New Policy Paradigms and Actual Practices in Slum Housing
The Case of Housing Projects in Bengaluru

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Recent reform programmes for achieving “slum-free” cities, like the Basic Services for the Urban Poor, signal a new integrated approach to slum redevelopment that combines housing, infrastructure and land titling. The new policy paradigm speaks the language of inclusiveness and efficiency, but its outcome has been far from ideal. This study examines two housing projects in Bengaluru to reveal how core elements of the new programme drive inconsistencies, even distortions, on the ground, impinging on the urban local body’s ability to deliver on the ambitious aim of providing affordable housing in sizeable numbers. It argues that the new approach to housing projects is overlaid on the conventional “public housing built by contractors chosen by tender” framework and this poses fresh challenges to already beleaguered local bodies.

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Recent reform programmes for achieving “slum-free” cities, such as the Jawaharlal Nehru National Urban Renewal Mission’s (JNNURM) Basic Services for the Urban Poor (BSUP) and the Rajiv Awas Yojana (RAY), signal a new policy paradigm in slum housing. This is manifested in an integrated approach to slum redevelopment that combines housing, infrastructure and land titling. Though these policy mandates speak the language of inclusiveness (ensuring security of tenure, enhancing public participation) and efficiency (promotion of public-private partnerships or PPs, use of technology to plug system leakages), how inclusive and efficient have the outcomes really been? Scholars and practitioners of local governance will hardly be surprised that there is a mismatch between policy rhetoric and the capacities and characteristics of government institutions, leading to inconsistencies in the substantiation of these models on the ground. This paper argues that the new approach to housing projects like the BSUP is being overlaid on the conventional “public housing built by contractors chosen by tender” framework and this poses fresh challenges for already beleaguered urban local bodies (ULBs). Examining the actual practices of governance and the political culture and power relations within which ULBs are embedded is a critical step towards understanding the success or failure of outcomes.

This study critically examines two BSUP housing projects in Bengaluru to reveal how core elements of the new model drive inconsistencies, even distortions, on the ground, impinging on the ULB’s ability to deliver on the ambitious aim of providing affordable housing in sizeable numbers. The new commercialised model focuses on entry of the private sector, ostensibly for its ability to efficiently cater to the different housing needs of consumers, without focusing on building ULB capacity for initiating and sustaining such partnerships. In practice, this has spurred the ULB to contract tasks out to (private and non-profit) consultants, which has increased lack of coordination and accountability without delivering a range of housing options that suit different needs.

The progressive thrust on security of tenure in the new policies seems associated exclusively with issuing property titles, contrary to evidence that the urban poor do not necessarily require titles as long as they are guaranteed reasonable security and access to employment locations (Payne 2005). In practice, the state government keeps the ULB and slum-dwellers in
limbo while it grapples with a decision on tenure, ultimately deciding to give only possession rights rather than a title that it claims will incentivise sale of the house by slum-dwellers and the creation of new slums. What this has done is give security but at a very high cost, making it doubtful whether slum residents will comply with these conditions, a headache that the ULB is now trying to tackle. Given that the BSUP model is expensive – sponsoring redevelopment as opposed to enabling upgrading by slum-dwellers – governments aim to limit and maximise their investment by deploying technologies for identification of “eligible” households. On the ground, the goal of tenure security is lost to the goal of containing beneficiaries even as biometric identification does not prevent ineligible beneficiaries from being included, while adding another step to the already long project cycle implemented by ULBs.

The fieldwork for this paper was conducted between April and September 2009. The paper relies on analysis of government documents, in-depth semi-structured interviews conducted with city and state government officials, project consultants, non-governmental organisations (NGOs) and entrepreneurs in affordable housing, experts, and a stratified sample of households from two slums where the BSUP housing project has been implemented.

The paper is structured as follows. Section 1 analyses several recent landmark national and state policies to understand critical shifts in thinking on slum housing. The emerging policy paradigm is viewed as strongly neo-liberal although tempered with the language of inclusive urban growth. Section 2 analyses the interplay between project design and actual practices of governance as seen in two case studies of BSUP housing. Section 3 develops a larger critique of the policy shifts in slum housing as manifested in their implementation. The concluding section sums up the arguments made and ends with general observations.

1 Changing Slum Housing Policy Context

The JNNURM’s BSUP housing scheme marks a shift from previous housing projects in scope, for its integrated approach, and in the emphasis placed on undertaking city and state government reforms to get central government grants. Its new avatar, the RAY, is an even more ambitious programme that aims to usher in slum-free cities, slum-free states and a slum-free India (2009). It includes an elaborate requirement from state governments of a Plan of Action (POA) for a slum-free state, prepared from the agglomeration of slum-free city plans, as well as a perspective plan for future containment of slums.3 State government policies typically reflect national policies and the Karnataka Draft Housing and Habitat Policy 2009 is no exception to this. It is a tangible expression of the state government’s commitment to a shift in strategy for dealing with slums in the state.

Four critical shifts in slum housing policy are identified in national and state slum housing policies. These shifts embody an emerging consensus on a strategy for slum housing in cities across the country.

(a) Changing Roles of State and Non-State Players in Affordable Housing: The first major policy shift is the reorientation of the state from “builder and provider” to “facilitator” (GOK 2009). This change is to be brought about through the PPP model involving mainly for-profit but also non-profit entrepreneurs with the aims of providing investment and accelerating growth in the housing sector. In the context of a backlog of 24.7 million housing units, the standing committee on urban development (2008-09) advised a “prompt, albeit a cautious, engagement with private partners in this field” (7). RAY guidelines (Government of India 2011) state that in considering clearance of POA by the centre, one criterion would be involvement of the private sector, especially in megacities where land prices are high. Policy documents explicitly outline strategies whereby the state facilitates access to land (through land acquisition and providing a conducive legal, planning and regulatory environment) and financing (through securitisation of mortgage and other mechanisms) to guarantee against risk to private lenders/investors in the sector. The emphasis on PPPs in slum housing policy privileges non-state consultants on the assumption that they are more efficient than local governments. No consideration is given to the capabilities ULBs need to develop to form and sustain effective PPPs or to what the role of ULBs is in PPPs. Additionally, no role is envisaged for elected representatives in the formalisation and upgrading of slums despite the (local and state) political process constituting the principal channel by which upgrading takes place in the Indian city context (Benjamin 2000; Harriss 2005).

While NGOs have played an important role in affordable housing in the past and still continue to do so, the BSUP has opened up opportunities for a new class of entrepreneurs that go beyond conventional NGO organisational formats and methodologies, often marked by partnerships across professional and practitioner realms. This crossover has led to an expansion of roles and objectives from a limited “service” orientation to a more strategic and technical orientation, often encompassing new technologies like mapping. On the ground, the role of these NGO/entrepreneurs is increasingly accepted, particularly for difficult or sensitive tasks involving community negotiations, such as the identification of beneficiaries and collection of beneficiary payments (Ranganathan et al 2009; Coelho et al forthcoming), and for evolving and testing innovative design, financing, and maintenance models for slum housing. At the policy level, the close cooperation between select NGO/entrepreneurs and senior members of the bureaucracy seems to be driven by the aim of “professionalising” urban management and making local government more responsive, although these efforts have been criticised for setting up parallel patronage systems (Benjamin and Bhuvaneswari 2001). It is important to note that there is considerable diversity of perspectives (such as on security of tenure and multistorey housing) among these actors, who often view each other as competitors. Institutionalising NGO/entrepreneur presence, while not new, thus takes on new significance in the BSUP.

The BSUP and the RAY model is one of “mainstreaming” the urban poor through market mechanisms in the expectation
that this will lead to both inclusive and efficient outcomes. However, there is a concern that the imperative of expanding private sector participation might well overwhelm the mission of inclusivity given the general tenor of India’s urban reforms (Ranganathan 2012).

(b) Providing Security of Tenure: The new policies take the powerful step of arguing for providing security of tenure. Although scholars widely acknowledge that security of tenure does not require issue of legal title (Fernandes and Varley 1998; Gilbert 2001; Mahadevia 2010; McAuslan 1985), both central and state policymakers conflate security of tenure with giving legal property titles in line with de Soto’s views. De Soto (2000) argued that granting legal title enables slumdwellers to get access to formal credit and this enables them to invest and improve their housing conditions, thus opening up a world of capital accumulation for them. The costs and benefits of granting legal title, however, need to be examined going forward.

In Karnataka, the current draft housing policy (gok 2009) states that a non-transferable lease on a housing unit will be given for 10 years, following which, and after the beneficiary contribution has been paid, the slum-dweller will be able to sell the house but only to the government. The sale of the unit is presumably at a fixed price. The draft policy says that security of tenure will be provided to residents of slums “for creation of primary security by financial institutions” (gok 2009: 31). Beneficiaries do not own the land or houses nor can they transfer them for 10 years, but they can mortgage the rights to financial institutions to access finances. Therefore, while slum-dwellers can use their house as collateral for a loan and have assurance of permanent security for living, they cannot sell their house in the open market or make modifications to it to suit changing needs. This defeats De Soto’s argument for giving legal property title, while at the same time tying up slum-dwellers’ limited reserves of capital.

The full costs of providing legal title are also not sufficiently taken into account. This may include payment of property tax and higher maintenance costs (often increased by multistorey construction), which raise living expenses such that some families might be forced to leave despite the capital sunk. Slum-dwellers in prime locations in large cities are particularly vulnerable as there are strong incentives for developers or powerful stakeholders to force them out and gain control of valuable land (Mahadevia 2010; Payne 2005). This reduces the access of poor groups to employment locations and accentuates the already skewed distribution of land among different sections of the urban population. In addition, the administrative burden of identifying those eligible for titles is exceedingly heavy.

Arguably, yet another cost of providing fixed, uniform size, legal houses to all is that it imposes a view of the house as exclusively a living space on all slum-dwellers, one that cannot be altered by the dwellers during usage. The split between residential and livelihood spaces that is written into new housing policies is even reflected in the provisions for common spaces, which could include playgrounds or anganwadis but not spaces where livelihood activities can be pursued (like raising goats or drying papads).

It is necessary to keep in mind that in the wake of rapid urban growth, the urban poor face disproportionate challenges in the competition for urban land. They are typically barred from formal access to land and they pay more for less reliable and lower quality services. This competition over scarce land has been recognised as a source of tremendous conflict (Coelho and Venkat 2009; Kamath and Vijayabaskar 2009). What makes the situation worse for urban poor groups is that they often only have limited opportunities to address these conflicts, as formal mechanisms to redress such grievances are inaccessible to them (Asian Development Bank 2010).

(c) Emphasising Formal Community Participation and Management of Housing: The third critical policy shift is an increase in the importance given to community participation in slum housing programmes with “community” being used rather loosely to embody slum associations or beneficiary committees that are seen as representative of community interests. Where associations do not exist, communities are required to form them to undertake monitoring, maintenance and management tasks although it is not clear how they are to do this without any finances or efforts to build their capacities. There seems no doubt that this is an instrumental view of participation as the sensitivity in policy documents to the participation and affordability needs of vulnerable sections seems to be rooted in concerns about their ability to maintain and pay for their housing (Government of India 2007).

There also seems to be no serious commitment from the national government to giving ULBs autonomy or support to address community development-related tasks.7 The Draft Guidelines for the Slum Free City Planning Scheme of RAY (Government of India 2011) mention, but do not require, the formation of an Urban Poverty Alleviation (UPA) cell within the ULB to coordinate community development-related tasks. Instead, ULBs are allowed to outsource these tasks to external consultants on the grounds of not possessing a “strong” UPA cell and a “well-organised community mobilisation and development structure with dedicated officers and community mobilisers at the field level” (Government of India 2011). Without a steady source of funds, functionaries and clear demarcation of responsibilities, it is not clear how any ULA could fail to take the outsourcing route, which does not build in-house capacities within the ULB.

(d) New Technologies of Governance for Targeting Subsidies: The fourth is claims of containing (in the present and in the future) and targeting the number of beneficiaries and weeding out corruption through deploying technologies of identification. The biometric card is deployed in the case of the bspu in Bengaluru and it contains information on the benefits the slum-dweller is eligible for (for example, house, loans) and can be updated over time. These claims depend on two key features. First, that the unique identification system really is unique and non-replicable. There seems to be tremendous
faith in the infallibility of biometric verification despite the fact that biometric and legal experts generally agree that the technology has significant limitations in proving identity beyond doubt (Ramakumar 2010). Moreover, the sociopolitical dimensions of operationalising this technology reinforce the highly questionable nature of this assumption. This is because the officials who will be implementing this system are the same as earlier and subject to the same incentives and pressures as previous leaky systems. Additionally, the issue of biometric cards depends on the conduct of an accurate, updated survey of all people living in slums, and this process is an inherently messy, political one. Establishing eligibility to receive a biometric card is a difficult task, particularly for those who do not have the resources or patrons to obtain eligibility documents (Mahadevia 2010).

Second, the assumption is that the issue of corruption and leakages in the system and of the poor not being able to access benefits they are entitled to is due to problems of identification. Scholars (Ramakumar 2010; Ramanathan 2010) have elsewhere argued that the low efficiency of government schemes is not technological but structural, based on narrow targeting, often assisted by NGOs or community-based organisations (CBOs) who have their own stakes in the selection process, and typically not revised for long periods of time. Further, if a primary objective of the biometric card is to achieve containment of future slums, then what is the incentive to issue it or update it on a regular basis to include new poor populations?

While this section has analysed critical shifts in slum housing policies and viewed them as representative of an emerging neo-liberal consensus, the next section reveals how different actors implement these policies. I start with a brief background on the implementation of BSUP housing projects in Bengaluru and then go on to analyse the process of implementation in two case study slums.

2 BSUP Housing Projects

There are 542 slums in Bengaluru and 219 of these are declared slums.6 In Bengaluru, the two agencies involved in BSUP housing implementation are the Bruhat Bengaluru Mahanagara Palike (BBMP) or Greater Bengaluru City Corporation, which is responsible for non-declared slums, and the Karnataka Slum Clearance Board (KSCB), which is responsible for declared slums.6 This study is restricted to studying BSUP housing projects implemented by the BBMP.

The BSUP funding formula consists of the central government contributing 50% of funds, the Government of Karnataka contributing 35%, the BBMP contributing 2.5% and the remaining coming from beneficiary contributions (general 12.5%; scheduled caste/tribe; SC/ST; 10%). There are clear guidelines laid down for BSUP projects but the two implementing agencies have not adhered to all of them (Table 1); the case studies expand on this theme. There are also differences in approaches adopted by them, as Table 1 reveals.

The BBMP’s cost of construction per unit is much more than the KSCB’s, which tends to increase the beneficiary contribution.9 The reason for this difference, the BBMP claims, is the additional amenities included. The BBMP’s much higher cost per unit has raised questions about how costing has been done, and what services are considered essential and which add-ons are to be done by slum-dwellers themselves. The difference in the approaches of these two institutions has created confusion and disparities in the level of services and costs incurred by slum dwellers in the city.

Table 1: Differences in BBMP and KSCB Approach to BSUP Projects

<table>
<thead>
<tr>
<th>BBMP</th>
<th>KSCB</th>
<th>Prescribed BSUP Guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cost of unit as per DPR:</strong> Rs 3.25 lakh, actual cost as per BBMP engineers: Rs 4-4.5 lakh; exact beneficiary contribution not known, people claimed to pay Rs 30,000-35,000 in case study slums</td>
<td><strong>Cost of unit as per DPR in the range of Rs 2.15 lakh; exact beneficiary contribution not known</strong></td>
<td><strong>Beneficiary contribution up to 12% of housing unit cost</strong></td>
</tr>
<tr>
<td>In situ development, multistorey housing</td>
<td>Both rehabilitation and in situ housing</td>
<td>In situ development as far as possible; multistorey housing promoted</td>
</tr>
<tr>
<td>Includes provision for transit housing (Rs 40,000) + some temporary service provision although many problems in practice</td>
<td>No transit housing budgeted for or provided</td>
<td>Recommends provision for transit housing</td>
</tr>
<tr>
<td>No involvement of people in DPR; no documentation provided specifying details of what people are getting for how much</td>
<td>No involvement of people in DPR; no documentation provided specifying details of what people are getting for how much</td>
<td>Participation of slum-dwellers mandated; documentation to be provided specifying details of what people are getting</td>
</tr>
<tr>
<td>In DPR there is mention of providing additional amenities like anganwadis and parks but no on-ground examples due to “lack of space”</td>
<td>No extra amenities mentioned in DPRs or provided</td>
<td>Provision for additional amenities</td>
</tr>
<tr>
<td>Officials say no ownership will be given, just the right to use the property but waiting for state-level directive on this</td>
<td>No clarity on whether/how tenure security will be given</td>
<td>Security of tenure to be given</td>
</tr>
</tbody>
</table>

Source: Author’s fieldwork 2009; CIVIC (2010).
According to the detailed project report (DPR), the total project cost for all five slums in the pilot phase was Rs 1,352.57 lakh. In late 2009, however, construction in the Netaji slum had not yet started and the total expenditure incurred was only Rs 337.74. Expenditure figures as well as the case studies in the next section highlight the remarkably slow pace. While the pilot phase was kicked off in 2006, not even one housing unit had been allotted by December 2009 despite the very small scale of the pilot phase projects – the maximum number of housing units to be constructed was 91 in the Jasma Bhavan slum.

The following two case studies analyse the actual practices of governance during implementation in two slums in Bengaluru. The slums are both from the pilot phase and were selected because project implementation had proceeded furthest.

2.1 Community Case Studies

Case I: Kalyani Slum

About 40 years old, the Kalyani slum consists of 32 households, comprising 200 voters, with Kannadigas dominating. Despite not being a declared slum, the slum community obtained access to services in an incremental manner by approaching elected representatives from various parties. For giving them electricity connections, funds from the Bhagya Jyothi scheme were used. The local corporator first provided a borewell and water tank; this was subsequently upgraded to individual water connections upon the issue of a government order from the corporation. The local member of the legislative assembly (MLA) constructed a public (Sulabh) bathroom and toilet using his MLA funds. By 1996 many households were paying electricity and water charges as connections were metered. The focus of the community’s struggle then shifted to improving and consolidating their shelter situation, particularly because they were in a low-lying area prone to flooding. From the late 1990s community members began approaching elected representatives to get land rights, but being located on prime land in the heart of the city, they were unsuccessful.

Ill-prepared for implementing BSUP housing and unsure of how to select slums for a BSUP pilot, the BBMP signed an agreement in 2006 with an international NGO, the Cooperative Housing Foundation (CHF), and a federation of women’s savings groups, Mahila Milan.11 Some of the major roles defined for these partners were assisting the BBMP in identifying beneficiaries through a socio-economic survey, creating awareness and willingness for BSUP housing, assisting in allocation of units and transit housing, and maintenance through facilitating creation of housing collectives and a corpus fund.12 Mahila Milan was keen to leverage their already existing relationship with the BBMP in sanitation projects to move into affordable housing and build a successful model to showcase. A Mahila Milan employee described how they were prepared to do a socio-economic survey and provide it to the BBMP without remuneration because they hoped to be subsequently hired as the DPR consultant for Phase I of BSUP.13

Mahila Milan began forming self-help groups (SHGs) in the Kalyani slum. It hired local slum residents as community workers, who did a quick count of residents, and submitted a list of beneficiaries to the BBMP. Community members alleged that this list contained 42 beneficiaries, 10 more than actually existed, because Mahila Milan wished to allot 10 extra houses to its members and for its office within the slum. They refused to have anything further to do with Mahila Milan in connection with the BSUP housing project. In early 2007, the BBMP approached the community several times regarding selection of the slum for the pilot BSUP housing project but residents refused to consider it for three main reasons – they were unsure whether it was in situ construction, did not want G+3 housing, and the BBMP officials could not commit that slum-dwellers would receive ownership rights to the new units. Having more faith in their elected representatives, local slum leaders approached the local MLA to help them decide what to do. The MLA brokered a meeting between the community and the BBMP and the entire project was explained in the Vidhana Soudha14 in the MLA’s presence. The community then gave its assent to the BBMP. There is no question that elected representatives have played a crucial role in obtaining the Kalyani slum’s agreement to be part of the project despite their having no formal role in it.

Implementation: Delays and Inadequate Information

The BBMP assured the community that it would finish construction within six months, but it took more than two years. This was a serious issue given that transit accommodation for slum-dwellers was not provided due to lack of available land nearby. The slum-dwellers said that initially the BBMP had promised them that it would pay for rental accommodation for eight months. Several of them took up rental housing but when the BBMP did not pay the rent, they returned and set up temporary houses on the footpath next to the construction site. Even after construction was completed in December 2008, no electricity or water was provided and a full year later the BBMP had not allotted possession certificates to the beneficiaries. Protests by the slum-dwellers only received media attention when four residents died from complications after being bitten by rats (The Hindu 2009). Towards the end of 2009, slum-dwellers quietly took possession of the building.

Several reasons were cited for the long delay. The major hold-up was that the state government had not decided whether to give ownership documents to the slum-dwellers and BBMP officials were waiting to be told what to do. Further delaying matters, the commissioner in charge was frequently transferred along with other officials (three commissioners in four years). BBMP officials also cited non-payment of the beneficiary contribution as a reason for the delay. While several respondents said that all slum-dwellers were willing to pay for their houses, a local leader explained that four families could not afford to pay the beneficiary contribution and needed a subsidy, while the rest could afford to pay if it could be done in instalments. However, the community association’s repeated petitions to the BBMP to consider an instalment system did not bear fruit. Slum-dwellers’ utility payment arrears also caused delays in providing water and electricity in the new building.
said BBMP engineers. Local leaders collected some money for pending bills from each household and were negotiating with the BBMP to come to an agreement regarding them.

In 2008, the community formed an association called Babasaheb Ambedkar Abruadi Sangha for monitoring the housing project, speaking with a collective voice, and routing correspondence with BBMP officials. Local leaders talked about how difficult it was to get information about the project and adjust to their new roles and responsibilities as (collective and individual) consumers of the new housing units. In initial discussions, for instance, the BBMP promised to provide individual power and water connections and also solar connections although the community rejected the latter because they were concerned about maintenance issues. Subsequently, they were told that the building would get municipal water fitted with a bulk water meter. This meant that the community (through its Sangha) would have to monitor usage of water, decide how much to charge, distribute water bills to each household, and ensure payment. Underscoring the shift to a consumer culture, BBMP officials warned the Sangha that the borewell currently in existence could continue to be used, but the electricity bill, which was earlier paid by the BBMP, would now have to be paid by them. The Sangha also would have the responsibility of maintaining building common spaces although members had no idea where the money for this was to come.

Several inconsistencies between policy and practice are striking in this narrative. The first is the critical role played by politicians in getting the Kalyani slum to agree to the project although they did not feature in policy design. The second is the role played by local leaders and the slum Sangha in enabling residents to take possession of the new units through negotiation with BBMP officials. Despite this success, the Sangha’s ability to cope with the responsibilities it has been assigned in the new housing regime, with no external support, is questionable. The third is that in seeking assistance from NGOs/entrepreneurs and private consultants to implement the project, as prescribed by BSUP guidelines, the BBMP faced several unanticipated hurdles. The community rejected the NGO/entrepreneur’s role in the socio-economic survey. They also blamed the BBMP for problems with respect to project construction, preparation of the DPR, and lack of clarity on tenure rights, tasks that were either contracted out or not within the control of the BBMP. Thus there seems to be a disconnect between new policies that conceive the role of the state to be a facilitator, and the situation on the ground where slum-dwellers see the BBMP as the main actor having primary responsibility.

Tardy Project Implementation and Contested Claims

Mahila Milan first did a socio-economic survey during which it inspected voter identity and ration cards for identification of the residents. BBMP engineers then verified the list on the ground while Radiant Infosystems, the consultant tasked with preparing the biometric cards, took photographs of the families in front of their houses and the fingerprint of the head of the household. Radiant Consultants then handed over the printed biometric cards to the BBMP for issue to beneficiaries. While Radiant Consultants and the BBMP described how the biometric technology would stop corruption and “freeze” the number of beneficiaries, slum informants told a different story. They described how Mahila Milan appointed a slum resident, Selva, with connections to other leaders in the area and political parties, to supervise building construction and serve as a mediator between the community and the contractor. Mahila Milan was not paying Selva; instead he intended asking the BBMP to allocate him a house he could use as an office. The total number of beneficiaries in the Bakshi Garden slum is 47, but 48 houses were being constructed despite the supposedly foolproof biometric process, and Selva hoped to lay claim to this extra unit.

The contractor constructed temporary sheds for the slumdwellers, where they have been residing for the three-year construction period. There were several difficulties that caused delays and cost escalations. Since the Bakshi Garden slum is on a main drain, the appointed contractor first had to lay a seven-foot slab of concrete and raise the building over it. The slum also had electricity bill arrears of Rs 1,80,000, which had to be cleared before the contractor could start construction. The BBMP acknowledged that the slum-dwellers would find this unaffordable, but it too had limited funds. The engineers finally managed to pay this from the BBMP’s 18% budget provision for SC/ST welfare.

Information on the project is patchy overall despite Mahila Milan having conducted several public meetings on it. Most people know that housing is G+3 and they have to contribute

Case II: Bakshi Garden Slum

The Bakshi Garden slum is a consolidated area of slums containing 47 houses comprising 250 voters. It is not declared, even though it is an old slum and adjoins the main declared Bakshi Garden slum. The slum is located on a main drain, near a garbage dump. Its residents mostly work as construction workers or daily wage labourers in the nearby city market, K R Market. All households have voter identity and ration cards. Similar to Kalyani, slum-dwellers trace their incremental consolidation over the land by accessing basic services through their elected representatives. By 2000, all households had obtained electricity and water connections, streetlights and public drainage facilities through successive corporators.

In 2007, BBMP officials approached the Bakshi Garden slum for a BSUP housing project but the residents were suspicious and unwilling to accept it. A Mahila Milan employee also commented on the suspicion the local community had of a Mumbai organisation and their strategy of countering it through forming the Karnataka Slum Dwellers Federation (KSDF) as a branch of the National Slum Dwellers Federation (NSDF). Mahila Milan hired a local leader called Jayakantha, who was affiliated to the Bharatiya Janata Party (BJP), in a bid to enter the Bakshi Garden slum. Jayakantha combined forces with a local leader from the main Bakshi Garden slum and used a mixture of persuasion and coercion (saying if they did not accept this project, it would go to another slum and they might be later evicted) to get the Bakshi Garden residents to agree to the housing project.
as beneficiaries, but they are unclear about their exact contribution and figures of the amount paid varied. They also did not know the nature of rights they would have over the new units. Some residents were under the impression that the biometric cards served as proof of identity and a guarantee of ownership. BBMP officials were of the opinion that ownership would vest with the body with beneficiaries only enjoying use of the unit. The DPR reflects this stance, adding that “suitable protection clauses” should be included to prevent beneficiaries from transferring or selling their units.

Through his connection with Mahila Milan, Jayakantha found out that for the first five years the BBMP would maintain the housing units, after which a community association would have to take over. Jayakantha, Selva and another local leader were instrumental in forming a community sangha. As Jayakantha explained, “Forming a new association is mandatory under BSUP housing guidelines so that slum-dwellers can solve problems related to the new housing”. He meanwhile continues to work for Mahila Milan and revealed that the NGO has made several recommendations to the BBMP on BSUP housing projects. These include disallowing owners from selling their house for a period of five years; enabling payment of the beneficiary contribution in instalments, and ensuring that residents pay for water and power charges. Jayakantha justified this saying that everyone in the slum had a mobile phone and a cable TV connection, that no one was below the poverty line, and so could well afford to pay water and power bills.

The case reveals inconsistencies between the policy prescription and the on-ground practice. Even though the biometric card is supposed to “fix” the number of houses built, the actual number of houses that are built need not have any relation to the number of biometric cards issued; local narratives refer to political leaders and Mahila Milan appointees using their influence to get houses for their followers or themselves. While Mahila Milan attempted to directly connect to communities, their limited success seems to have propelled them to tap into the existing machinery of local leaders and political parties. This made them vulnerable to the same complaints of corruption and patronage made against politicians. For instance, while the centrally designed BSUP guidelines require that beneficiary committees be responsible for supervising project construction and managing maintenance, in this case a local leader seems to have exploited this requirement towards his own end. While there is no doubt that Jayakantha’s and Selva’s connection to Mahila Milan gave the community access to valuable knowledge they might not have otherwise possessed, this also clearly reinforced the power of these men as leaders in the community. Finally, despite security of tenure being a core principle of the BSUP, this was violated by the state government in practice and given sanction by the centre (since it approved the DPR).

Going beyond the two case studies, the next section presents a larger and more elaborate critique of the policy shifts (elucidated in the first section) as manifested in their implementation.

3 Slum Housing Policy Shifts and Their Implementation

Problems Associated with Actualising Secure Tenure

State government officials are convinced that if slum-dwellers are given ownership of a housing unit they will sell or rent it and create new slums. How to create the “right” incentive structures so that more slums are not created seems to be the state government’s major concern, in line with the strong policy mandate to eliminate all slums. While the state’s policy on ownership and entitlement of dwellers is still being formulated, there seems to be consensus on giving slum-dwellers a possession certificate (PC, or swadhina patra), which permits lifelong possession without ceding ownership.19 The limited entitlement this gives to slum-dwellers defeats the principle argument that security of tenure accelerates the process of housing improvement and enables capital accumulation. There are indications that it might make the objective of eliminating slums unachievable as well.

Slum-dwellers clearly articulated their need for control over their dwelling unit and the land they occupy. They prefer a hakku patra (HP) that gives rights of use over land and enables expanding the house for living and/or business, although with no guarantees against eviction. With a PC, slum-dwellers have to take the same housing unit as everyone regardless of how much land they were occupying and they have little or no say in how it is designed or constructed. Some slum-dwellers who were living in bigger houses than the fixed 225 square feet, particularly those who occupied favourable locations like near the main road, do not see why they should be forced to live in a smaller BSUP unit.20 There has thus been strenuous opposition from sections of the community to being given a standardised housing unit and not the land on which it sits, even though PCs give people lifelong possession over the housing unit and cannot be revoked. A consequence of this has been project delays and increased costs, but the larger issue this highlights is the importance of perceived security of tenure rather than legal title, especially when it permits longer-term flexibility in modifying housing according to needs.

In addition, field evidence reveals that the full costs of legalisation have not been made clear to residents. While the DPR suggests a private service provider collect property tax and charges for utilities, and figures are proposed for each of these service charges, the rationale for this is not given nor was this done with community members’ knowledge. Despite part-paying for their units, residents do not know what this payment is getting them. NGO activists said that the cost of common amenities (like playgrounds or schools) is typically not estimated when the DPR is prepared and, in practice, none of these amenities have been constructed. They argue that people might not always need to construct these facilities, especially if they are located close to one. Instead, they might choose to design spaces where livelihoods could be pursued. These needs are not considered in BSUP housing projects.

And what is the role of the BBMP in all this? The BBMP is a mute spectator in the process of decision-making on tenure with officials clearly seeing their role solely as implementers.
They are hence concerned with the considerable challenges of implementation in a situation where they have little monetary, legal or other support. Among their biggest problems is finding available land for in situ development and transit housing and dealing with disputes over land, all of which cause significant project delays. There is no easily accessible information on who owns land in the city. The BBMP currently owns very little land in the core area and what it owns is earmarked for civic amenities. This often prompts middle-class protests over slums being relocated next to them on land that had been earmarked for civic amenities such as parks, as in the case of the Netaji slum where the residents' association has filed a public interest litigation (PIL) against the BBMP. Even if appropriate land is found, many slum-dwellers are unwilling to temporarily relocate for several years, as there is no guarantee when the new houses will be ready. The cost implications of these delays are huge but possibly more significant are the contestations of different groups, which ULBs are not equipped to cope with.

Building In-house Capacity of ULBs

The BSUP (and the RAY) increasingly demand a complex set of capabilities from ULBs. To efficiently deliver in situ, multi-storey, affordable housing in large numbers, with high levels of participation, these policies encourage ULBs to be entrepreneurial and form PPPs, rather than build in-house capacity. In practice, this has meant a continuation and consolidation of the “public housing built by contractors chosen by tender” approach with new tasks being added to the list of activities to be outsourced (Figure 1). Tasks contracted include the socioeconomic survey (NGO), DPR preparation (private firm), project monitoring consultant (PMC) (private firm), biometric card preparation (private firm), transit housing arrangements (parastatal), construction (private firm) and third-party monitoring (NGO). An assistant engineer mentioned that consultants so far had done everything, leaving the engineering division only to do project monitoring, although this was a task already being done by the PMC and an NGO responsible for third-party monitoring with no coordination or role clarity between them. To aid coordination, the JNNURM toolkit specifies the formation of a project implementation unit (PIU), which is meant to be an operations unit supplementing the skills of the ULB, although it is not clear whether the PIU is a unit located within the ULB or can be a separate implementing agency. This lack of clarity is manifested in the case of Bengaluru where the BBMP has no separate PIU, instead the PMC was given this function. The consequence of trying to implement a more inclusive approach (in situ housing, greater community participation) within the conventional public housing contractor model has been greater fragmentation and lack of coordination within a ULB that is already plagued with these problems. How is the ULB to navigate its role between the old and new approaches?

The process diagram (Figure 1) reveals the numerous steps involved in the implementation of a BSUP project in the BBMP. Each time approval is sought from another division of BBMP or coordination with external contractors/agencies needs to be done (dotted arrows), coordination problems and delays result. In one instance, a consultant put monitoring of construction costs in the DPR as being for a period of nine months but could not withdraw their supervising engineer from the position for more than two years because the project was not completed.

**Figure 1: Process of BSUP Housing Projects in BBMP**

- **External Contractors/Agencies**
  - Mahila Milan
  - Radiant Infosystems
  - Manasa
  - S.R. Ravi
  - KSPHC
  - BWSSB/BESCOM

- **BBMP**
  - Engineering
    - Identifying slums and beneficiaries
  - Revenue
    - Sanctions after checking land ownership status
  - Finance
    - Contracts prep of biometric to Radiant
    - Approves DPR and sends to JNNURM Secretariat
    - Prepares proj cost estimate for approval by Finance. On approval, 1st instalment funds released
    - If transit housing given, KSPHC responsible for arrangements
    - Arranges for shifting of utilities, payment of arrears
    - Coordinates for putting in service lines

- **Collects beneficiary contributions**
  - Manasa
  - BWSSB/BESCOM
  - Civil Aids

- **Third party monitoring**
  - Allots houses and gives property rights

*As told to author by BBMP officials
Functional fragmentation within the project was compounded by the frequent transfers of officials in the BBMP cell within the BBMP. One of the engineers said,

Who will come to bsup? There are eight posts filled out of a total of 25 engineer posts in bsup. Nobody wants to join. There is a general shortage of staff after the formation of bmm but bsup is not a desired place. Engineers want to be zonal engineers or in departments where there is more power [read where they can make money], where something is happening, like roads and drainage. bsup work is difficult, there isn't much progress, they have to deal with so many protests.

Given that the focus of any official posted in the bsup was to get out as soon as possible, ngos and community groups spent an inordinate amount of time on acquainting new officials with the existing situation, and a lack of institutional continuity plagued the project.

**Power Asymmetries and Contestations**

A characteristic feature of the class of ngos/entrepreneurs in affordable housing is heterogeneity of approaches towards affordable housing on issues ranging from rental housing, multistorey housing, relocation, and use of biometric and mapping technologies. This leads to viewing other actors as competitors, reducing the possibilities for cooperation. In Bengaluru, AVAS, a local ngo, and Mahila Milan had a formal role in the pilot bsup project while others in the space claim they were sidelined, not even being invited for project consultations.

A typical entry strategy of ngo/entrepreneurs seems to be to create the habit of saving through the formation of shg in slums. Once the ngo starts working in a slum, local leaders are hired to oversee collection of savings, get “buy-in” for the new housing project, and “organise” the community. This has led to conflicts with some local leaders who view this as an attempt at setting up a parallel leadership and patronage system although others have reached a mutually beneficial arrangement with the ngo/entrepreneur. Working in slums to build a supportive constituency also pits such ngos/entrepreneurs against local politicians and arguably the democratic political process as it functions on the ground. A Mahila Milan employee stated that politicians are at loggerheads with them because their position is “vote beda, note beda” (no vote, no money). Thus distancing from commonly perceived patron-client politics (giving one’s vote in return for money/favours) is not easy to maintain on the ground, as the case studies outline.

Meanwhile, the senior leadership of these ngo/entrepreneurs continues negotiations with officials at the municipal and state levels to obtain information on new housing schemes and influence programmatic design, implementation, and policy (Interview, ngo). ngo/entrepreneurs’ access to information and the power they wield in bsup schemes gives them the opportunity to build and strengthen a supportive constituency in the slum and to promote their own model of housing. Public participation and access to information has been greater when they have been involved in bsup housing. However, their relation with community members is deeply shot through with power asymmetries. As a local activist said, “These ngos are deeply implicated as middlemen, all communication happens through them – ensuring who are beneficiaries, managing the money, deciding interest rate, forming shg, forming the post of community organiser from among local leaders in the slum.” ngo/entrepreneurs’ alliance with local leaders and the strategies they use for consolidating their power indicate that they might be guilty of the very clientelism they so harshly criticise, by entrenching the control of local leaders. In the name of an expanded role for civil society, does the greater role for ngo/entrepreneurs seem to guarantee specific group interests instead of a broad representation of different perspectives?

Once formed, slum associations are invested with responsibilities for maintenance, dispute resolution and management of the new units, at the same time fulfilling mandated public participation requirements. The retreat of the state from responsibility for service provision to the poor, coupled with the very narrow interpretation of the role for associations (civic management within a marketised service delivery context), have serious consequences for local democracy (Benjamin and Bhuveneshwari 2001, Coelho et al forthcoming). This is very different from the state crafting and supporting a legitimate “social justice” role for csos within the decentralised governance structure such as in the case of the Philippines.

**The Sociopolitical Dimensions of Biometric Application**

While beneficiaries of bsup housing have been given a biometric card, there is considerable confusion as to what the biometric process has enabled. Some BbMp officials argue that a biometric identifies beneficiaries for bsup projects and that those who do not have biometric cards cannot get a house. Yet if one examines the number of houses built during the pilot phase and Phase I of bsup (Table 3), we see discrepancies between the number of households and the number of houses built. This reveals contestations around identifying eligible beneficiary households, and shows that biometric cards by themselves do not eliminate manipulation in the number of houses being built.

When asked to justify the use of biometric card, bbmp officials state that it “freezes” the number of beneficiaries, which is a condition of the JNNURM, and therefore must be implemented. Almost in the same breath, they cite instances where
it has failed to “freeze” the number of beneficiaries and their helplessness in preventing this. For example, the time delay between project approval and final freezing of beneficiaries typically leads to an increase in the number of beneficiaries as residents from other slums try to negotiate their eligibility here. It has thus proved difficult to maintain the same number of beneficiaries as stated in the DPR. For example, in one slum, the consultant had prepared a DPR for 86 beneficiaries based on biometric identification (interview consultant) but a year later was asked by the BBMP to include 12 more beneficiaries. Sometimes eligible residents are unaccountably left out of the biometric process and then need to be accommodated somewhere. In the Kodihalli slum, for instance, there were 32 households but only 22 biometric cards and new housing units built. Officials conceded that these 10 households were eligible for a house but that they could not be accommodated in Kodihalli because biometric cards had “frozen” the number of claims.

Clearly the new technology is founded on older non-transparent principles, where slum-dwellers cannot contest the procedure for defining who are legitimate claimants and therefore try other (political) means for gaining access to subsidised housing. NGO/entrepreneurs and politicians can use this as a means of conflating political largesse, while for private firms it represents contracting opportunities. Meanwhile, the BBMP is engaged in an endless dance of accommodation, with biometric adding yet another layer to an already labyrinthine process of project implementation.

4 Conclusion

This paper provides a critique of key features of slum housing policies as manifested in their implementation, arguing that the new paradigm poses fresh challenges to already weak ULBs, impinging on their ability to deliver affordable housing. New policies mandate changing roles of state, private and NGO players, emphasising that ULBs form PPPs without focusing on building in-house capacities to coordinate and sustain these partnerships. Field evidence reveals that despite the BBMP having little project autonomy, it was the main face in dealings with the community and the target of their anger. Although new policies conceive a facilitator role for the state, it seems clear that slum-dwellers see the BBMP as having primary responsibility despite the body being unsure of its role since every task is being contracted out. NGO/entrepreneurs play an influential role in identifying beneficiaries and engaging in negotiations over affordable housing policy. Where factions within slums have contested this role, the practice of giving NGOs key roles in “speaking for” slum communities has created conflicts. In the new commercialised model, there is no substantive role for elected representatives and the political process even though they play a critical role in slum upgrading. Formal community organisations are assigned the task of maintenance and management although they struggle to obtain project-related information and have no external support to conduct these tasks.

The reliance on technology as a short cut to eliminating corruption is revealed to be a myth since the sociopolitical dimensions of operationalising such technologies of identification (for example, producing lists of beneficiaries based on a survey) cannot be dispensed with. Perhaps the biggest failure of the new housing model in Bengaluru is the false hope generated by the promise of security of tenure. Providing legal titles is privileged over other forms of tenure security. By providing new housing that is not owned by slum-dwellers or vested with rights to land, tenure security is divorced from options for long-term incremental improvements. In addition, the full costs of legalisation have not been deliberated or made public.

In the wake of the JNNURM and before the JNNURM 2, there has been a realisation of the critical need for capacity building of ULBs. What is required, I submit, is not mere spelling out in the design (through detailed toolkits, for example) of capacity building curricula and programmes but a more nuanced understanding of practices of governance and the broader state-ULB and state-society political culture and power relations within which ULBs operate. As the paper demonstrates, it is these embedded practices of governance that are critical to understanding the success or failure of affordable housing outcomes.

NOTES

1 I am grateful to an anonymous reviewer for this suggestion.
2 It covers 63 cities under the JNNURM and remaining urban areas of the country underUIDSMT and IHSDP. A total of 1.02 million dwelling units have been approved and Rs 5524.44 million has been released by the national government to the state governments for implementation (Mahadevia 2011).
3 RAY is divided into two phases – preparatory and operational. The preparatory phase is for two years, and involves preparation of detailed project reports containing slum surveys, GIS mapping, development plans for slum-free city and a legal framework for providing property rights to the slum-dwellers. The operational phase will begin after the Centre clears the project reports and involves actual construction of houses for slum-dwellers as well as granting them property rights.
4 Recent policies outline model agreements, tool kits and contracts that service providers/ULBs can use to outsource a bewildering array of tasks (www.jnnurnur.nic.in).
6 Examples of such partnerships across professional and practitioner realms include a federation of women’s savings groups collaborating with an NGO, and private consultants teaming up with NGOs to work on affordable housing.
7 Ghosh and Kamath (2012) contend that it is the national government that often establishes the overall commitment to a “pro-poor” approach by influencing the accommodation of informal communities’ claims at the local level, and the space given to them to influence larger governance processes.
8 The figures on total number of slums in Bengaluru vary considerably with BBMP claiming it to be 778. The BBMP Pilot Phase Detailed Project Report (DPR) states number of declared slums to be 219. Upgrading of all declared slums is the responsibility of KSCB while that of non-declared slums is the social obligation of the BBMP.
9 It is difficult to state these figures with a high degree of certainty as several different cost estimates were obtained from different informants.
10 Mahila Milan is part of an alliance with an NGO, SPARC, and the National Slum Dwellers Federation (NSDF).
11 The second was to develop model community-based DPRs, which would serve as a template for future DPRs.
12 Mahila Milan could do this because it was being supported by funds from the Gates Foundation and CHF for community mobilising and socio-economic surveying. Ultimately, the BBMP hired a private consultant, Manasa, to do the DPR for both the Pilot and Phase I.
13 This is the State Legislative Assembly building.
14 The DPR was not made available to them in the local language, Kannada, and they were not clear about basic details like how much they had to pay for the unit and the nature of their rights to the housing unit.
16 The Pilot DPR suggests appointment of a private service provider for BSUP slums to maintain the assets, carry out repairs and collect service charges including property tax, water and sanitation, electricity and solid waste charges.

17 The main Bakshi Garden slum is composed of about 1,000 houses, mostly dalits from Tamil Nadu. They came to the KR City Market area about 35 years ago in search of jobs, contributing to the emergence of seven slums. In the 1980s the city corporation gave title deeds to settlers who had occupied land before 1980.

18 He was appointed for this brokering role, Selva says, because “the local people will fight with the contractor and unnecessary complications will arise” (Interview 2009).

19 Granting tenure security but without land rights is a departure from the earlier regime where tenurial rights were based on usage of land and not on the housing unit.

20 Some advocates argue for presenting slum dwellers with different size options, for instance, 25 sq ft at the BSSP subsidised rates and a further area at market rates for those who can afford it.

21 Milla Millan did a socio-economic survey in four slums, i.e. Jasma Bhavan, Kodihalli, Kalvani and Bakshi Garden while Avas did a survey in Netaji slum in Malleswaram.

22 Conversations with local leaders indicate that entry into a slum is based on a preliminary assessment of poverty levels and willingness to consider adoption of their model of housing. The possession of a mobile and cable connection, for instance, is used as an indicator of ability to pay for services.

23 One of these NGO representatives revealed how his organisation had reached a point in their discussions with the commissioner of the BBMP when he agreed to give them access to land and funds from the Rs 84 crore allocated under the 18% scheme earmarked for SC/STs for slum housing. However, the commissioner was subsequently transferred leaving the NGO to restart negotiations with his successor.

24 The Philippines 1987 Constitution provides for the central roles of CBOs in both local and national governance. Local Housing Associations (HAS) and Home-Owners Associations (HOAs) generally establish “peace and grievance” committees, which provide resources for community mediation. Through the process of dispute resolution the Barangay Justice System (the barangay is the smallest level of local government functioning at the neighbourhood level) and Barangay officials are intended to contribute to the guarantee of fair access to urban assets, especially land and services, among the urban poor (Porio et al 2004).

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