was decided that 10 volunteers would be required for the ward 46. Today also the number of volunteers is 10; does that mean the population size has remained constant since the year 2000? The ALM people only complain to the ULB officers against us but they fail to understand that it is their very act of making the area into a 'zero garbage' one and the consequent removal of all centralized dustbins that has led to the present situation. Also, they need to understand that this locality is not only theirs but ours as well. So any kind of cleanliness and beautification drive cannot be complete without our support.

A resident of the *Hanuman Nagar* slum in Pestom Sagar, a suburban area in Mumbai city added:

After the Dattak Basti Yojna program was adopted, our slum has become clean but the programme has its own set of problems. Volunteers (conservancy workers as they are called) are allotted in proportion to the slum population. But we have found that their number is always less than the allotted number, so if our slum requires five volunteers we have only two. Definitely the work is compromised. Moreover, the volunteers do not get minimum wages, have no health cover or social security of any kind, and work under unhealthy conditions without proper equipment. ULB trucks do not come to our slum or others in Pestom Sagar. But they go to the housing societies in our locality. Why should that be the case? We also pay taxes to the ULB but do not get any services. We have to pay additionally to the volunteers to keep our area clean. Also the ULB has removed all centralized dustbins (*kundis*) from our localities as they were eyesores for the ALM people and in order to achieve the aim of zero garbage. But this has not solved problems. Now the volunteers throw the garbage elsewhere.

Notwithstanding this, the class conflict is more complex than just one between the elites and the poor. Class conflict exists even between ALMs despite the apparent uniformity of goals. Interviews and on site observation bring out the sharp differences among ALMs located in the elite areas of South Mumbai and those in the middle class areas of suburban Mumbai in terms of the issues addressed, the support from big NGOs and corporate houses and the amount of ULB support (including discrimination in municipal services). ALMs in the suburbs complained about the fact that gardens in South Mumbai like the Kamla Nehru Park in Malabar Hills were maintained by the ULB, while in the suburbs they had to be maintained by the ALMs with their own funds. Despite the fact that posh localities in South Mumbai like Marine Drive, Cuffe Parade in A ward and Malabar Hills in D ward enjoyed subsidized electricity and

water charges. Resentment was also expressed against large South Mumbai NGOs working on governance issues for their inaction. An ALM member from the suburbs remarked:

In our efforts we have been assisted by CSOs already working on civic issues like AGNI and CITISPACE. But they are more concerned with the issues of citizens living in South Mumbai, which we consider as "elite." I am a patron of CITISPACE but I am not even informed about the annual general meeting. We have received no response from them even after repeated complaints about encroachments in our area. They have not helped in dealing with illegal encroachments; we have to deal with all our problems ourselves.

While I was interviewing local shopkeepers in Malabar Hills, I found that ULB workers came and cleared the garbage from their premises into their trucks. I enquired about the timings for the collection of garbage as it was past three in the afternoon. They informed that ULB trucks come to collect the garbage three times a day- morning, afternoon and evening. When I asked whether it was like this always, one of the respondents answered that the MCGM workers had become efficient over the past six-seven years (evidently due to the work of ALMs which they were not aware of). Earlier this was not the case and people used to throw garbage at a centralized bin from where ULB workers would collect it, they added. In other areas trucks did not collect garbage three times a day-this was specific only to some select areas of the city.

A clear sense of hierarchisation among ALMs emerged from this conflict whereby the prominent and powerful ALMs were those located in the elite areas like Malabar Hills in D ward, Marine Drive and Nariman Point in A ward and Juhu and Andheri in K West ward. These were also more visible in the media as well as within official ULB circles and were frequently quoted for their good work. They also received support of existing NGOs working on urban governance issues, something amiss among those ALMs in the middle class suburban areas with the exception of Juhu which again is an elite area in the suburbs.

Power dynamics could also be delineated from the above extract. Apparently all ALMs seemed to be involved in similar issues but there was a lot of difference in the manner in which these issues were addressed and the success they eventually met. The power dynamics determined, to a large extent, which ALMs were more visible in the media, government and NGO circles, which were the ones that were well connected and how well they could lobby for their interests and agendas. For instance, the D road ALM could achieve a lot in terms of turning it from a filthy road (35 meters in length) with traffic congestion, no greenery and den to drug addicts, into a habitable place by segregating waste and using the wet waste as manure, the dry waste was collected by rag pickers. As one of its founder members claimed:

We have more than 50 varieties of plants and trees like *deodhar*, *peepal*, palms, mango, papaya, some planted 15 years ago, those require minimum care (only 10 percent water) and are enclosed in aerobic clay enclosures built by the MCGM, the manure is supplied by the MCGM from the wet waste in the neighboring areas like Marine Plaza. We have birds like sparrows, kingfishers, copper smith, animal species like earthworms and squirrels so it has now transformed into a beautiful eco system. We got the MCGM to make the footpaths friendly for the aged and the disabled by creating ramps and lowering their heights, got speed breakers made on the road for the safety of children. We have been able to reduce the waste by 85 percent by segregating wet and dry waste and organic composting. We have been able to get a green cover, driven out drug addicts and encroachers of all kinds, have the SWM in place and provided a safe and secure environment (with police patrolling) for all the people who live here. We got the Maharashtra Cricket Association and the Wankhede stadiums that are located on this road involved in our activities. For instance, we have used the unused bricks in the building construction of the MCA to construct enclosures for plants. We have also got the MCGM to give us water tap connections at three places.

Many of the achievements of this ALM could be attributed to the strong social networks that were already in place through years of civic activism, advantages of location, frequent interaction with prominent NGOs in urban governance and lobbying with the ULB officials. Such was not the case for ALMs like that of the Fatima Church ALM and the Kirol Road ALM in Vidyavihar West; suburban localities in Mumbai.

### Conflict over Prioritization of Issues

The NGO Council was described "as a group of organizations which came together at the initiative and efforts of Karmayog in the aftermath of the floods of 2005, to act as a representative pan city organisation of CSOs in Mumbai, and comprised a mix of organisations with complementary expertise covering different concerns." As many as sixty nine CSO groups were listed as members in the NGO Council. However, the disparate background of its members and the myriad issues that the NGO Council sought to bring under a common umbrella did not succeed to make it representative. The body was ridden with class conflict from the very outset.

The location of the office of the NGO Council spearheaded by Karmayog in an elite area of South Mumbai, its conduct of meetings primarily in the English language, dissemination of information and official communication through the internet had been responsible in alienating grassroots and community based CSOs. Many NGOs that initially participated in the proceedings of the NGO Council



subsequently got disillusioned. A member of the Centre for Peace and Justice, a former member of the NGO Council, maintained:

We were part of the NGO Council when it was formed but slowly the several rounds of meetings covering myriad issues in the MCGM headquarters and the *Mantarlaya* or the Bombay Stock Exchange in south Mumbai were sapping our energies. We realized that it is better to work with select groups on specific issues that go with the philosophy of our organization. That is why we gradually stopped attending the meetings and being part of the NGO Council.

Another erstwhile member remarked:

The assumption of general computer literacy is faulty. A major assumption in the LACG partnership is that the average citizen is computer literate. This is far from true. Even in an ALM area, inhabited by educated and well to do residents cannot live up to that assumption. Again, how many MCGM officials would respond to the emails of LACGs on a daily basis and what will be the language of communication - English, Hindi or Marathi? It will be difficult to collate information and the kind of MIS the NGO Council has in mind will suffer.

Smaller CSOs had shied away and only the big names figured as members of the body. Associations with alternative visions like the *Ghar Bachao Ghar Banao Andolan*, the *Feriwala Vikaas Sangathan*, *Juhu Moragao Machhimaar Vividh Karyakari Sahyog Sanstha*, though equally significant CSO groups voicing issues of urban governance like land and housing rights for the urban poor and right to livelihood of street vendors, never really figured into the membership list of the NGO Council nor were included in subsequent deliberations. They remained conspicuously absent from various meetings and proceedings of the NGO Council. Some NGO members were apprehensive about the goals of the NGO Council from the outset. In one of first meetings of the NGO Council with several representatives of NGOs and the Additional Municipal Commissioner, an Apnalaya *karyakarta* remarked:

We always degenerate to issues of beautification and cleanliness. It is like sweeping the dirt under the carpet. But the basic rights of people like housing, water - what is the ULB policy on water rights? I would like to see the NGO Council take a more strategic look at Mumbai. We need to get back to basics, to make this a meaningful dialogue. We need to look at schools for children. We need to work at different levels: what is ULB official position on the rights and entitlements of people. What are the standards of services to be delivered? These issues can emerge from this discussion and a document can be made. I feel that the fundamental issue is slums or housing for the poor. How can this city change this situation of the shortage of space? Affordable housing and the effective use of available space for it must be the No.1 agenda. Everything else comes back to the slums issue, whether its floods, or cleanliness. There must be a "decent" use of

space; at present 5 percent of people live in "decent" housing, and they set the rules for the rest. Of the 227 councilors, 60 percent themselves live in slums. I have no concrete suggestion or solution, but Apnalaya would like to put its weight behind any initiative to address affordable housing for the poor.

### Conflict over Urban Space

From the narratives as well as the onsite observations, it can be inferred that the members of these elite CSOs were concerned about the problems of the city. However, the manner in which they problematized the issues emanated from a managerial technocratic perspective from a strictly "problem-solution" understanding. When they talked about the city they visualized it as "abstract space" and not a "social space" inhabited by real communities of people where borrowed and superimposed models would simply not work. These communities of people-the service providers like the neighborhood laundry person, the person selling newspapers or milk in the street corner, the vegetable, fruit vendor were absent in these abstract maps. For instance, the Citizens Roundtable (a new avatar of the Chief Minister's Task Force set up in 2004) gave several recommendations to transform Mumbai into a world class city. The vision of a world class city began with a report on Mumbai's future called Vision Mumbai by a citizens' group called the Bombay First and the international consulting firm Mc Kinsey and Company. The Vision Mumbai report detailed what the city had to do to become a world class city by 2013. Upon receiving the report, the Chief Minister of Maharashtra constituted the Task Force chaired by the Chief Secretary to study the proposals and make the final recommendations (Government of Maharashtra, February 2004). In a nutshell, the Task Force enlisted subgroups to study 6 areas of transformation:

**Strategic planning and financing-** To become world class Mumbai requires Rs 200,000 crores (\$40 billion) investment over 10 years, mostly from the private sector. The government of Maharashtra must invest over 1,500 crore rupees annually, less than one tenth of the total. The Mumbai Development Fund must be created to draw on central government funds and minor levies on Mumbaiers. The city's land assets can be leveraged to boost revenue through Transfer Development Rights, etc.

**Housing-** Slums located in important public locations like airports, parks and railway tracks can be resettled in salt pans and current No Development zones; repeal Urban Land Ceiling and Regulation Act which will unlock large tracts of land for residential construction.

Settlement of slum populations in environmentally fragile lands has its own set of problems and this also de-links them from their livelihoods. The purpose of the legislation of ULCRA was to prevent concentration of urban land among few people and release it for social housing for the poor. However, according to conservative official estimates, in Mumbai alone as much as 44 percent of open spaces is under the private ownership of 91 people and families whereas 60 percent of Mumbai's population lives in slums, mostly comprising room of 10 feet by 10 feet. So even if ULCRA is repealed how much of the land unlocked in the process will actually go to meet the housing needs of the urban poor is a serious question.

Economic growth-Mumbai should become a hub of high end services like finance, Information Technology (IT) and IT enabled services, entertainment and healthcare together with generating low end, high volume services like infrastructure development, construction, retail, hotels and tourism. To bring more investments into Mumbai the task force recommended developing special areas like the Thane -Belapur industrial area be developed as a township with Special Economic Zones like incentives, the Gorai area be developed into a Special Entertainment zone.

However, the recommendation is silent on how land is going to be acquired and what would be the compensation (if any) be made available to the people from whom land is acquired.

Physical infrastructure (e.g. upgrade six suburban train stations under the Station Area Transport Improvement Scheme/SATIS, finance and expedite the building of 17 high speed road corridors under the Mumbai Urban Infrastructure Program, etc).

The demolition drives carried against slum communities and street vendors in order to implement projects like Station Area Traffic Improvement Scheme have also been brought out in the study. According to a member of an association working on street vendors:

The eviction and removal of hawkers without notice to the hawkers and public is a regular phenomenon under the Station Area Traffic Improvement Scheme implemented with the purpose to improve the commuter and pedestrian movement and traffic circulation around railway station. The scheme has been proposed at 6 suburban stations in Mumbai, namely, Ghatkopar, Andheri, Borivali, Dadar, Malad and Chembur. The estimated cost of the Scheme for the suburban station is estimated as Rs 709.44 million.

These recommendations carry the picture of abstract space rather than social space. One can infer from the above recommendations that the

Task Force emphasized on physical infrastructure and economic zones to attract foreign capital and transform the city to match the aesthetic sensibilities of the elites and the emerging middle classes of citizens. Therefore there is hardly any mention of social infrastructure like building or revamping the already existing (and languishing) elementary municipal schools and hospitals. Ghosh (2005) notes from the experience of BATF that land titling for efficient property markets, credit ratings of municipal bodies, and increased regulation on land and infrastructure may make sense in a more egalitarian society, but in a country where the majority of the population has become marginalized in terms of access to resources, employment, and basic rights, the reforms further weaken their bargaining position. Therefore, policies that may seem technically sound, efficient, or promote 'good governance' require much deeper evaluation in terms of repercussions on the process of urban reform.

Benjamin (2000) shows that neighborhoods that served as local economic settings like Valmiki Nagar in Bangalore and Vishwas Nagar in East Delhi provided livelihood to the poor and typically represented social space. In contrast, master planned neighborhoods (representing abstract space superimposed from above) restrict mixed land use and, as a consequence, allow a very narrow spectrum of economic activities to emerge, fractures local claims and local representation for poorer groups. They are not able to easily establish their claims to locations here. As a result, many poor families have their plots forcibly taken over by criminal groups in connivance with the bureaucracy of the development authority. Since the development authority has minimal local representation influencing its actions (unlike a municipal body), poor groups have little access into the system. Thus, master planning serves to exclude poor groups from productive locations and also creates a fragile and insecure environment. The Master Plan is used to justify the demolition of un-planned developments on land, which has otherwise been designated for a particular planned usage. This can be a green belt that is supposed to restrict urban growth, or land to be allocated to a 'community centre' which in reality become like clubs.

This managerial treatment of urban issues in turn is related to their particularistic vision of the city based on class specific sensibilities and aesthetics. Chatterjee (2005) elaborated that the idea 'of what a city should be and look like has now been deeply influenced by this postindustrial global image everywhere among the urban middle classes in India.' linked to the cultural practices of consumption and lifestyle changes. The new aesthetics and architecture stress on beautification in a big way and do away with all 'ugly' things. The latter includes encroachments in the form of slum dwellers and street vendors.

Unattractive and polluting things are cleared using the nuisance law even in the absence of accurate information. Alternatively developments

that have world class look like the Akshardham temple (in case of Delhi); despite violating zoning or building bye laws are granted permission. (Ghertner 2008) As Seabrook (1996 in Fernandes 2004) noted 'the former Sheriff of Bombay had a vision of tree-lined boulevards, fountains and playgrounds. There will be no slums. The streets will be clean with wide pavements unencumbered by hawkers. People will stroll through pedestrian plazas. The night will be brilliant with majestic buildings and fountains.' In this scheme of things, aesthetics rather than livelihood dictate the use of space. A few instances will elucidate this point.

From an initial seven, the Malabar Hill, an elite area in South Mumbai now has around twenty seven ALMs. The most important achievement of these ALMs was the improvement of the Girgaum Chowpatty. The larger chowpatty beach was brought under one police station. It also put an end to the huge raucous political rallies that were being held on the beach. All the ALMs of the Malabar area came together and formed the Malabar Hills Residences Association (registered as a trust in 2006) in 2005. This association has worked to improve many aspects of South Mumbai area and the D ward. Its most recent efforts include branding of the Malabar hill area for which it has roped in Rs 5 crore from the ULB to revamp both the Kamla Nehru Park and the Pherozezshah Mehta Garden, repair the paved pathways that run down the sides of the hill and relay the footpath around the Kamla Nehru park with rough natural stones instead of the new interlocking paver blocks. The gates of the now closed Naaz restaurant (located atop the water reservoir's pump house) will be open as a viewing deck for the public to restore the view of the Marine drive, also known as the Queen's necklace on the other side of the sea. A logo will be developed to give Malabar Hill a brand identity.

The Juhu Citizens Welfare Group located in Juhu, another elite area of Mumbai, consists of 17 ALM groups. It has played an important role in removal of hawkers from the Juhu beach and the implementation of the beautification plan.

The Nariman Point Churchgate Citizens association is an ALM fighting encroachments and removing *morchas* (processions) from the J Tata road outside the *mantralaya*, removing *morchas* from the area to Azad Maidan since 1998. It spends a huge sum of money per month on security installed in Madame Cama road area to make it a hawker free zone and The NPCCA has been appointed on MMRDA's Design Review and Project Monitoring Committee. This ALM has formed a Marine Drive Promenade Council in which five to six other organizations are also included to maintain the promenade. It looks into the technical and design details and has played an important role to remove encroachments and hawkers with its own cost to get 'No hawking' status to the promenade.

The ALMs that adopted public gardens<sup>4</sup> from the ULB for maintenance have invariably barred neighbouring slum residents from entry into the space (on the excuse of avoiding littering), locked the gates, hired security personnel and kept the keys of the garden with themselves. As noted by a slum resident,

The Pestom Sagar Citizens' Forum has adopted the big ground in road number 6 and turned it into laughter and joggers' club where we are not allowed on the pretext that our children will litter the place and destroy the plants and flowers. They have kept security personnel and the keys of the garden are with them. Our children have nowhere to go. There used to be three grounds between road number 2 and 3. One ground is already having a housing complex constructed, the second ground is being developed into an artificial lake. Will children from Seva Nagar slum be allowed entry into it? The third ground has vehicles parked most of the time. All these are reserved open spaces of the MCGM but are being commercially exploited and also barricading them from common usage especially by the poor. Some local slum dwellers protested citing that they were reserved playgrounds like the *kiranawala* Nitin but nothing happened despite that. Similarly the Sandhu Garden which was adopted by the Diamond Garden ALM to be developed and maintained as a playground has many cement constructions which were unnecessary. These were contracted out to the Councillor of the area who made money in the process.

A citizens' movement fighting for pedestrian rights discussed use of space in the context of birthright versus acquired rights. It argued that:

The right to walk from point A to point B is a birthright-inalienable. One cannot legitimately obstruct a public right of way. On the other hand, the right to drive vehicles and park them in public space, or the right to display wares for sale in a public space are acquired rights. These may be allowed only to the extent that they do not obstruct people's birthright. Currently, they are completely obstructing our sacred right of way. Therefore, these rights lose their legitimacy. One may earn one's livelihood in various ways. Encroaching on someone else's way of living is always an easy way of earning livelihood. This gains respectability because of the sheer numbers of such encroachers, and political patronage due to vote-bank politics. But it should not be allowed.

<sup>4</sup> The ULB's guidelines for maintenance of open spaces reserved for recreation grounds and playgrounds allows NGOs, trusts and citizen groups to manage such plots either on adoption or caretaker basis. For adoption, the reserved land is given for 5 years and no construction is allowed on the land except for a 100 sq ft built up gardener's hut. The adoption scheme is provided for in the Development Control (DC) rules that came into effect in 1993. For Caretaker scheme introduced in 1999, the reserved land is given to the concerned party for a minimum 33 years and the trust or NGO can commercially exploit up to 25% of the land. Structure built on the land will be allowed to consume up to 75% of the Floor Space Index (FSI) of the entire plot (Bharucha, December 13, 2006).