The Slum and the Development Plan

Amita Bhide

Associate Professor, Tata Institute of Social Sciences

Introduction

As Mumbai begins to gear up for the preparation of its Development Plan, it simultaneously faces the challenge of being a city where above 60 percent of population stays in slums. The slum and the Development Plan have been seen as almost oppositional categories. The presence of a large proportion of slums thus is seen as a failure of planning. This article is based on the premise that the current nature of informality in the city is such that it cannot be wished away or neglected. Similarly the lack of dynamic planning has taken a huge toll on the quality of life and the environment of the city in the past decade; it cannot be allowed to fail. There is therefore, a need to accept these realities as given and identify ways of moving forward towards more realistic and inclusive planning.

The Development Plan

The Development Plan is a colonial legacy. It was introduced as a third generation evolution of city planning after improvement programmes and town planning schemes in order to provide a long term and comprehensive development framework. In the post independence years further layers were added to it ,firstly by adopting a regional planning framework and secondly through the introduction of development control rules. As a land use plan, it is expected to synchronise with infrastructure plans and visions of socioeconomic development. It is generated through systematic studies and predictions of experts though it is subjected to a process of notifications and objections. Accompanied by development control rules and byelaws, it sets standards for the real estate and services in the city.

The development Plan thus has multiple dimensions. It is a representation of city form and thus has an architectural and creative dimension. It sets norms for use of space and regulates on that basis, thus lending it a legal dimension. It involves a valuation and has a considerable and long lasting impact on city land markets. The economic dimension is thus, embedded within. In balancing conflicting interests and uses, it has a political dimension too.

A nineteenth century development, it is an embodiment of the triumph of science and engineering applied to creation and control of human settlements. The development Plan thus, follows the logic of techno-rationality, of the mystifying power of expertise that couches the alliance of powerful politico-economic interests and backed by the process of law.

The experience of the development plan in Mumbai in particular and the country in general has been one that has been characterised by non implementation. Its divorce from resource mobilisation and its pursuance of standards that are influenced by Western societies has meant that services and amenities that often do not see the light of the day. Its predictions of population and city growth have fallen short. Its assumption that city growth can be regulated through the provision of amenities has proved unviable .Its static-ness over two decades has been perceived to create stagnation and inability to respond to changing environment and needs. As Joseph (-) comments, the value of the development plan is more in its ability to put a speed breaker to the rampant greed of developers and land sharks.

The last decade has seen the rapid emergence of two counter processes to planning. The first is the spread of various forms of informalities including unauthorised constructions, development of unplanned developments and lay -outs, fringe area developments and slums. Such informalities have become embedded into the DNA of every Indian city to the extent that planned development has assumed a peripheral presence. Scholars like Ananya Roy argue that informality is not an aberration but is linked to the contradictions of the city planning process in India. Several others have commented on how slums in Mumbai may be informal in form but contain a highly organized, albeit unrecognized land market.

The second is the mode of project planning. Mumbai in particular has seen the emergence of several infrastructure projects, not all of which have been envisaged by the Development Plans of the city. It seeks to bypass comprehensive planning and the consequent delays and other shortcomings of the process. Project planning is thus linked to resources; it adopts a management approach to deal with obstacles such as encroachments, land availability etc.

These projects and the introduction of development control rules to deal with various issues faced by the city has resulted in significant transformation of certain parts of the cityscape. They have managed to take on the challenge of dealing with informalities

by adopting an approach of reconciliation and accommodation. On the other hand, it has resulted in developments that have distorted infrastructure availability and distribution in the city.

The Slum

The slum so ubiquitous in Mumbai, is extremely hard to define. It has been understood primarily from the outsider's and primarily legal lens as a settlement that is characterised by dense, unhygienic living conditions and amenities. The initial (as reflected in the Slum Act of 1956 which was the first act to deal with this issue) understanding of the slum extended its logic to argue that living in such environments affected not only the health but also the morality of residents).

Later acts have toned down the normative stress in these understandings and widen the understanding to include several forms of informal settlements including encroachments, squatter colonies, unauthorised lay outs etc. The 2959 (as per a survey carried out for MCGM in 2002) or so slum settlements in Mumbai reflect a heterogeneity of physical conditions and legal origins.

From the residents' point of view, a slum is a place to be, a place that they lay claim to in terms that are fairly affordable in a city that otherwise offers few options. A cursory examination of lands on which slums have emerged reveals that most of them come up on lands designated as 'unfit for habitation'. These include hill slopes, lands near railway tracks or under high tension wires, those alongside rivers and nullahs, swamps etc. It is precisely because

such lands had low value that poor populations were able to claim them and develop them into thriving settlements.

The process of conversion of low value lands into thriving settlements is a process filled with struggle. It means surviving through multiple threats for eviction, living in harsh physical conditions, coping with frequent crises, dealing with law-keepers and brokers, and dealing with omnipresent violence. These struggles involve working individually and collectively towards establishing legitimacy, to gain some physical security for the settlement and then to improve it bit by bit over the years. The route for these is inherently political.

Slums emerged in the city towards the end of the colonial regime; they began as settlements in spaces that offered opportunities for labour in activities outside city limits such as tanning. They expanded considerably in the 1970s, propelled by the continual droughts in the countryside and the expansion of production activities in the city which demanded cheap labour. These increase in numbers paved way for their recognition as a political constituency and emergence of a parallel economy for servicing these settlements. This process has continued unabated with more complex elements being added through a city economy which has shifted towards services and become informalized .

The Slum and the DP

It has been established so far that the DP follows the logic of techno-rationality, of creating formal settlements in places considered fit for them while the slum follows the logic

of survival, of on-the-street struggles to establish claims, and of a political route to establish legitimacy in places considered unfit to live. Thus the slum and the DP with their totally different epistemologies could continue to coexist and inhabit distinct spheres.

The development plan 'virtually' denies the existence of a slum. Slums are totally invisible under the brush strokes of the yellow, green and blue of the development plan. In many cases, this denial has very little meaning except the denial of amenities because the plan is not linked to implementation. The conflict begins when implementation becomes a real possibility.

When implementation becomes a real possibility, the invisibility of the slum and the denial of its existence in the development plan come to have immense power over the destiny of the slum. It renders the slum in contravention of essential public purpose and places it in direct conflict with the 'welfare of city at large'. The sword of 'eviction' then continually hangs over the slum. To cite an example, the 80,000 plus households which were displaced through the Mumbai Urban Transport project (MUTP) through its road projects were those settled in slums which coexisted along with the 1964 Development Plan. It is a classic case of how places once considered unfit to live acquire value over a period of time and are considered land stocks essential for the city. The denial of their existence in the DP resulted in their displacement thirty years after the declaration of the DP. The DP thus literally represented the sword of the Leviathan, in this context.

The numerical strength, voice and organization among the slum dwellers have ensured that these processes of eviction and displacement are not unilateral but negotiated processes. Thus, a massive programme of resettlement was initiated as an accompaniment to the development of roads under MUTP. A similar process has also been undertaken for the Mithi river project, has been proposed for the expansion of airport areas. A scheme like the Slum rehabilitation Scheme essentially seeks to make compromises between these oppositional categories .Negotiation thus, is an empirical fact.

It is important to note that this process of negotiation begins only when the proposed reservation becomes a 'live' possibility. However, the plan acts a ground of denying basic services to the slum even when the project is not 'live'. The Plan thus has a constant presence in the lives of slum dwellers who find themselves on reservations.

This historical approach may suit (though not on human, ethical grounds) a city where the proportion of slum is small but is not in conformity with a city where the slum population threatens to reach well above 60 percent as reported in the initial reports of Census 2011. The city cannot afford to ignore the existence of this population and deny them services neither can it afford the costs of negotiated 'outside' the plan processes like the one initiated by the Slum Rehabilitation Scheme at this scale. The cost of such negotiated processes on city infrastructure, its spatial and class distribution and on environment is too high. It is the process of planning itself

which needs to contend with the reality of large numbers of slum settlements and re-examine its relationship with them.

What does re-examination involve?

The objective of such re-examination has to be the reestablishment of planning as a process of relevance, as a process that is realistic and as a process of welfare of all citizens and not just propertied citizens.

It has to be based on the premise that development planning in a country characterised by mass poverty needs to follow standards and norms that are in keeping with this reality. It is also premised on the fact that urban poor are productive sections and are in active relationship with the other classes of society. It thus needs to be a layered exercise.

The first step in such an exercise should be to begin at the point of emergence of conflict itself. This is the denial of the existence of the slum. The collection of data with respect to slums, their actual land coverage, which of them are recognized is necessary to even give a semblance of reality to actual planning. This may not be the 'desired plan' but this is what exits and even recording the same would result in planning that could identify possibilities and projects 'of least harm'.

It should also result in service, amenity and infrastructure standards that are achievable and sustainable. The approach to such standards has been top down emerging from the Urban Development Plan Formulation Guidelines (UDPFI). However cities and states do use varying standards and thus this is doable.

All development plans provide for some land for the urban poor under various nomenclatures- land for weaker sections, land for dis-housed, etc. The National Urban Housing and Habitat policy suggests a 25 percent reservation of land for the urban poor. It is frequently experienced that there is a mismatch between such reservations and the location of actual slums. It needs to be recognized that the location of slums in the city follows certain principles and that such lands cannot be placed just 'anywhere'. Recognising lands under slums as lands for weaker section housing would go a long way to not only making the slum dwellers more secure and willing to invest in the city but also reduce the costs of unanticipated conflicts and negotiation.

The next layer is an acceptance of high density mix use areas as a category within planning. High density mix use form is compatible with the recent move towards compact and walk-able cities .It is also a form that would yield legitimacy to the lifestyle of the urban poor who do not have the luxury of separating homes from their livelihoods.

Barriers to Such Re-examination

The MRTP Act issues guidelines on the process of planning. The UDPFI advocates standards for the plans. Both these could be seeming barriers to such a re- examination of relationship with the slum. However a closer reading of the MRTP Act reveals that there is nothing in the act which could prevent such a re examination. In fact the planning process could gain greater legitimacy through this process. The experience of the last plan where it took nearly twelve years

to complete the process of ward- ward sanction of the development plan, where the plan became almost redundant by the time it was enforced and whose provisions have been turned inside out through the introduction of numerous development control regulations should teach us that it is extremely essential for the planning process to have built in mechanisms for gaining legitimacy and nothing in the MRTP act dissuades from this 'extra' initiative.

The UDPFI guidelines do prescribe universal benchmarks and could pose a real barrier..However as suggested earlier city specific standards do vary and thus the adoption of standards that are more in tune with the realities of the city could be a more positive move.

There are precedents for such re-examination. In Indore for example, several existing slum settlements are now incorporated as lands for weaker section housing under the Development Plan. This was made possible through the initiative of housing right groups and the efforts of planning professionals in the city. It has given considerable security to the slum dwellers that are now able to invest in the improvement processes with a degree of confidence; it has also meant an enhanced city environment.

The real barriers to such a process of re-examination are those of the mind and opposition of those who have profiteered from the negotiation processes that have been unleashed in the city. These barriers are extremely difficult to counter. It requires a will to make a difference, an ability to see planning as a meaningful process and not just as a product that will be trashed through interim interventions.

A Call

Can Mumbai do this? We certainly have strong housing rights struggles in the city. We also have socially conscious planners. What then prevents us from engaging in such a process? The process of planning and preparation of a development plan need to be seen as opportunities for engaging with a wide section of stakeholders ,including slums dwellers who have contributed so much to the making of Mumbai .

The opportunity to make a difference is with us. If we do not utilise it, we are to be condemned for another twenty years to the fancies of a development pan which will never be and will be replaced by a monstrosity of development whose costs will affect not just the slum dwellers with whom it will be in opposition but from the entire city.