While unplanned colonies retain a negative image for most city planners, pragmatic reasons favour their regularisation. A large number of Delhi’s residents live in such unauthorised colonies, most of which are now being regularised. But just how many people, and what changes for them through regularisation? This process does not come without preconditions, spelled out through an emphasis on self-enumeration as well as the mandatory formation of resident welfare associations during the application for legal status. Analysing these procedures, this article argues that greater inclusiveness is offered only to those who adhere to a new meaning of citizenship, focusing on residents’ active and financial participation in development and governance.

1 Introduction

To say that Delhi is a heterogeneous and rather divided city is not new. Indeed, the divide between formal and informal residential areas within the urban space has been problematised in depth,1 as the informal production of urban space has increasingly been recognised as playing a large role in the making of India’s capital when compared to formal development (Benjamin 2005b: 245; Dupont 2004: 311; Water Aid India 2005: 27-31). Consequently a large number of Delhi’s inhabitants face the label of informality, or even illegality.

The effects on the inhabitants of unauthorised colonies (UACs) can be most importantly identified as different forms of exclusion. There is a large literature on the negative impact of the gap in public infrastructure provision in informal housing arrangements in Delhi, but equally in other Indian cities (among others Ahmad and Choi 2011; Ali 2003; Batra 2005; Dupont 2005; GNCTD 2006; Selbach 2009; Singh 2009; UN Habitat 2008; Zimmer 2011a). More importantly, residents of informal areas (together with a large informal workforce) are often marginalised in terms of decision-making processes, as urban debates and participatory procedures are dominated by powerful middle class resident welfare associations (RWAs) (Chakrabarti 2008; Harriss 2010; Kundu 2011; Tawa Lamarewal 2007; Zérah 2009; Zimmer 2011a). Moreover, the “right to the city” (Lefebvre 2009) of informalised populations is increasingly infringed upon through discourses on world-class development, the displacement of economic activities, as well as renewed slum demolitions (Ahmad 2011; Batra and Mehra 2008; Chaturvedi 2010; Ghertner 2010b; Hazards Centre 2005; Jervis Read 2010; Kundu 2009; Mehra 2011; UNESCO and CSH forthcoming). The provision of basic urban services, inclusion in decision-making processes and a more overarching right to the city are all understood to be major entitlements linked to urban citizenship. Withholding these entitlements from residents of informal settlements raises therefore strong questions about the inclusiveness of citizenship in urban societies (Kabeer 2005).

These forms of social exclusion are predicated upon different (and differently structured) fields of visibility that frame the approach to various types of urban settlements. The state “sees” (Scott 1998) residents in informal settlements differently from other citizens – if it chooses to see them at all. In fact, the literature suggests that despite their large numbers, informally living (or working) populations are

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(semi-)invisible (Black and Fawcett 2008: 36; Lemanski and Tawa Lama-Rewal forthcoming: 11) to their governments, and especially to the administration. A stark example of this administrative (and statistical) invisibility in India is the fact that for example, slum residents were not enumerated in the census until 2001. Slowly, however, this restricted view seems to be changing. The existence of informal settlements has been long acknowledged and now their residents are increasingly the focus of the authorities, mostly for reasons of better governmental control (Zimmer 2011b). There is an increasing interest in exact population figures — impossible to avail till date — as well as Geographical Information Systems-based mapping. For instance in Delhi, the shift of responsibilities for jhuggi-jhompri clusters from the municipal slum and JJ department to the state agency Delhi Urban Shelter Improvement Board in 2010 was accompanied by the recognition of a need for a “detailed study” including a “fresh survey of all the JJ clusters in Delhi”. More recently, unique identification numbers are to be assigned to all Indian citizens, including residents of informal settlements (Unique Identification Authority of India 2011).

At the same time, residents of established informal settlements, too, have started striving for visibility. Unlike during the years of settlement where invisibility might have been beneficial, and thus welcome (Bayat 1997: 75-76; Benjamin 2005a: 58-59), they increasingly seek the attention of the government. As one resident put it: “this area is a backward area that needs urgent eyes”. Visibility, from residents’ perspective, is associated with allocation of funds, infrastructure, and facilities; in short: with their definition of “development”. Furthermore, knowledge of the population totals might help residents establish claims for more meaningful political participation as citizens.

In this context of shifting relationships of “seeing”, it is crucial which kind of information is gathered, controlled, and disseminated by whom. While the government is keen on receiving data, it is not necessarily equally interested in publishing it. Against this background, this article focuses on data about those informal settlements which usually receive less attention by scholars than so-called slums, or jhuggi-jhompri clusters: Delhi’s unauthorised colonies. Unauthorised colonies have been the target of a regularisation drive since 2007 that aims to enumerate, locate, and if possible legalise these settlements. This encompasses the juridical as well as the material regularisation of the colonies, i.e., conferring a legal status as well as upgrading the areas in terms of public infrastructure (Bähr and Mertins 2000: 24). In the course of this regularisation drive, a large number of documents have been prepared by residents and presented to the Government of National Capital Territory of Delhi (GNCTD) Department of Urban Development (2011e) in application for regularisation. These application documents have now been published online, allowing questions about unauthorised colonies to be answered that until now have remained difficult to address.

The first objective of this paper is therefore to use these regularisation applications to shed more light on unauthorised colonies in terms of their numbers, the number of their residents and their locations. The politics of the regularisation drive is the focus of the second objective. In this context, the paper discusses whether regularisation and the enhanced visibility that accompanies it is the way forward to reduce exclusion of formalised residents and start closing the urban divide.

Besides the named documents, insights are based on 11 months of fieldwork in an unauthorised colony between February 2008 and December 2009. In total, 70 formal interviews were conducted with residents over that period of time, including several with members of four different RWAs that existed in the area. Besides this, 12 informal interviews were conducted with representatives of the state, i.e., the municipal councillor, a former member of legislative assembly, as well as employees of different administrative departments of the municipality as well as the GNCTD. These interviews were accompanied by extensive informal interactions with residents, methods of urban participatory appraisal, and ethnographic observations in the colony, as well as a review of grey on the regularisation of unauthorised colonies.

The paper is structured into six sections. In next part, unauthorised colonies are defined and the available data on unauthorised colonies are discussed. Section 3 summarises the debate around unauthorised colonies. The regularisation drive initiated in 2007 is presented in Section 4 and Section 5 analyses the politics around this process and the meaning of its emphasis on self-enumeration for urban citizenship. The paper concludes with discussing whether regularisation leads to more inclusiveness into urban society for the residents of unauthorised colonies.

2 Seeing the Semi-Visible: Definition of and Available Data on Unauthorised Colonies

The Delhi Development Authority defines UACs in Delhi as residential areas “where no permission of (the) concerned agency has been obtained for approval of layout plan and/or building plan” (The Gazette of India 2008). Most of them are in fact located in violation of the master plan, or have come up on private land that has been subdivided illegally. It also includes housing that has been built without respecting building by-laws (Baud et al 2010: 363; Dupont 2005: 317-18; Srirangan 2000: 16). While residents have purchased their plots from the original landowner, most new owners therefore obtain only a power of attorney for a maximum of 90 years to attest the transaction, and it is not possible to register a transfer of ownership (Water Aid India 2005: 28). Where the power of attorney for the plot or house is entered at the registrar office, the stamp duty is minimal, amounting to around Rs 2,000-3,000. UACs thus fall into the category of “semi-legal” settlements (Bähr and Mertins 2000: 23), in contrast to other forms of illegal settlements where residents have no documents of land tenure at all.

But how many colonies, and how many people are affected by this definition? As early as 1961, 118 UACs existed on Delhi’s
urban fringe (Jain 1990: 172). In 2008, the list of those UACs who had applied for regularisation indicated that at least 1,641 such colonies existed in Delhi at this point of time. No map has been published on the locations of UACs so far. With the help of the aforementioned list and the Geographic Information System (GIS) provided on the website of the Municipal Corporation of Delhi (no date), the majority of UACs which have applied for regularisation has been identified and located on the urban map (Figure 1). This process was fraught with difficulties as spelling of colony names would differ between different lists and the GIS application, and thus this map can only constitute a first attempt at visualising the informal urban landscape.

Despite shortcomings, the outcome of this exercise is advantageous. It shows for the first time clearly the massive concentration of UACs along the urbanised fringes, especially in Delhi's western parts. It is here that former agricultural land has been incorporated in a private manner into the urban area – and the future of Delhi's remaining rural areas even further west, south and north can be imagined.

Until recently, however, not only the location, but also population data on UACs were extremely vague. Estimates of the population of UACs in the literature vary therefore grossly between 0.5 and 3 million, or roughly 3-18%, of the population of Delhi (Ali 2006: 435; Dupont 2005: 311; GNCTD 2009: 169; Water Aid India 2005: 27). In early 2011, applications for UAC’s regularisation were uploaded on the department’s website. These included in a large number of cases an indication of the population of the particular residential area. The available figures make it obvious that UACs are extremely heterogeneous: while the smallest is of only 40 residents, the largest houses an impressive 1,50,000 people. On average, a UAC has some 4,946 residents. Extrapolating to the total number of UACs, this would mean that an astonishing 8.1 million people, or about 49% of Delhi’s inhabitants live in UACs (GNCTD Department of Urban Development 2011).

Obviously, these numbers have to be read with caution. They constitute estimates, figures have been noted down by residents themselves, and there may be a certain interest in inflating numbers. Also, in a number of cases it can be seen that some UACs have applied twice for regularisation via competing RWAs, so that a number of residents might have been counted twice. Furthermore, the total figure is calculated on the basis of an average as 57.5% of the colonies have not provided data on population. Moreover, not all UACs have been able to apply for regularisation: e.g., south Delhi’s affluent farmhouses do not fall under the regularisation drive, while others might not have been able to assemble the required papers. The estimate might therefore actually be still smaller than the real figures. Nevertheless, these numbers represent the best estimate available till date. They indicate that Delhi is by and large an informal city – with clusters housing another estimated 2.1 million (dusmb 2011) the total percentage of “informal” residents of the capital is assumed to be 64%. They thus constitute almost the absolute majority of Delhiites. The figures clearly indicate that dreaming of an orderly and planned capital city means deceiving oneself. It is high time that political as well as administrative processes acknowledge this fact.

3 Unauthorised Colonies’ Perceived Role in the Urban Space

Unauthorised colonies have been interpreted as a response to the demand for housing by the lower-middle and working classes that is not met on the formal market. Land development policies in Delhi are restrictive and effectively exclude private development (Ahmad and Choi 2011: 80-81; Dupont 2005: 315-16). As a result, prices for land and housing are exorbitantly high in large parts of the capital. However, where land is not classified as residential according to the master plan, land prices are much more accessible. This is the situation in which UACs have developed. In the investigated case prices were less than 10% of those for plots in adjacent authorised colonies. But this bargain comes at a price: First, the new owners are in fact only leasing their land, house or flat. Second, without public infrastructure provision, residents of unauthorised colonies often have to invest in installing and upgrading through private means. Only by acquiring voter identity cards, and thus a political identity as part of an electoral ward, will some form of public investment occur through the support of elected representatives. However, the use of municipal councillors’ and members of legislative assembly’s
funds is restricted in UACs, so that upgrading often happens in a piecemeal, unequal, and rather haphazard manner through a variety of funds and channels.

Yet, this uneven infrastructural development of UACs has also a positive side to it: heterogeneous colonies offer today a variety of spaces with differential price levels in close proximity (Benjamin 2005b: 252). Residents moreover highlight the benefit of a differential offer in terms of plot sizes that allowed people of different economic background to purchase land. The often mixed land-use allows for a reduced amount of time spent travelling between homes and workplaces, helping to create localised, sometimes highly specialised, and densely knitted economies, as well as encouraging a bust of diverse activities to maintain urban livelihoods (also found in other types of informal areas, see Benjamin 2005a; Jervis Read 2010: 46).

The “regularisation” of such informal settlements, Benjamin (2005b: 245) succinctly states, “is the dominant way cities are built”. Yet, the result of this process – the “unintended city” (Nandy 1998: 3) – is not easily accepted, and efforts by the government to bring Delhi’s urbanisation process under control have intensified rather than attenuated in the last years. From a point of view of urban planning these areas are inherently flawed for being unplanned, and even in contradiction with the larger plan for the city.

The ideal of the rational, planned city is obviously not only a modern one. Yet, it gained new verve in the context of a modern governmentality (Foucault 2007: 19-20; Scott 1998: 4). Planning was thus considered “an instrument to achieve progress” by the nationalists of independent India (Prakash 2002: 4). As early as in 1957, the image of the planned city was therefore objectified and institutionalised in Delhi’s first master plan (Legg 2006: 201). This plan was based on an “ideology of zoning” (Jervis Read 2010: 84), separating different uses of the urban space, namely, residential, industrial, and recreational. Because mixed land-use, however, was widespread, this plan created a wide gap between the orderly planned imagined city “as it should be” and the reality, grown out of this plan created a wide gap between the orderly planned and actual one. Yet, it gained new verve in the context of a modern governmentality (Foucault 2007: 19-20; Scott 1998: 4). Planning was thus considered “an instrument to achieve progress” by the nationalists of independent India (Prakash 2002: 4). As early as in 1957, the image of the planned city was therefore objectified and institutionalised in Delhi’s first master plan (Legg 2006: 201). This plan was based on an “ideology of zoning” (Jervis Read 2010: 84), separating different uses of the urban space, namely, residential, industrial, and recreational. Because mixed land-use, however, was widespread, this plan created a wide gap between the orderly planned imagined city “as it should be” and the reality, grown out of the “quiet encroachment of the ordinary” (Bayat 1997: 1).

In contradiction to the defined zones, unauthorised colonies are in fact the antithesis of the master plan city: they represent a constant reminder of planning “failure” – or the failure to implement the plan and thus the lack of (sovereign) control over the urban territory. This tension, impossible to overlook, produces a kind of master plan angst amongst urban authorities. The Delhi Development Authority (2006: i), for instance, in the introduction to the Delhi Master Plan 2021, states that “[t]he choice is between either taking a road to indiscriminate uncontrolled development and slide towards chaos or a movement towards making Delhi a world-class city”. The dichotomy presented is between a loss of control described in apocalyptic terms, and a planned, supposedly bright future. It underlies the policy approach to unauthorised colonies, where UACs appear as potentially “risky” to the urban order and state control.

Yet the relationship between the government and unauthorised colonies is not straightforward. UACs have for example been considered less “dangerous” when compared to jhuggi-jhongri clusters or other forms of settlement without lease or ownership and settlements of the (extremely) poor (Ghertner 2008; Sharan 2006; Zimmer 2011a). They may even represent spaces of opportunities in terms of political gains and practicalities of housing provision. First, UACs hide and compensate for the fact that public housing activities have failed at a grand scale. If more than half of Delhi’s residents live in informal housing the government faces a major crisis of legitimacy with regards to its ability to provide (roti, kapda and makan) for its citizens. In this context, informal housing arrangements which provide at least relative security of tenure have lowered the pressure on government significantly (Bähr and Mertins 2000: 23). Second, a number of political opportunities arise. Local politicians might build vote banks by arranging for infrastructure and other benefits through informal channels. Also, the government can benefit from an ex post regularisation process, as support for this move helps building up a political constituency amongst UAC residents (Benjamin 2005b: 247; Gazdar and Bux Mallah 2012). Third, UACs present the unique opportunity for the government to claim development charges for the retrofitting of settlements with infrastructure. While costs for these undertakings in formal colonies are included in property prices, infrastructure provision is nevertheless considered a prime responsibility of the state. In UACs however, infrastructure development can be inserted into a discourse of responsibility, i.e., of cost-sharing between the state and its citizens, inciting a new understanding of citizenship while at the same time penalising the illegalised residents (a point discussed in more detail below). While being labelled as informal and thus officially unwanted, UACs – and the votes, initiatives, or investments of their residents – are therefore nevertheless coveted by the administration as well as politicians.

4 Regularisation: Procedural Steps and Political Struggle

This ambiguous relationship between the state and UACs has led to the fact that UACs have enjoyed quite widespread, albeit tacit tolerance (Lemanski and Tawa Lama-Rewal forthcoming: 11). Around 786 colonies were legalised in Delhi in the 1960s and 1970s (Dupont 2005: 319-20), receiving the odd tag of “unauthorised-regularised colonies” (housing yet another 12.7% of the city’s population, if this figure is more reliable than the one on UACs, see GNCTD 2009: 169). Since 2007, after a gap of more than 30 years, a new round of regularisation is on its way promoting the inclusion of UACs into the urban social and material fabric. For this purpose a separate cell has been created within the GNCTD Department of Urban Development (The Gazette of India 2008). The bureaucracy’s move to regularise the UACs is depicted as an act of largesse, as the colonies are compared to “an illegitimate child (which) doesn’t stop being a citizen of Delhi”, as an interviewee in the Delhi Secretariat who wished to remain anonymous put it. While earlier rounds of regularisation highlighted the aim of total state control over the urban territory, the recent drive is different in that it is based very prominently on the notion of partnership with UAC residents, which we will return to, below.
In 2008, guidelines for the regularisation process were published in the Gazette of India (2008). The cut-off date after which colonies cannot apply for regularisation is 31 March 2002. The guidelines propose the regularisation of UACs as far as these do not consist of vacant plots on more than 50% of the area by 2007, and are not inhabited by affluent sections of society. Furthermore, they can only be regularised if not built within notified or reserved forest areas, or in areas where right of way applies for railways, master plan roads, or main water and sewerage lines, or which are protected for archaeological reasons.

UACs also have to fulfil other preconditions: they have to register a residents’ society or RWA which is then responsible for a number of tasks. The RWA then has to “liaise with the concerned agency” (The Gazette of India 2008), prepare a detailed layout plan with the help of a certified town planner or architect, to compile a list of all residents, and to transfer land for the development of social infrastructure, if vacant plots are available. Also, and in contrast to the earlier rounds of regularisation (GNCTD Department of Urban Development 2011d), residents of UACs now have to pay land charges (if the colony is on public land), development charges plus a penalty, the amount of which depends on the standard of surrounding colonies and the plot size.15 On top of this, the registration of the then regularised-unauthorised ownership with the registrar’s office will demand paying a stamp duty which would be based on the circle rate of the land, and is calculated at 6% of the value for female, and 8% of the value for male leaseholders.

In exchange, residents can expect several benefits of regularisation: First, the value of their plots, houses or flats is thought to increase significantly. Second, bank loans become accessible for purchasing property in regularised-unauthorised colonies, while property may also be taken as a security for other kinds of loans, something impossible for unauthorised colonies. Finally, an upgrading of the infrastructure is supposed to take place. The new legal status and infrastructural development are explicitly linked following the Supreme Court order of 16 February 2006, which stated that “[i]n case the state authorities are not in a position to make available the basic services in respect (...) there shall be no regularisation of unauthorised colonies” (Supreme Court of India, cited in Dutta and Peace Institute Charitable Trust 2009: 20).16 This order prevents the government from reaping cheap benefits of an only juridical regularisation simply for the purposes of electoral advantage.

Therefore, even before the finalisation of the process, regularisation has been supported by a steep increase in allocation of public funds starting in the financial year 2007-08, as shown in Figure 2.

Anticipating these benefits, the call for regularisation has been greeted with a very positive response by residents. Residents have spent weeks and probably months, assembling data on plot owners: names, plot numbers, sometimes telephone numbers, information on water and electricity connections. To validate their claims, they have attached photocopies of earlier electricity bills, voter identity cards, or letters of different politicians or officials. Residents have formed RWAs if one did not exist already,” got it registered and often had letter-head paper made. Their presidents had to sign an affidavit specifying that they would abide by the layout plan “as may be approved with or without conditions”, would pay development charges and other charges “may be fixed by the DDA”, and surrender land to the authorities free of cost to provide civic amenities in conformity with planning norms (The Gazette of India 2008). They also had to sign an indemnity bond, promising to indemnify the local body or DDA for any required retrofitting against earthquakes and structural stability of buildings. Associations have produced documents specifying the area of the colony in hectares, the date since when it was created, the number of built-up and vacant plots (sometimes according to their sizes), the ownership status of the land as well as its categorisation according to value categories (A-H). They have specified the kind of infrastructure the colony has acquired already. Most importantly almost all have enclosed the required layout plan, made by an authorised architect or planner. In two investigated cases, this exercise cost Rs 15,000 and Rs 56,000 for the first draft respectively, and as the authorities demanded corrections, residents estimated that another Rs 50,000 would be required for the final map.

In this way, as many as 1,641 UACs applied for regularisation (GNCTD Department of Urban Development 2011d). As a result, 1,218 colonies received a provisional certificate of regularisation in 2008, a move that was widely criticised as part of the Congress Party’s election campaign to secure the votes before the 2009 assembly elections (Lemanski and Tawa Lama-Rewal forthcoming, The Hindu 2011; The Pioneer 2009: 4). It was discussed in the media that the majority of UACs failed to be eligible for regularisation anyway as they had come up on forestland or in the vicinity of archaeological sites (Indian Express 2010, Lemanski and Tawa Lama-Rewal forthcoming). The formal process thus remained stalled for a long time. In August 2010, the Municipal Corporation of Delhi (MCD) requested that the power of regularisation be transferred from the Congressruled Delhi government to the BJPruled municipality (The Hindu 2010), but this request was not acceded to. After the question of municipal councillors not being authorised to use their funds for development works in UACs (as discussed above), the issue levying development charges from UAC residents was a bone of contention for months. While municipal councillors contested charges on account of residents’ poverty (Times of India 2011a), others hoped for a hefty penalty for
“indulging in an illegal act” (Indian Express 2011). Only in February 2011, the cabinet of Delhi government, on the suggestion of a group of ministers, finalised the development charges to be Rs 200/m², a relatively modest amount. Yet, more than 100 resident welfare associations announced their protest against the decision under the leadership of the BJP (Times of India 2011b).

Finally some 733 colonies were informed that they had received all the required no objection certificates from the different government agencies (GCNCTD Department of Urban Development 2011b). Since then another list of 285 eligible colonies has been published in July 2011, and their layout plans are under scrutiny by the chief town planner, MCD (GCNCTD Department of Urban Development 2011a). In the meantime (as seen in Figure 2), financial resources have been allocated and spent by the Delhi government to provide facilities in UACs, and public works are underway in several areas after the administrative approval for development in 28 colonies had been given to the MCD commissioner, Delhi Jal Board, the Irrigation and Flood Control Department and the Delhi State Industrial and Infrastructure Development Corporation. Works concern mainly the construction of roads, outfall drains, water supply as well as (in one case) sewer lines.¹⁸

At the same time, the scrutiny of layout plans revealed in late 2011 that 127 colonies did not meet the criteria of being 50% built up by 2007. The RWAs of these colonies then received a show-cause notice, to which 73 did not reply, raising serious doubts about a land scam set up between the land mafia and local administrative staff and politicians. It was speculated that vacant land had been declared to be occupied by unauthorised colonies in order to apply for regularisation and thus increase the land value (GCNCTD Department of Urban Development 2011c; Kumar 2011; Hindustan Times 2011). A report by Divisional Commissioner Vijay Dev was commissioned on the issue of provision of provisional regularisation certificates (Financial Express 2012). As a result, and following heated discussions between the Delhi government and the opposition, 40 provisional regularisation certificates have been cancelled in February 2012 (GCNCTD Department of Urban Development 2012a). The landowning agencies were asked to reclaim the vacant lands and the report recommended criminal prosecution against the actors of the scam (Financial Express 2012; Times of India 2012). Most recently, the Delhi Lokayuktar has issued a show-cause notice to the Delhi government to clarify the application of criteria for regularisation, and the procedure of distribution of provisional regularisation certificates (The Hindu 2012).

As a result, the inspection of land is not supposed to take place “where the agencies such as DDA, ASI, revenue or forest have objected (...) regarding regularisation” (GCNCTD Department of Urban Development 2009), and special administrative provisions seem to have been agreed upon for these cases. The minutes of a meeting of the lieutenant governor, the minister of urban development, the DDA, MCD, and other departments in 2010 show that where the forest department has objected to the regularisation, the Government of India and the Empowered Committee constituted by the Supreme Court of India have to give clearance. Where the Archaeological Survey of India (ASI) has objected to the regularisation of colonies, “an amendment in the asi Act to empower a Committee to consider regularisation of such colonies” is sought (Lieutenant Governor of Delhi 2010). In these cases it is not clear how long regularisation might take, or indeed, if it will happen at all. Some actually existing, and built-up UACs will remain ineligible and will not benefit from investment. More problematically, some of these colonies are in danger of demolition or sealing drives and thus housing arrangements remain very insecure.

5 The Politics of Enumeration: Engaging UAC Residents through Technologies of Citizenship

The above sections have made it clear that in the process of regularisation, enumeration, along with the creation of resident welfare associations and the payment of certain penalties and duties are the most important contributions residents have to make. They have also shown that residents have had to invest a lot of time to apply for regularisation and that results of the drive are not yet clearly discernible. So how should we understand the political content of regularisation more precisely?

In my opinion, the process can be read as a coupling of three different dynamics. First, as regularisation is inextricably linked with enumeration and location, it increases the visibility of UACs and aims undoubtedly at gathering data on this vast population. From a Foucauldian point of view, visibility is not a neutral, given feature. Rather, visibility or invisibility are produced (Dean 2010: 40). States for example seek to create visibility of citizens and spaces in order to attain control through fear of punishment and subsequent self-government of their subjects (Foucault 1991). The enumeration of UACs can therefore be regarded as a form of surveillance authorities might want to establish for tighter control of the city and its inhabitants.

Second, inhabitants are not only registered through a government-led census or registrar office, but also have to undertake enumeration and data compilation themselves. These self-enumerating practices have been associated in the past with liberating technologies of a “civic governmentality” (Roy 2009) and a democratic upsurge from below (Appadurai 2001). They have been described as being able to “infiltrat(…) [e] the very categories through which rule is accomplished” (Menon 2010: 151). Certainly, there is an immense difference between a self-enumeration drive, in which informal residents have control over the data, and a government-initiated collection of data by residents. Yet, even in the former case, authors have cautioned against the disciplinary effects of self-surveillance (Ley 2008), and the danger of co-option of gathered data by the state (Roy 2009: 165). Rather than dwelling on the aspect of surveillance here, I propose to read the self-enumeration in the context of the regularisation process as a “technology of citizenship” (Cruikshank 1994; Dean 2010: 199). These technologies of government aim to control...
people’s conduct (Foucault 2007: 99) indirectly – through the internalisation of values associated with “civility” (Roy 2009: 160), where citizens are to govern themselves in a certain way. In the case of unauthorised colonies, citizenship-related rights and entitlements appear to be reframed as doing certain practices, and to take over certain responsibilities in the governance of their residential areas which the state defines as a performance of citizenship (Zimmer 2011a: 237-38).

This becomes particularly clear when observing, third, that the regularisation process works – unlike in cases of many slum surveys, for example, which are organised by non-governmental organisations – through RWAs. The push for these associations is to be understood better when considering that the Delhi Human Development Report argued that “only through partnerships and sharing of responsibilities between Government and citizens can the creative potential of Delhi be mobilised for the attainment of these (developmental) goals and for the betterment of all” (GNCTD 2006: vii). In the light of such aims, the GNCTD initiated the well-known Bhagidari scheme in 2000 in order to create an “active, effective and target-oriented citizen-government partnership” (GNCTD no date) between RWAs and the state government and to institutionalise citizens’ participation in governance processes (Chakrabarti 2008: 2). The government claims that Bhagidari gives “new meaning to democratic governance” (GNCTD no date). Although first devised for associations of formal colonies, Bhagidari extends now to informal settlements (Chakrabarti 2008: 101). In the years since its beginning, Bhagidari has led to an increase of RWA responsibilities, such as the supervision of sweepers, collection of property tax or the management of parks (Tawa Lama-Rewal forthcoming). The programme is thus inscribed in a larger logic of transfer of responsibilities for basic service provision from the state to non-state actors (Kabeer 2005: 17-18; Tawa Lama-Rewal forthcoming).

Technologies of citizenship become especially apparent as the notion of citizenship itself is redefined through the enumeration drive as well as Bhagidari (Srivastava 2009: 343): citizens are to become the partners through which policies are delivered on the ground, by which initiatives are taken and with which governance responsibilities are shared. The enumeration and regularisation procedure shows that if residents want to qualify as citizens, they have to make themselves knowable to the state – including the provision of information on names and exact location. They have to participate financially in the regularisation process, showing that they accept the logic of cost-sharing between the state and citizens. The Bhagidari programme points to the fact that residents have to be ready to organise themselves in associations, agree to hold regular meetings with government officials, and become partners of the state. In a more general way, residents of UACs have to cooperate with the state; they have to agree to become governable as well as collaborate in making themselves governable.19 Only subsequently, the state offers inhabitants of unauthorised colonies legal acknowledgement, more full-fledged citizenship-related entitlements and concomitant allocation of public funds for infrastructure.

6 Conclusion: Inclusiveness Only for ‘New’ Citizens

Against the background of this analysis, the question of whether regularisation offers a way forward in terms of urban inclusiveness remains. First, from a point of view of infrastructural inclusion, an analysis of regularisation shows problematic results. The Supreme Court has made infrastructure provision mandatory in colonies before their regularisation. While this shows that the government may not act on its own will in disbursing funds for infrastructure, a substantial increase in investments can be observed. Yet, as Bhagidari was based from the beginning on a neo-liberal agenda of withdrawal of the state from the provision of essential services, the obligatory formation of RWAs further indicates that inclusion in the provision of public infrastructure was not necessarily the main goal the Delhi government pursued with its regularisation initiative. Rather, regularisation offers the chance to spearhead a new repartition of responsibilities between the state and its citizens with regard to public service provision. This means that while UAC inhabitants may come to be seen as “proper” citizens through regularisation, the notion of citizenship itself seems to gradually lose its link with state provision of infrastructure, and increasingly mean participation of citizens in a public-private partnership for infrastructure provision. Residents of UACs, grateful to obtain the better legal status, will certainly be more easily convinced of this new understanding of citizenship than more privileged populations in formal colonies. Therefore, while demanding short-term public investment in basic infrastructure, the increased visibility of informal settlements may lead more importantly to a partial withdrawal of the state from infrastructure provision, and an increased legitimacy for doing so, in the long term.

Second, from a point of view of inclusion in decision-making processes, the regularisation does point to an increased inclusion of residents of UACs at first glance. Yet, the formation of RWAs requires a specific form of associational life and organisation: formalised meetings, the adoption of the regulations of an association, the election (or designation) of general secretaries, presidents and other leading figures, and the registration of the association under the Societies Registration Act XXI of 1860. Findings indicate that RWAs usually regroup the male, more educated, better off, and retired residents. These residents often have both the time and knowledge (or means of accessing it) of the required procedures or programmes such as Bhagidari (Zimmer 2011a: 205-06; see also Tawa Lama-Rewal forthcoming). This points to the fact that although UACs represent heterogeneous spaces where many women, illiterate residents or daily wage labourers are resident, these groups are often excluded from processes of self-organisation or collective action. With the growing importance of RWAs through the regularisation process, the same groups are poorly placed to benefit from the proposed partnership with the state. Meanwhile, the enhanced visibility of RWAs in UACs further increases inclusion
for those groups of residents which already belong to more privileged groups of society. As a result, unauthorised colonies are increasingly transformed into “unequal space[s] of governance” (Harris 2007: 2719).

To sum up, the regularisation process, rather than aiming at closing the urban divide, appears to consist of a bargain between the state and the residents of UACs: in return for an increase in tenure security, individual wealth and public investment, residents must adhere to a new, more neoliberal definition of citizenship which includes cost-sharing, self-organisation, deliberate visibility for inspection by the state and submission to administrative procedures. While offering to UAC residents the opportunity to be regarded forthwith as “proper” citizens, the aim of the regularisation drive seems less about increasing urban inclusiveness. On the contrary, it appears to lie in the creation of a class of propertyed residents who understand their citizenship in ways that demand active, self-organised, and financial participation in governance processes.

NOTES
1 This dualistic representation of housing practices in cities has been criticised for being overly rigid and missing out on the various hybrid practices of citizens (Etzold et al 2009, Leman- 
ski and Tawa Lama-Rewal forthcoming). The use of both labels is nevertheless widespread especially in Pakistan and therefore they reveal to have real impacts on citizens’ lives which fall in one or the other category.
3 This information is no longer available on the website.
4 This is the number of UACs that have applied for regularisation, DDA (no date) – list of 1,432 unauthorised colonies sent by GNCTD (unpublished).
5 When calculating on the basis of the 2011 population figure for Delhi.
6 Sad Nagar Left Out Pocket, Mangla Puri Chowk, and Palam Colony.
7 Sangam Vihar, L-Block.
8 These documents are for 1,614 UACs who have applied for regularisation. The actual number of UAC residents might therefore be even be higher than that.
9 The documents vary, and not all UACs have handed in the page entitled “Application for Unauthorised Colonies to be Considered for Regularisation”. It is not clear whether the ministry’s regularisation documents have changed in the course of the process, or certain RWAs have not handed this specific document back. Also, the document might simply not have been uploaded on the website.
10 In the literature and documents of government agencies, numbers of inhabitants are usually calculated by multiplying the number of dwellings by five. Recent figures of Delhi Urban Shelter Improvement Board indicate that 4,182,282 jhuggis exist in Delhi to date.
11 For a more elaborate discussion on zoning in Delhi see Sharan (2006: 4909).
12 And more so, the approach to the even less planned jhuggi-jhompri clusters.
13 Bread, clothes, and housing.
14 Benjamin (2005b: 247) also suggests that regularization is a way of expanding the autonomy of the municipality vis-à-vis the state and national government. However, the recent regularization drive in Delhi has been initiated by the state government.
15 Colonies are categorised in classes from A to H depending on the unit area value and pertaining property tax (Municipal Corporation of Delhi 2002).
16 Despite extensive research, the original ruling was not accessible.
17 Resident welfare associations have a long history in Delhi’s colonies, including UACs. In the investigated case, the earliest RWA was formed in 1985. These early associations were engaged in long struggles for the provision of a government primary school as well as street infrastructure (Zimmer 2011a: 203-05).
18 The full list of colonies in which administrative approval has been given can be found at GNCTD Department of Urban Development (2012b).
19 Ghertner (2010a: 192) describes a similar strategy of the state, where JJC residents in the 1990s were “draw[n] […] into the practice of government” by holding out the prospect of resettlement in return for cooperation in slum surveys.

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